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**MANHATTAN BEACH CITY  
COUNCIL REGULAR MEETING  
REMOTE BROADCAST CAPTIONING  
TUESDAY, JUNE 18, 2024**

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CITY OF MANHATTAN BEACH  
CITY COUNCIL REGULAR MEETING  
TUESDAY, JUNE 18, 2024

MAYOR FRANKLIN: Thank you so much. Well, welcome, everybody to City Council Regular Meeting Tuesday, June 18, 2024. So, we are going to do a pledge the flag. We have a special guest today. We have Hadley Baker. So, Hadley, if you would come up. And parents, you can come a little close.

MAYOR PRO TEM HOWORTH: We're at the, yeah, I give her the microphone.

MAYOR FRANKLIN: Yeah.

MAYOR PRO TEM HOWORTH: Is it on, or do I have to turn it on?

COUNCILMEMBER MONTGOMERY: These are the fourth time we turn them on.

HADLEY BAKER: Put your right hand over the heart and face the flag. 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: So, we're going to let Mayor Pro Tem Howorth do the honors because she's got a special story.

MAYOR PRO TEM HOWORTH: I do. Thank you so much, Mr. Mayor. If the City Clerk could put up the slide. I think we have.

MAYOR FRANKLIN: So, I'm going to, while that's happening, we came into our city office here in City Hall. And we found this wonderful packet of thank you notes. And it was from the fifth graders at American Martyrs School. And it was a very nice gesture. We really appreciate it. And one of them caught the eye of Mayor Pro Tem Howorth.

COUNCILMEMBER NAPOLITANO: Is that Tina Fey?

MAYOR PRO TEM HOWORTH: Yeah, oh, oh, golly, thank you. So, Hadley here, if you can see on the top, I guess, there it is, the pink jacket. It's from my official photo out there. And this is drawn by a fifth grader. And I have to say, Hadley, it's the favorite picture anyone's ever drawn or made of me. I mean,

I thought it was very good. And then I opened it up. And all of the kids, but, you know, I think there was an assignment right to thank the people in your community, which is awesome. And then she wanted a donut day. So, what do we do for that, Hadley?

HADLEY BAKER: She came to my class and brought us all donuts with pink frosting.

MAYOR PRO TEM HOWORTH: Which I was told was your favorite as well. But also, I don't know if you can see what's highlighted up there. It says, PS, your pink blazer slays. So, and that's me visiting the class. I mean, what a great group of kids and teachers. This was at American Martyrs. And it was so joyful for me. But I told you earlier tonight that I wanted to recognize you, because let this be a lesson to all of you, young people, out here. I didn't know there'd be so many of your friends and stuff out here. When you're writing a letter to somebody, when you want something maybe, or you want to get noticed, put some of yourself into that letter, right? Make it a little bit personal, because it will stand out. And pretty soon, you'll be at City Council leading the Pledge of Allegiance. So, do you want to say hi to anyone in the audience?

HADLEY BAKER: Hi to my mom and my dad.

MAYOR PRO TEM HOWORTH: Excellent. Well, here, I present to you a city pin. Thank you, and I hope you keep up your artistic endeavors. I'm very impressed.

HADLEY BAKER: Thank you.

MAYOR PRO TEM HOWORTH: And if I could have my colleagues join us for a picture. So, on behalf of all of us, we have this. Mom will get this official photo to you. Perfect. Can you fit us all in? Thanks so much.

COUNCILMEMBER MONTGOMERY: What donuts, were they Dunkin'?

MAYOR PRO TEM HOWORTH: They were not from Dunkin's. They were her favorites, which are best donuts.

COUNCILMEMBER MONTGOMERY: All right. Making sure.

MAYOR FRANKLIN: Thank you so much, Hadley.

MAYOR PRO TEM HOWORTH: Thank you.

MAYOR FRANKLIN: Okay. So, can we have a roll call,  
please?

ASSISTANT CITY CLERK ALVAREZ: Councilmember Lesser?

COUNCILMEMBER LESSER: Here.

ASSISTANT CITY CLERK ALVAREZ: Councilmember  
Napolitano?

COUNCILMEMBER NAPOLITANO: Here.

ASSISTANT CITY CLERK ALVAREZ: Councilmember  
Montgomery?

COUNCILMEMBER MONTGOMERY: Here.

ASSISTANT CITY CLERK ALVAREZ: Mayor Pro Tem Howorth?

MAYOR PRO TEM HOWORTH: Here.

ASSISTANT CITY CLERK ALVAREZ: Mayor Franklin?

MAYOR FRANKLIN: Here. And now we'd like to recognize any veterans of the Armed Services that might be here in the office, in the office, in the, in Council chambers. Oh, yeah, we got Chief Johnson. Anybody joining her? Thank you, Chief Johnson. Okay. And we are going to move on to the next ceremonial calendar item, and it's the presentation of certificates of recognition for being one of Richstone's, for Richstone's Family Center. They have, they had a special event back in April, and the Richstone Family Center paid tribute to the heart menders. These are 50 incredible individuals who, over the past five decades, have stepped up to ensure that Richstone could fulfill its mission of providing vital services to those in need. So, we have Richard and Barbara Van Remmen. If you could just come up and sort of be the emcee, because I, oh, I'm sorry, Roger.

COUNCILMEMBER MONTGOMERY: Nickname is Richard. We call him Roger.

MAYOR FRANKLIN: Okay.

ROGER VAN REMMEN: I just want to change my name.

MAYOR PRO TEM HOWORTH: Go for it.

ROGER VAN REMMEN: Up there?

MAYOR FRANKLIN: Yeah. Come on up here.

ROGER VAN REMMEN: Okay, all right.

MAYOR FRANKLIN: Barbara? Barbara? No? You don't? Okay. So, Roger, I had something prepared, but I forgot that you could do a much better job.

ROGER VAN REMEN: I doubt it, but let's try. Listen, Richstone celebrated its 50th anniversary, and that's quite a feast. But one of the things people don't know, first of all, what is Richstone? Richstone is a nonprofit with the mission of having therapy and prevention programs for child abuse and domestic violence. One of the things I don't think that you do know is it started here in Manhattan Beach at Ladera School in a little classroom years ago, and then one of the board members gave us a check for \$11,000, and we bought this little house in Hawthorne. Steve, my God, you've been there, Richard, you've been there. I think, Joe, you've been there over the time. But that's really what we are, and when you look at Richstone, the first year we had 40 kids that we supported through basically



psychologists that donated their time. This last year, we served 3,400 children and families. Well done. I mean, that's really good, and I think that's good. But the reason why I'm saying it's well done is because of the Manhattan Beach community, and I want to talk a little bit about that very quickly. But when you look at non-profits, non-profits mostly get their revenue from government, 85-90%. We get 50% from government, and the other 50% comes from the community, the private sector foundations. The important thing that you need to know is Manhattan Beach is the number one sector that has supported us over 50 years. So, I'm here to tell you, as you're going to honor us, I want to honor all of you. I want to honor our city government, and I want to honor our local businesses and say thank you very much for what you've done.

MAYOR FRANKLIN: Thank you so much.

ROGER VAN REMMEN: You're giving out pins. I'm giving out pins too.

MAYOR FRANKLIN: Well, I'm going to beat you to it because when I went to the fundraiser, I got one.

ROGER VAN REMMEN: There you go. You're not going to get another one. Richard.

COUNCILMEMBER MONTGOMERY: Thank you.

MAYOR FRANKLIN: So, as I mentioned, I went there, and I just couldn't keep, I just couldn't believe it when I kept seeing Manhattan Beach residents as part of the 50 that were heart menders. So that's what we're doing tonight is we're going to commemorate those Manhattan Beach residents that are part of this magnificent group. So, let's see. Can you who are here, please come on down, and then we'll go ahead. So that would be, because not everybody was able to make it, but come on down.

ROGER VAN REMMEN: We have a small group. We've got dogs.

MAYOR FRANKLIN: Yeah. They're always helpful. Mrs. Jones. So, Roger, we got one for Barbara, your wife.

ROGER VAN REMMEN: She's right here.

MAYOR FRANKLIN: Oh, you are coming down. Okay, great. There we go. Thank you so much. We're so proud of you. And then

we have Mike and Robin Sullivan and family. You got it?  
Terrific. Come on over. And Jennifer Caskey, did you make it?  
Okay. All right. We'll get that to her. Anita Bronstein. There  
you are. So, thank you so much. We're very proud of you. Take  
care.

ANITA BRONSTEIN: Griffin and Luna. Griffin is 12. He's  
been at Richstone since he was 10 weeks old. And Luna is taking  
his place. She's two. She just passed.

MAYOR FRANKLIN: Oh, that's fantastic. I feel better  
already. And then we have Janet Jones, who we've seen here  
before, in addition to this honor, also for the Single Mom  
Project. All right. And I think that's all that we have there  
here today. Is that correct? Oh, I'm sorry. Dianne Harrington.  
Okay, hold on. As you can, oh, there we go. So sorry. As you can  
imagine, it takes a lot of coordination, so thank you so much.

DIANNE HARRINGTON: Well, thank you very much.

MAYOR FRANKLIN: We really appreciate all that you do  
for others.

DIANE HARRINGTON: I love Richstone. I love this city. I am so happy to be here. Thank you very much.

MAYOR FRANKLIN: Terrific. Thank you. And so, I'm going to go ahead and do my best to go down the list of names. David and RL Peters. Larry and Lynn Wolf. Ty Mellinger. The Shojinaga and Fukunaga family. Theresa Dawson. See what I mean? I'm not even halfway down the list yet. So, MaryAnn Carroll-Guthrie and the Guthrie family. Henry and Susie Jordan. Anita Bronstein. Did I do? Yeah, okay. I'm sorry. Jennifer, the Frederick family. Okay. Jan and Chet Pipkin. John and Jan Zar. And again, the Sullivan family. So, thank you all so much. You're a great reflection of the heart and soul of Manhattan Beach. And your constant care over 50 years just has made such a great impact out there. And everybody appreciates it. Thank you all so much.

COUNCILMEMBER MONTGOMERY: Thanks, Mike. Nice try. I got you really good one. I got you really good one.

MAYOR FRANKLIN: So, it just occurs to me also, it just occurs to me also, but is there any chance there'd be else in the audience who may not be a Manhattan Beach resident who is associated with Richstone?

MAYOR PRO TEM HOWORTH: Like Dorothy Courtney.

ROGER VAN REMMEN: Dorothy Courtney, get down here.  
Come on, Dorothy.

MAYOR FRANKLIN: These are hands across the border, come on. Please join us. I only beg three times. Come on. Thank you so much. You're doing a great job. So, we have one more ceremonial. This is a lot of fun, because so many of us have coached and had our children play in AYSO, and we got some champions here. So, we've got, you know, I don't even know the team name, but I just know your category. So, 10 and under girls. So, you're the Mambas? Yes. So, stand up and come on down.

KRISTA SKINNER: So, Mayor, if I may, as you know, I always have a speech. Would you mind if I introduce the teams to you? Is that how you take that off your hands?

MAYOR FRANKLIN: Yeah. So, yeah. We'll start with the Mambas and then the Legends. So, get ready, Legends. Hello, ladies. How are you doing? Good. Come on over. So, who's the coach that actually makes you run around and everything like that?

KRISTA SKINNER: There's two of them. That's half of them. So, honorable Mayor and City Council members, thank you for the opportunity to attend this evening to celebrate two amazing teams. I'm Krista Skinner, and I'm the Regional Commissioner for AYSO Region 18, serving Manhattan and Hermosa Beach. As you may know, because we've been here before, AYSO is an all-volunteer organization. And our region provides a fun, fair, and safe place for over 3,000 players to play soccer every year. Our region is consistently one of the two largest AYSO regions in the United States. When you include parents and spectators, that means that any given weekend in fall, we hold events for 5,000 to 7,000 people and about half that again in spring. It definitely keeps us busy. We also appreciate the partnership we have with the Parks and Recreation Department at Manhattan Beach and our main contact, Archie Sherman, that allows us to offer a recreational soccer program accessible to everyone that wants to play the beautiful game. We also appreciate the support of the Council in allocating funds to re-turf Marine Avenue Park. If you haven't been by to check it out, it looks fabulous and it plays even better. The two teams before you have each won the AYSO Western States Championship in their respective divisions, which is truly a special accomplishment. The Western States Championship consists of teams from 235

regions in four sections from Washington, Oregon, California, and Nevada, containing a total of over 200,000 players. We have two teams here tonight that represent in our region across league and all-star play. Our all-star team, the 10U Girls, the Mambas, were formed after the end of fall and their journey included winning the Area 1D All-Star Tournament, Section 1 Championship Finalist, and the Western States Championship. Thank you for recognizing their hard work and dedication this evening.

MAYOR FRANKLIN: Absolutely. Thank you. That is fantastic. Well, actually, why don't we give the certificates here of recognition and Mayor Pro Tem, if you could help me, please. So, as I call your name, how about Brooklyn? Okay, we can get her that. And then Campbell? Come on over. Congratulations. Okay. And let me see. We're going to give you that and then a pin. All right. Well done. Candace? Christensen? Well done. There you go. Look at her. What a pro. She turns it around to base the audience. That's great. Hold that chair away. And then we have Macee Epstein. How are you doing? Nice to meet you. Well done. And then we have Mattie Epstein. She's not here? Do you think maybe you can get that to her? Okay. Great. Now, do you play the same positions, but on opposite side? You don't

have that little, you know, psychological mind reading? You don't have to, you know, you don't have that? Are you twins?

MACEE EPSTEIN: Yes.

MAYOR FRANKLIN: You are? Wow. So, who's older?

MACEE EPSTEIN: Me.

MAYOR FRANKLIN: You are? Okay. Great. And we got Charlotte? Is it Gilleland? Oh, okay. Nice to meet you. So, were you the keeper? Because you're tall? No? Okay. Ellie? There you go. You were the keeper? Really? Well done. What's it like having all those soccer balls being kicked at you?

ELLIE: I don't like it. I do not choose to be the goalie though.

MAYOR FRANKLIN: It's the same at Council. We get a lot of things thrown at us, so. Oh, that's great. Well done. And Amelia Herbert? Well done. Very proud of you. And let's see. We've got a couple more, but we'll just say their names. And coach, if I can give these to you, Marlo Talbott? And we've got



Blair Herbert? And Chris Talbott, who's the head coach? Well done. Okay, sure. So, let's get some photos, colleagues.

MAYOR PRO TEM HOWORTH: We should get behind them.

KRISTA SKINNER: One of my parents needs to take a picture, because you all are up there.

MAYOR FRANKLIN: Good job. We'll see you next year.

MAYOR PRO TEM HOWORTH: All right.

COUNCILMEMBER MONTGOMERY: Same time next year, you guys.

MAYOR FRANKLIN: All right. And now we have?

KRISTA SKINNER: All right. Our lead team representing our 14U girls, the legends, began playing together last September, winning our local Beach Cup championship, the Area 1D Tournament of Champions, the Section 1 championship, and finally Western States. Again, it's truly an achievement for our league teams to progress to Western States. Come on up, please.

MAYOR FRANKLIN: All right. Congratulations, coach.  
Hello. Welcome. Now, I have to recuse myself because I know this  
guy here. He lives on my block.

CHRIS PARISH: You let me in here.

MAYOR FRANKLIN: And I see him running up and down the  
street all the time. So, he's good for the coaching. All right.  
So, and we got the story, right? Commissioner. Great. Thank you  
so much.

KRISTA SKINNER: Everybody else is on vacation already.

MAYOR FRANKLIN: All right. Great. So, Olivia Buzzelli.  
Thank you. Right here. There you go. We got Stella Freelin. Good  
name. Good name. She's not here? Thank you. Oh, thank you.  
Sedona Hill. Oh, I'm sorry. Sedora. No? And we've got Leah  
Horvath. No? Man, where are they? Are they all in physical  
rehabilitation? Travel now. Kylie. Kylie Jaboury. No? All right.  
Avery Johnson. Yeah. Yeah. There we go. And we got Diya. Okay.  
So, who was your least favorite coach?

Diya kachalia: Both of them were my favorite.

MAYOR FRANKLIN: Both of them were your favorite. Well done. Well done. Darn it. I thought I would get her. Sadie Kuppinger. Congratulations. All right. And Josie Kushner. No Josie. And Emily. Okay. Michelle Meyers. Okay. Laney Parish. Well, where is she? Well done. And Ava, Ava Shay. There you go. Good job. And then Evangeline Smith. And I think everybody's got them here, right? So, this is Summer Williams, another player. Chris Parish. Chris Parish. Oh, you. Well done. I know how much work that is. And then Brett Johnson. Head coach. Great. Thank you so much. Okay. Well done.

KRISTA SKINNER: We had a player that actually wanted to say a few words. If you would permit her to.

MAYOR FRANKLIN: Oh, sure.

UNIDENTIFIED SPEAKER: I am so happy to have been the captain of the legends. It's really been an honor. Traveling and dominating teams one after another is truly amazing, and I couldn't ask for a better team. Starting from our first practice, I had a feeling that we were going to go far and look where we are now. I remember in the state finals when we were losing 1-0, and we got a penalty kick. Me and Avery were so nervous we had to turn around and wait for the cheering after

every shot. This season has been the best season of AYSO I have ever played, and I'm truly honored to be the captain. To end my speech, I thank the City Council for supporting AYSO and the Legends. Thank you.

MAYOR FRANKLIN: Thank you so much. Let's get our photo. Thank you. Okay, great. So, we want to bring up Emre Tanner? No, Emre, Emere. Emre. There you go.

EMRE TANER: Thank you, sir. Thank you for having me.

MAYOR FRANKLIN: Okay. And from Southern California Edison.

GOVERNMENT RELATIONS MANAGER FORTE: Good evening, hi, I'm Diane Forte, Government Relations Manager at Southern California Edison. We're pleased tonight to present one of our 30 Edison Scholar Awards to a high school senior in Manhattan Beach, Mira Costa High School, Emre Taner. If we can wish and congratulations. And thank you so much for the City Council for recognizing our scholar where we, 800 applied and this is a true testimony to the school system and to Emre's talents.

EMRE TANER: Yeah, thank you for having me. I don't really have any other words, other than that the city, the city has done a lot for me. I've been living here for. I used to live here before COVID, but I've gone to Mira Costa. I went to Meadows as a kid. And it's done a lot for me. So, thank you for everything.

MAYOR PRO TEM HOWORTH: Where are you going to school?

EMERY TANER: Pepperdine. I'm going to Pepperdine University.

MAYOR PRO TEM HOWORTH: Just so people know, the dog biscuit was left there not by any of us. Just saying. They might wonder.

MAYOR FRANKLIN: Well, you know, we might break for snacks. So. Okay. Approval of agenda and waiver of full reading of ordinances. I have a motion moved by Councilmember David Lesser and seconded by Mayor Pro Tem Amy Howorth. Our vote, please.

ASSISTANT CITY CLERK ALVAREZ: Should we try that vote again? We were missing a vote.

MAYOR FRANKLIN: You need us to do the motion.

ASSISTANT CITY CLERK ALVAREZ: Yes, please.

COUNCILMEMBER LESSER: So, moved.

MAYOR FRANKLIN: Okay. Second. Richard Montgomery. He's here.

ASSISTANT CITY CLERK ALVAREZ: Motion passes. 5-0.

MAYOR FRANKLIN: Great. Thank you. And next up is City Council and Community Organization announcements of upcoming events. One minute per person.

JOSH MURRAY: Hi. Good evening, Mayor, members of the Council. My name is Josh Murray. I am here on behalf of Manhattan Beach Library. I'd like to remind the community that we will be closed tomorrow, June 19th for the Juneteenth holiday. And we will reopen on Thursday, June 20th at 10 a.m. Also, in celebration of Juneteenth on Saturday, June 22nd at 3 p.m. Everyone is invited to a very special performance by Ina the Sunshine Storyteller and Drummer Chazz Ross, and this will

be followed by a local history discussion of the significance of Juneteenth. I thank you for your time.

MAYOR FRANKLIN: Great. Thank you, Josh. Anybody else?  
Bobby.

BOBBY BELL: Honorable Mayor, Mayor Pro Tem, City Councilmember, city officials, Mr. Lee. My name is Bobby Bell. I am the education, sorry, recycling educator, Richard's got me nervous. I apologize. Recycling educator, for your service, waste service provider, W.M. Previously known as waste management. Two quick topics. Just a reminder, this Saturday from 9 to 3, we're having our paper shred event, held at Mira Costa High School from 9 to 11, open to free for all Manhattan Beach residents. I did want to shout out to the chief. Thank you. She always has her volunteer staff there to help us make getting the cars, the serpentine through and public works who helps us organize this and get this out to the, to the neighbors and the residents. So, thank you. Topic number two really quick is home organic buckets. This was rolled out 10 plus years ago with AB 1383. If you, if you just moved in and you don't have a home organic bucket, I'd be happy to get one for you. Just go onto the website. There's links on the city website to get you there. You'll be amazed at how much you can actually dispose of

when you're doing your meal prep, when you're done with your dinner and what you would normally scrape into the trash can. You scrap that into your home organic bucket, take that into your green trash can and you dump it. My family literally, it's 16 refills. My wife cleans out the fridge on Sundays. It's two or three dumps in it. You line it with paper. I'm happy to walk any resident, any business through how to use it. Happy to send you a flyer on that information. That's all I got. Wishing you guys all a blessed evening.

MAYOR FRANKLIN: Great. Thank you, Bobby. Anybody else here in chambers? Oh, yeah.

CULTURAL ARTS SUPERVISOR BRINKMAN: Good evening, honorable Mayor, members of the City Council. I'm your Cultural Arts Supervisor, Eric Brinkman. I'd like to take this opportunity to invite the community to our 47th annual concert in the park series at Polliwog amphitheater. On Sunday, June 30th, we'll kick off the series with remarks from Mayor Joe Franklin, followed by salute to the troops and then followed by a performance by the satin dollz. Reminiscent of the old World War II era WSO camp shows. The satin dollz have delighted crowds stateside and abroad. This will be their seventh tour of the Polliwog amphitheater. So, it's an event that you don't want to



miss. Make sure to check back every Sunday this summer for nine more unforgettable concerts from both new and returning acts. Sitting is first come, first served. So be sure to get there early. Concerts begin promptly at 5 p.m. and conclude at 7 p.m. For more information, you can go to the cultural arts tab on the parks and rec page on the city's website. Hope to see everybody there this summer. Thank you.

MAYOR FRANKLIN: Great. Well, thank you, Eric. And just as a reminder, this is actually our July 4th celebratory concert, but it, just because of the calendar and everything, it's coming on June 30th.

COMMUNICATIONS AND CIVIC ENGAGEMENT MANAGER LATRAGNA: Good evening. Alexandria Latragna, the Communications and Civic Engagement Manager. A couple of announcements. So, the city of Manhattan Beach invites everyone in the community to two very special Juneteenth events. The first one is going to be tomorrow. It's a ceremony at Bruce's Beach Park, and it's going to feature speakers and performances, including a poet and a gospel choir and speeches from members of the community. It's tomorrow Bruce's Beach Park from 10 a.m. to 11 a.m. And parking will be very limited, so please arrive early. And we also will have parking available at Grandview Elementary, so you can make

your way down to the park after parking your vehicle there. The second event is going to be a celebration and concert at Polliwog Park following tomorrow's event. It will be on Saturday at 11 a.m. to 3 p.m. And if you need information about these two events, you can find it all on our website at [ManhattanBeach.gov/Juneteenth](http://ManhattanBeach.gov/Juneteenth). Thank you.

MAYOR FRANKLIN: Great. Thank you, Allie.

UTILITIES MANAGER PAGE: Good evening, honorable Mayor, members of the City Council. I'm Jeff Page. I'm your Utilities Manager in the Public Works Department. I oversee the utilities division, and I am responsible for the water section, the environmental compliance section, the wastewater section, as well as the city's solid waste program. So, I want to share some information with you this evening on some discolored drinking water in the distribution system. We've had some concerns from some residents in certain areas. The discoloration of the water is the result of higher velocities in the pipelines attributed to higher demand due to the greater demand due to the higher temperatures, as well as our water quality flushing program, which uses a scouring effect to flush out all the debris and stuff from the water mains. So, these higher water velocities, strip sediments that have accumulated on the floor of the pipe,

and it's an accumulation of this debris and sediments from over the years. So, it's naturally occurring within the distribution system. The sediments are harmless and largely comprised of manganese precipitates, and those are produced by the city's two water wells. So, the addition of the city's new no disc flushing vehicle, largely mitigate the manganese through a filtering system. So, if we did not have the new no disc vehicle for the water quality flushing, we would probably have a little bit more widespread concerns related to discoloration of the water. So, in addition, further mitigation of the manganese will occur once we have the Peck water treatment plant online. So, that'll be a big help out there. Staff recognizes the importance of good drinking water aesthetics and will continue to diligently go forward with our water flushing program. And this program largely relies upon state regulations and best practices for water distribution systems. We're happy to respond to any concerns from citizens 24-7 and try our best to allay their fears and work with them and help each unique situation as a good response for them. So, information on the water quality flushing program can be seen on the Public Works webpage, and that includes the schedule that we have on there, as well as a map of the area that we'll be working on. So, I'd like to point out that our drinking water undergoes stringent testing on a cadence of samples required by the state. And so, I'm happy to

report that our drinking water meets or exceeds all drinking water standards and is safe to drink and even in its discolored state.

MAYOR FRANKLIN: Thank you very much.

POLICE CHIEF JOHNSON: Good evening, Mayor Franklin Members of City Council. I'm your Police Chief, Rachel Johnson. I just wanted to invite the community to our Catalytic Converter etching event that will be held this Saturday the 22nd from 8 a.m. to 11 a.m. at Kinecta. So please come get your Catalytic converter etched and then you can mosey on over to the Juneteenth event, which will start right after this event is over. Thank you.

MAYOR FRANKLIN: Great. Thank you. Any other public comments here? How about online?

ASSISTANT CITY CLERK ALVAREZ: We have Heather Kim.

HEATHER KIM: Yes. Hello, Mayor Franklin and City Council. I just wanted to remind everyone that there is a community town hall meeting on public safety hosted by the Manhattan Beach Police Department and it will happen on June

26th from 6 to 7 p.m. at the, I think it's at Joslyn. Yes, Joslyn Center. And you can submit questions ahead of time at AskACop@ManhattanBeach.gov and they will also have index cards to write your questions there. But I'm hoping that this year, they will be able to take questions in a live Q&A format. But I just wanted the community to know that this is happening, I think, next week. Thank you.

MAYOR FRANKLIN: Thank you, Heather.

ASSISTANT CITY CLERK ALVAREZ: There's no additional requests.

MAYOR FRANKLIN: Okay. Colleagues?

COUNCILMEMBER MONTGOMERY: I have one, Your Honor. So today we had a resident, a two residents, John and Susan Renato, hosted a barbecue lunch for the Police Department. Chief Johnson was there. But I'll read you what John and Susan wrote. It said, thank you for keeping us safe. Please accept this lunch as a small token of our gratitude and appreciation for what you do for us all on a daily basis and the peace of mind provided to our community that John and Susan Renato with the Rotary Club

made that lunch possible. It's a small thank you to PD, but I know that they appreciate that. Right, Chief?

POLICE CHIEF JOHNSON: Very much so.

COUNCILMEMBER MONTGOMERY: And the food was excellent, by the way. I was there as an observer. Thank you.

MAYOR PRO TEM HOWORTH: That's awesome.

MAYOR FRANKLIN: Terrific. Anybody else? Colleagues? No? We're good. Okay. So, let's go to public comments. Before we go there, I'm going to just read a statement here. It has come to our attention that people have been disrupting City Council meetings in other cities with anti-Semitic 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 Clerk'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 with that, I already talked to Bruce. Anybody? Public comments?

RITA CRABTREE-KAMPE: Good evening, honorable Mayor, Mayor Pro Tem and Councilmembers. I just wanted to, I have been trying to attend as many meetings as I can. And I've been trying to follow the agenda. And I just wanted to make a comment because I don't know where else to make it. It is sometimes really hard to understand what actually the public can comment on. For example, for this evening's hearings, we have the written, sorry, the written resolution. But without any historical background or any place to look on what does this actually mean. There's a lot of legalese. What does this actually mean? I wonder if it would be possible for the public to receive maybe a short two sentence summary on what this means, what the impact is on the public so that we have something to make a comment about. And the PowerPoints often help and those are in other agenda items. We see the PowerPoints. So, maybe something like that would be helpful. I don't know. But I know that in speaking to community members and thinking about myself, we just sit there and you're like, well, I'm not really sure what to say because I'm not really sure. I don't have any of the background information. So just wanted to make a comment that... And that being said, this city does a fantastic job of reaching out and sending emails and sending posts and reminding people about things. So, this is not an overall complaint. It's just a request for maybe some further

information that might help the public understand how they might formulate an educated comment. Thank you.

MAYOR FRANKLIN: Thank you, Rita.

JOAN GOSSER: Good evening, honorable Mayor and City Council members. My name is Joan Gosser and I reside at 1720 North Poinsettia Avenue. Our home is the site of the proposed T-Mobile cell site, which you've heard about. I have learned a great deal about telecommunications regulations in the last two weeks. And I've also been educated in other ways. I mentioned last time that there was in the middle of the night installation of the existing cell tower in front of our home. And to the state still, no one can show us permits for that or provide any documentation of what exists on that cell site, which is extremely disturbing to me that we have lived there with that there for 12 years and no one can tell us what is on that pole. Residents battling cell sites is not new to the city. We understand that this has happened in the past. Federal regulations have only made it easier for expansion of sites and we understand that. In 2019, some of you were quoted in the easy reader, basically talking about Crown Castle was committing to making wireless, making newer designs that would make all cell tower equipment less obtrusive and that the companies were



prepared to work closely with the city. And you in turn, particularly, Mr. Montgomery, emphasized that how critically important that was. And I believe over time, we've fallen short on that. Unfortunately, Crown Castle right now comes in and kind of steamrolls the city with all of the federal mandates. And rather than the residents and the city working together, it is Crown Castle telling the city what to do and the city does not have the proper resources for any pushback. SEC regulations and court cases surrounding them go far from beyond the knowledge of city planners and community members as we have all learned. I ask that the city look at our processes for managing these permits and seek outside help when needed, both to stop the steamrolling and to assist community members in situations like ours. We are forced to cover the cost of an appeal without any details of what specific costs we are covering. The process is lacking in clarity in many ways, and we hope no other community members have to endure what we have since receiving our June 1st letter from Crown Castle. To be clear, we did receive notice that they have withdrawn their current application, but they are simply revising it so we don't know what they will present coming forward. So, I think at this point what we're just asking is just support. And I think that the Planning Department and Community Development Department has realized that there are questions that we can ask back, such as we did ask if they could

reconsider the sizing of the shrouding that was creating this horrible box, and they are revisiting that. So, I do think that there can be give and take, and we hope that we emphasize that moving forward. Thank you very much.

MAYOR FRANKLIN: Thank you. No other comments here? How about online?

ASSISTANT CITY CLERK ALVAREZ: Heather Kim.

HEATHER KIM: Yes. Hi, Mayor and City Council. I just wanted to let you all know, I had a friend send me a photo of three guys, complete clowns with one in a huge beard. They had some masks on, and they were videotaping people at Uncle Bill's this morning. So, I just wanted to let the community be aware of what they are doing. There have been several, recently, there have been several folks, individuals, and groups who have been walking around filming Downtown Manhattan Beach. These particular folks have worn hoodies, masks, beards, and other costumes to make themselves obvious. The basics, they are First Amendment auditors. The gist of their purpose is to audit whether a business, employee, or public official infringes on their First Amendment right to film from a public space. The biggest point to remember is if you do not interact with them or

impede their filming, you pass the audit and they move on. However, if you engage with them, ask them to leave, tell them to stop, you are infringing on their rights, and they will get more and more agitated trying to draw a reaction from you that will lead to unacceptable behavior. These audits often make their way to YouTube, and in some cases have had very negative consequences. Several businesses who had a price their employees regarding how to handle these folks saw the auditors leave within just a few minutes. Those who engaged were treated to their disruptive behavior for far longer. Please let your employees know, and everybody else should know, about the situation and how to react. Some business employees were even scared and closed the business, but that is not necessary. Just ignore them and they will move along. If you or your employees are ever uncomfortable, just call the non-emergency PD line 310-545-4566. And I got this awesome information from our DBPA's amazing Jill Lampkin and MBPD's officer, Jessica Barelllo. So, I just wanted to just alert the community because I was getting text messages about this this morning too, and we should all just, you know, know what these people are doing and to just have them go away by not engaging. Thank you.

MAYOR FRANKLIN: Thank you, Heather. Good info.

ASSISTANT CITY CLERK ALVAREZ: There's no additional request.

MAYOR FRANKLIN: Okay, with that, we'll close public comments and go on to approving the consent calendar. We have a motion by Councilmember Richard Montgomery and seconded.

COUNCILMEMBER MONTGOMERY: That is 4-14. Item 4-14.

MAYOR FRANKLIN: Oh, I'm sorry, 4 through, I'm sorry, yes, 4-14 on the consent calendar. Motion to accept by Richard Montgomery, seconded by Mayor Pro Tem Amy Howorth. I just want to make a comment on item number 12. It has to do with the annual water supply and demand assessment, and just a reminder, we've got a lot of rain, but we still need to be mindful. We live in a semi-arid portion of the United States, and we still need to do the best we can to save water so that when it doesn't rain so much, we've got adequate supply. In fact, I read something today that even though the snowpack is pretty good, it's not making its way into the groundwater tables as effectively as it could. So, still keep the drought in mind. Thank you.

ASSISTANT CITY CLERK ALVAREZ: Motion passes 5-0.

MAYOR FRANKLIN: Thank you. So, items removed from the consent calendar, there are none. Public hearings. Item number 15, conduct public hearing consideration of a resolution providing for annual levy and collection of street lighting and landscaping district maintenance assessments. Finance Director Charelian.

FINANCE DIRECTOR CHARELIAN: Thank you, and good evening, Honorable Mayor Franklin, members of the City Council. Tonight, we're conducting a public hearing to consider resolution number 2473 providing for the annual levy and collection of street lighting and landscaping district maintenance assessments for fiscal year 24-25. This process began on April 2nd, when resolution 24-33 was adopted and ordering of the engineer's report, including the plans, specs, and the cost of estimated annual assessments for 24-25. This was followed by the adoption of the two resolutions on May 21st, resolution 24-48, which approved the assessment engineer's report and resolution 24-49, which declared the City Council's intention to provide the annual levy and collection of the assessments for the street lighting maintenance and setting the public hearing for tonight. With the approval of resolution 24-73, assessments will continue to be levied in the new fiscal

year beginning July 1st. Assessments are based solely on land use and have not changed since 1996, resulting in a projected deficit to the street lighting fund by approximately \$303,000 for fiscal year 25. Any increase in the assessments would require a Prop 218 vote process. Notification of tonight's public hearing was advertised properly, and tonight's public hearing is the last City Council action before the assessments are submitted to the county for inclusion in this year's property tax bill. Happy to answer any questions.

MAYOR FRANKLIN: Any questions, colleagues? No. No questions? Public comments on this item? Anybody here in chambers? No? How about online? Oh, I'm sorry. We got one.

STEFAN KAMPE: Good evening, Mayor, Council members, Stefan Kampe here. This is an example, I think, what Rita was talking about earlier. I'm trying to get my head around this. Just in layman's terms, I'm trying to figure out how am I, as a member of Manhattan Beach, to be impacted by this? If I could just get to layman's terms, interpretation of this, I'd appreciate it.

MAYOR FRANKLIN: Thank you. Director Charelian? Oh, there you are. Yeah, we'll wait till after. Yeah, we'll wait till after. Anybody online?

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

MAYOR FRANKLIN: Nobody on Zoom. Okay, thank you. Okay. So,

CITY ATTORNEY BARROW: Mayor, go ahead and close the public hearing.

MAYOR FRANKLIN: Oh, I'm sorry. I'm going to close public hearing and go.

FINANCE DIRECTOR CHARELIAN: Yes, thank you. So, this item before you is our street lighting and landscaping district. This is an annual assessment that we levy throughout all the homes in the city. There are six districts in the city. We do an engineer's report, and the amount of money that we collect from the assessments is not enough to cover the operations of the street lighting and landscaping fund, and that's why there is a subsidy.

MAYOR FRANKLIN: Okay. Thank you. Any questions?

MAYOR PRO TEM HOWORTH: Yeah, I mean, to follow up, though, with Mr. Kampe's question is how it affects them that we're not suggesting an increase in the assessment to residents. This is money that's going to come from the general fund to cover the shortfall from the assessments that have not been raised. Is that correct?

FINANCE DIRECTOR CHARELIAN: That is correct, and thank you for the clarifying question. This is not going to be increasing the assessments or any of that order. It's been set since 1996. In order for us to do so, we would have to go through a process similar to what we did with the storm drain fund. So, it is a shortfall, and it will be subsidized by general fund dollars for about \$303,000.

MAYOR FRANKLIN: Thank you very much.

CITY MANAGER MOE: This is an annual process that we go through so that it can appear on people's property tax bills which they get in the fall. So, if you look at the property tax bill, there will be a street lighting and landscaping assessment



district assessment. Those haven't changed since 1996, as Steve just mentioned. We continue to subsidize it, but this is all part of the annual process. Much like the next item where we have to get Council approval, have a public hearing before we can give it to the county to submit it onto the property tax bill.

MAYOR FRANKLIN: And then to change these amounts would require?

CITY MANAGER MOE: It would require a Prop 218 process, and much like with the next item, you did that last year, and those new rates will appear on the next property tax bill.

MAYOR FRANKLIN: Okay, thank you.

COUNCILMEMBER MONTGOMERY: Your Honor, a process question. A question for Director Charelian. If someone had a question about any of your reports, could they email you for an answer?

FINANCE DIRECTOR CHARELIAN: One hundred percent. Please email the finance department. We'll be happy to answer

those questions. And there's detailed information in the staff report itself.

COUNCILMEMBER MONTGOMERY: Perfect. Thank you, sir.  
Thank you. Nothing further, Your Honor.

MAYOR FRANKLIN: Okay, so Council discussion?

COUNCILMEMBER MONTGOMERY: Annual process?

COUNCILMEMBER LESSER: I move to move. I make a motion, Mr. Mayor.

MAYOR FRANKLIN: All right, please.

COUNCILMEMBER LESSER: Motion would be to adopt resolution number 24-0073 providing for the annual levy and collection of fiscal year 2024-25 maintenance assessments for the street lighting fund.

MAYOR FRANKLIN: Wait, a motion? Sorry?

COUNCILMEMBER LESSER: That's sufficient, Mr. City Attorney. Thank you.

CITY ATTORNEY BARROW: Yes, it is.

MAYOR FRANKLIN: We have a motion by Councilmember Lesser and seconded by Mayor Pro Tem Howorth.

ASSISTANT CITY CLERK ALVAREZ: Motion passes, 5-0.

MAYOR FRANKLIN: Okay. Moving on to item number 16. Conduct public hearing and consideration of a resolution regarding the annual storm drain service fee for fiscal year 2024-2025. Again, Director Charelian.

FINANCE DIRECTOR CHARELIAN: Thank you, Honorable Mayor, members of the City Council. Again, this is an annual item similar to the previous item. Tonight's public hearing is for consideration of resolution number 2398 for the collection of storm drain assessment fees. The City levies an annual storm drain fee on each parcel of the property within the City to finance the cost of ongoing operations and maintenance of the storm drain facility and services. A Prop 218 special ballot election concluded in January 17 of this year with a majority of the constituents voting for the favor of changing the rate and methodology of calculating the storm drain fees for fiscal year 24-25. This will be the first year that the new fees will be in

effect. Prior to this special election, the annual fee was fixed rate at \$19.12 per single family residence, which resulted in an annual revenue of approximately \$350,000 in subsidies in excess of \$2 million a year from the general fund. The new methodology took into account each property's impervious square footage, which is expected to result in an estimate \$2.1 million revenue for this year, fiscal year 2024-25. At this time, we recommend you open a public hearing for the proposed assessments, assuming there's not a majority protest, the adoption of resolution 2398. We'll order the storm drain fee to be collected and staff will submit the data to the county and inclusion for this year's property tax bill. This concludes the presentation. I'm available to answer any questions.

MAYOR FRANKLIN: Council, any questions? No. Oh, I'm sorry. I'll just take a motion. Seeing none, I'll open up public comments. Any in Council chambers? Seeing none, how about on Zoom?

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

MAYOR FRANKLIN: Okay, we'll close public comments. Council, any discussion? No. Seeing none.

COUNCILMEMBER LESSER: I'll make one comment.

MAYOR FRANKLIN: Oh, I'm sorry.

COUNCILMEMBER LESSER: My one comment is this. This is an annual levy, but we really need to thank the community for their faith in this process and supporting the increase in the storm drain because, as was indicated by our Finance Director, there was an annual shortfall that had to be subsidized by our general fund. What does that mean? It meant that money in our general funds that otherwise could go to other general fund purposes supporting our police, our fire, our city's operation had to go to support this fund, which is dedicated. By virtue of the voters approving this measure, we now have close to sufficient revenues to support this fund. So that's a big thank you to our community. And I'm in support of what appears to be a motion that's been made.

MAYOR FRANKLIN: So, motion?

MAYOR PRO TEM HOWORTH: Yes. Thank you, Mr. Mayor. I move to adopt resolution number 24-0074 regarding the annual... Excuse me? Is that... Oh, okay. Yeah. So that's my resolution. Or that's my motion.

MAYOR FRANKLIN: So, we have a motion from Mayor Pro Tem Amy Howorth, seconded by Councilmember Montgomery. Vote.

ASSISTANT CITY CLERK ALVAREZ: Motion passes, 5-0.

MAYOR FRANKLIN: I'm going so fast I got to catch up here. Okay. General business item number 17. Consideration of a resolution rejecting all bids received for the digital art wall of the Manhattan Beach City Hall project and provide direction to rebid the project or consider project alternatives. Public Works Director Lee.

PUBLIC WORKS DIRECTOR LEE: Good evening, honorable Mayor and members of City Council. Tonight, City Engineer Katie Doherty will give the presentation. Thank you.

MAYOR FRANKLIN: Thank you.

CITY ENGINEER DOHERTY: Good evening, Mayor Franklin, honorable Council members. I am here to present this item on the digital wall art project at City Hall to reject bids and for discussion on how to move forward with the project. The digital art wall project is located here in City Hall in the lobby

upstairs where there used to be a piece of art on this brick wall. It's been blank for a while. It was intended to be a large LED display of digital art that could be showcased in that location. It was a cultural arts commission work plan item. The project was fully designed and was ready to issue for permits. It was advertised for competitive bids in November 2023 and in December 2023 and both occasions we received no bids. We moved forward with informally bidding the project which means that we reached out directly to four contractors in this case. We received one bid and the bid came in substantially high. Our estimate was \$250,000 and the bid that we received was \$375,000 plus some change. So, because of the overage in budget and because this particular contractor was proving difficult to work with, staff is recommending that we reject this bid that we've received on the project. So that's item number one. And then we would also like some direction on how to move forward. The options are we could rebid the project as is or we could return it at a future Council date to provide potentially alternative projects that could go in this location. That concludes my report. I'm available for questions.

MAYOR FRANKLIN: Okay. Mayor Pro Tem Howorth.

MAYOR PRO TEM HOWORTH: Thank you, Mr. Mayor. Yes. So, the LED screen or display is separate and apart from any digital art that then would be considered, right? So, we've got two things. We've got I think a rather large LED, you know, proposed LED display. But then we'd also have to I guess we could use it for lots of different things really. I mean, you could use it for information, you could right or digital art. Is that correct or was it only going to be for art specific?

CITY ENGINEER DOHERTY: My understanding is that it was intended to be used only for art, not so much this community announcements, but it would be available for that use if needed. The idea was to then I think issue stipends to artists to produce the digital art that would be displayed on the display once it was installed.

MAYOR PRO TEM HOWORTH: So, this was a rather large and well, I'll save my comments for later. Thank you.

MAYOR FRANKLIN: Any other questions?

COUNCILMEMBER NAPOLITANO: Yes, sir.

MAYOR FRANKLIN: I'm sorry. Councilmember Napolitano.



COUNCILMEMBER NAPOLITANO: We had one bid received by the due date, which was March 20. And this thing is just dragged out and dragged out. Why is June 18th? Why did it take so long to get back here about this, to reject the bid?

CITY ENGINEER DOHERTY: We entered into discussions with the contractor to try and determine where their number was coming from. And we reached out several times. They were unwilling to have that discussion with us. So, then there were internal discussions with staff as to how to move forward with this. And ultimately, it seemed best to reject bids.

COUNCILMEMBER NAPOLITANO: I just don't know, because even before that, we went through a bunch of different iterations and nothing was working. All right. No questions. Thank you, Your Honor.

MAYOR FRANKLIN: Thank you. And so, I have a question. Was this meant to be one large screen or several smaller screens all put together that could sort of cross the boundary of the screens?

CITY ENGINEER DOHERTY: Yeah, I believe there were multiple screens, but they would appear as one screen. They were intended to function as one large LED screen.

MAYOR FRANKLIN: And the digital art, would it also portray photographs and things like that?

CITY ENGINEER DOHERTY: Yeah, certainly.

MAYOR FRANKLIN: Thank you. Any other questions? Open it up for public comment. Here in chambers. Anybody? No? How about on Zoom?

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

MAYOR FRANKLIN: Okay. I'm sorry. Did we have some more questions? Okay. So close public comments. And Mayor Pro Tem Howorth.

MAYOR PRO TEM HOWORTH: Yeah. So, I guess I'd like to see us kind of pull back on this and not go back out right now. I feel like it's a lot of money. And I also think that when you try to do digital, a screen, a beautiful large LED screen, it's

not the art that will then be a big expense. It's kind of the upkeep of this piece or, you know, not the piece of art, but the technology behind it. And I just, you know, I would love to see, I guess those funds are coming from the Cultural Arts Fund. Is that correct? Somebody? Anybody? Is that the Cultural Arts Fund?

CITY ENGINEER DOHERTY: Cultural Arts Fund, yes.

MAYOR PRO TEM HOWORTH: Yeah. Yeah. I don't know. I also feel like it's a lot of money that's inside a building that not everybody will get to see. So, I would just like to hold back, hold off on that for a while. Maybe we could do some art in that space because it is a wonderful big space. But I'm not sure of digital pieces where I'd like to see us go anymore. Thank you.

MAYOR FRANKLIN: Okay. Thank you. Councilmember Napolitano.

COUNCILMEMBER NAPOLITANO: Thank you, Your Honor. If we spend more than 15 more minutes on this, it's a complete waste of time. This, I don't know where this went sideways. There was an idea. Follow up. Okay. It doesn't work. Abandon it. It should have been abandoned a long time ago. I tried to do that. I said,

let's go to Costco by a 65-inch monitor and slap it up there. We don't need everything that we talked about before. If we want a monitor, throw a big one up there, that's enough. Otherwise, just leave it blank. The brick's fine. Or put a big city logo on it. Leave it at that. But anything further at this point, we've got other things to do. And if we talk about bringing it back for further discussion, it's going to take two more years to get anything done. So good luck with that.

MAYOR FRANKLIN: Councilmember Montgomery.

COUNCILMEMBER MONTGOMERY: Thank you, Your Honor. I'll bring the historical perspective here. Those of you who were on council in 17 you may remember this flashback item. There was a piece of art there. It had been there since, what, 1950? Same like the 50s. Anyway, they came off. The idea was to have a digital art. Like you see at the Monterey Bay Aquarium. It's not difficult, folks. No more maintenance. Your TV at home. It's simple. On, off. That's all you had to do. Hook it up 110. Steve said, go to Costco. And one day, we'd have a 65-inch screen. We can load it. We want to load it onto this memory stick. Slap it on there. Run whatever you want. Change it every three months. Boom. Simple. Somehow, we went into high-tech NASA gear. And we can't get out of NASA gear. We're stuck with SpaceX technology

for a screen. I want to see that at this point, the NASA Council of Fair, what to do with the blank wall. I suggest we go to Johnny Rockets, take the little handmade prints off the wall. They do every month and stick it right on that white wall. We get more people seeing that than anything else. Besides that, we're done. But that's the history of it. Those of you wondering, wow, it ever got to that point. Now you know where it came from.

MAYOR PRO TEM HOWORTH: It's like Mount Rushmore with you guys, your visitors.

COUNCILMEMBER MONTGOMERY: See in that council picture on there. Just the many likes there as we have now.

COUNCILMEMBER NAPOLITANO: With the targets on them.

MAYOR FRANKLIN: Just to make sure it's the front view. We've seen some. Councilmember Lesser.

COUNCILMEMBER LESSER: You want to go left. Thank you. Well, the cliché is I think the writing is on the wall. Certainly, applies here. The option is either we rebid the project or return at a future date for City Council to consider

project alternatives. I'm in favor of not proceeding with the digital wall. One resident wrote us about the opportunity perhaps for hanging public art there that rotates. Obviously, it's a big space. So, I think what might be the direction, but subject to a future Council consideration is for the Cultural Arts Commission to consider one, could it be a rotating public space, maybe above and or below, or could this be the basis for a request for proposals for something that's analog. That's not a digital space, but we don't need to make that decision tonight.

MAYOR FRANKLIN: Okay. My comment is this digital TV technology. We bought a large screen TV probably about three years ago and it just died. I mean, I just don't think it's very reliable technology and I don't want to set up a Council for later on having to do this big expensive overhaul if it's only going to last like three or four years. So, I agree we should pass on the digital wall idea. Councilmember Napolitano.

COUNCILMEMBER NAPOLITANO: I'd check your warranty about that TV. Mine's working fine, but again, it's one screen versus many screens put together. The other thing is I saw the suggestion, the rotating art, I don't think that's a good one for this area. It's a difficult area to get to on a continual

basis. I wouldn't want to put staff in jeopardy there. You got the stairwell there that's away from the wall. It's a curve you'd have to have. I don't even know where you'd put the scaffolding or ladder because you have to get behind that stairwell, which is about two feet. So, some very thin staff members are going to be changing that art and at a risk to themselves in a nice workers comp situation. So, I'd figure something else out than the rotating art.

MAYOR FRANKLIN: Councilmember Montgomery.

COUNCILMEMBER MONTGOMERY: I suggest we can't find a solution here tonight. Just call our friend Bo Bridges and Bo can stick something on the map up there in two days. Put a big city seal up there. We'll save that later on.

COUNCILMEMBER NAPOLITANO: Or we can get Hadley to do a portrait of Mayor Pro Tem.

MAYOR PRO TEM HOWORTH: That I love.

COUNCILMEMBER LESSER: Mr. Mayor.

MAYOR FRANKLIN: Yes. I'm sorry.

COUNCILMEMBER LESSER: May I quickly ask, does staff want then a motion on this to formally reject the bids? I, so moved. Okay.

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

COUNCILMEMBER LESSER: Shall we do this all in one, which is to reject all bids received for the project and then to provide direction for staff to return a future date for Council to consider project alternatives?

MAYOR PRO TEM HOWORTH: No.

COUNCILMEMBER MONTGOMERY: No.

COUNCILMEMBER NAPOLITANO: No. I reject that.

MAYOR PRO TEM HOWORTH: I don't second that.

COUNCILMEMBER LESSER: So, your preference would be, leave it blank, go with a minimalist analog.



MAYOR PRO TEM HOWORTH: I would rather reject it now and then I would rather us give some direction at a future date to the Art Cultural Arts Commission because if we say what you're saying, then Cultural Arts is going to try to figure out something to put there and we don't...

COUNCILMEMBER NAPOLITANO: Which we looked at before. Before the computer screens, it was an art piece that was overwhelming to the whole site.

MAYOR PRO TEM HOWORTH: I'd rather give them more direction or have us think about it. So, I don't want to have any more stuff.

COUNCILMEMBER LESSER: That's where I'm going with this, but I didn't articulate it well. Thank you.

MAYOR PRO TEM HOWORTH: So, we're just rejecting the thing and not asking for future stuff for a while.

COUNCILMEMBER LESSER: That's fine.

MAYOR PRO TEM HOWORTH: Future stuff. No future stuff.

MAYOR FRANKLIN: If you happen to be shopping and you see something, let us know.

CITY ATTORNEY BARROW: At the adoption of the resolution number 24-075, which section one is to reject the bids and section two is defer any action.

MAYOR FRANKLIN: Voting screen, please. Well done.

ASSISTANT CITY CLERK ALVAREZ: Can you do the motion again, sorry? The voting screen only.

MAYOR FRANKLIN: Okay. There we go. No, the technology is getting up against us. They didn't like what we said.

ASSISTANT CITY CLERK ALVAREZ: Motion passes, 5-0.

MAYOR FRANKLIN: Okay. Let's move on. I don't remember... 18. Consideration of options related to the city's utilization of the board of building appeals.

COMMUNITY DEVELOPMENT DIRECTOR MIRZAKHANI: Good evening, honorable Mayor and Council members. I'm Talyn Mirzakhani and your community development director. This

evening's presentation will be offered by our building official, Ryan Heise, and I'd like to invite him up at this time.

RYAN HEISE: Good evening, honorable Mayor and Council members. I'm here tonight to discuss the utilization of board of building appeals. At a previous Council meeting, the City Council discussed utilizing the Board of Building Appeals for a broader role and staff has conducted research on how other municipalities utilize the Board of Building Appeals. Beyond was required by the California building and fire codes. And pursuant to our Manhattan Beach building code and our Manhattan Beach fire code, the Board of Building Appeals is created in order to hear and decide appeals of orders, decisions, or determinations made by the building and fire code official relative to the application of the interpretation of the building and fire code. And the board's authority is limited to interpreting the Manhattan Beach building code and Manhattan Beach fire code, and the board has no authority to waive a code requirement. As we all know, the board of building appeals has not met recently to consider any appeals filed by the public, and this is because no appeals have been filed. Both the building official, myself, and the fire marshal oftentimes consult with applicants on questions or concerns regarding applicable code requirements and discuss alternatives. We did research 18 Southern California cities, and

seven utilized an alternate body, the California building code does allow for, for example, the planning commission of the City Council to serve as the board, or the appeals board for any appeals made, and 11 of those 18 do utilize the Board of Building Appeals specifically for appeals, with one of those utilizing the Board of Building Appeals additionally to consider the amendments, the local amendments of building code that happen typically every three years. And tonight, we are looking for direction from City Council to either dissolve the Board of Building Appeals and use an alternate board, such as the planning commission or the City Council, to serve the necessary function when an appeal is made, to continue to utilize the Board of Building Appeals on an as-needed basis, or any other direction that you provide. And I'm here for any questions you may have.

MAYOR FRANKLIN: Okay, great. Councilmember Lesser?

COUNCILMEMBER LESSER: Ryan, I have a question. The staff report indicates that staff surveyed 18 different municipalities, and one of them has additional functions for its Board of Building Appeals, and that's the city of Burbank. And I guess the question I have is related to what the city of Burbank has its Board of Building Appeals do, and that is, according to

the staff report, that they provide recommendations to the Council on the adoption of local amendments to the building and fire codes. So, I'm trying to understand what discretion do cities have with regard to adopting state-mandated fire and building codes? To what extent is there a role for the public in providing advice versus deferring to staff to interpret what the state mandates are?

RYAN HEISE: Sure, so the city is required to adopt the state-mandated codes, but we are allowed to provide local amendments to increase the requirements. Typically, also, then California has adopted the L.A. County amendments, and then there are some local amendments that each city adopts based on geographic, topographic type of reasons. Those currently come to the City Council, so it goes through the same process that we currently do in Manhattan Beach to come directly to the City Council. In Burbank, they go first to the Board of Building Appeals and then the City Council.

COUNCILMEMBER LESSER: And to the extent you're familiar with it, what sort of alterations has, and I presume you have not looked into this, but I'm just wondering what sort of revisions could there be that would warrant that extra step of going to the Building and Appeals Board?

RYAN HEISE: So, I'm not familiar with Burbank specifically, but some cities do have reach codes, which are environmental typically in nature. Our local Manhattan Beach codes are very limited and typically have to do with the salt air in the area and the proximity of our buildings to each other.

COUNCILMEMBER LESSER: And finally, this is a function that's currently undertaken by city staff, or as you indicated, it just simply comes to Council, these amendments.

RYAN HEISE: City staff provides those amendments, and then they are reviewed and approved and adopted by City Council.

COUNCILMEMBER LESSER: Sorry, one more question, but could we, if we wanted to, have the building appeals board review these proposed changes, or would this just be an extra step that really would provide its value?

RYAN HEISE: So, you could, if you recommend tonight, and I would have to check with the City Attorney to see if the code would have to be amended to allow that. But typically, in Manhattan Beach, they've been very, very similar over the years.

There hasn't been a lot of variety other than when environmental adoptions have been enacted over a couple times over the previous 10 to 20 years. And then typically the state mandates have caught up to those and they've been removed.

COUNCILMEMBER LESSER: Thank you. Thank you, Mr. Mayor.

MAYOR FRANKLIN: Okay, great. Councilmember Napolitano.

COUNCILMEMBER NAPOLITANO: No questions, Your Honor.

Sorry, I jumped the gun. That's for comments.

MAYOR FRANKLIN: Okay. I'm going to open up this item for public comment.

STEFAN KAMPE: Up on here once again. Ryan, great presentation. As I hear this, it just sounds like we have an organization, you know, a commission that hasn't been busy. And if we don't need them, then we shouldn't have them. But we also have the Planning Commission, which has a depth of knowledge that's very applicable to what this commission has been doing. So, it seems like a very natural thing to put over to the Planning Commission as an insurance policy so it doesn't have to come to this City Council meeting. They have the depth of

knowledge. The only question I would have is, do they have the capacity to do that? If so, it seems like a very natural place to put that responsibility.

MAYOR FRANKLIN: Great. Thank you. Any other comments about Zoom? Please.

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

MAYOR FRANKLIN: Okay. We'll close public comments. Councilmember Napolitano.

COUNCILMEMBER NAPOLITANO: Thank you, Your Honor. And I'll start by saying I think there was a miscommunication on this. No doubt it was from this side of the desk. I really, you know, I appreciate the information here, but I wasn't looking for what the Board of Building Appeals could do in addition to what they already do or don't do, which is not a lot. It's rather, I think we all understood, especially through the commission interviews, how qualified these folks are who sit on the Building Appeals, and we wanted to see what they could do as a group of people, not as a board. And because they have a very, I think we've got architects, we've got engineers, we've got



project managers who serve on this, and since they don't meet, I think what we want to do is find other roles for them where they could be productive for the city with their wealth of knowledge. And that could go, in my mind, we were talking about having them as project review, and the pool is a good example of that. Any number of things, technical working group that could review either projects or proposals, even bids, because they have such a wealth of knowledge in building and engineering and everything else. That's what I was looking for, is to, okay, how can we utilize these folks better on different things, not necessarily the Board of Appeals better for different things. They have a very, by law, a very narrow focus. I understood that to begin with, and that's why I really think maybe we didn't articulate what we wanted, but I want to find new roles for these folks. Like I said, we've got our Environmental Task Force. We've got a working group there that reviews things. They would be a great addition to that, among other things. You know, having a technical working group for Public Works projects, I could see value in that, you know, in terms of value engineering and things like that, and not trying to step on toes or duplicate responsibilities or added oversight, but these are people who know a lot of stuff who could perhaps see things and make recommendations to Council on that basis. I wasn't looking for

an expanded role of building appeals but an expanded role of the individuals who serve on it.

MAYOR FRANKLIN: Okay, Councilmember Montgomery.

COUNCILMEMBER MONTGOMERY: More of the question to the Attorney Quinn. I remember this years ago, this came up about Board of Building Appeals when they weren't meeting, but we had good people on them. I'll leave you tomorrow, an architect here is one I can remember at the top of my head, and we were always told back then the state said you must have or provide a Board of Building Appeals. Whether you meet once a year or once every 10 years makes a difference. What changed?

CITY ATTORNEY BARROW: Nothing in the state law, but some cities have added, you know, the Planning Commission has slashed the Board of Building Appeals.

COUNCILMEMBER MONTGOMERY: So, they made a hybrid out of it. But it still exists, still required to exist.

CITY ATTORNEY BARROW: Yes, as required by state law. So, we can't wipe it out and get rid of it, which I'm not a fan of. I think people need to get in there and have a right to be,

have that appeals heard, and it's also a process to get people that aren't involved in our city and they don't win the Planning Commission seat, they get appointed as something to learn with how the process goes. They don't meet or not, it's not the point. They get involved and they see what's going on with it and with their way up from there. So, we could create a hybrid or leave it alone the way it is.

CITY ATTORNEY BARROW: Yes, and some cities have the City Council be the board.

COUNCILMEMBER MONTGOMERY: I don't want that. Thank you, Your Honor. Nothing else.

MAYOR FRANKLIN: Okay, thank you. Councilmember Lesser?

COUNCILMEMBER LESSER: I would just observe that this has been a long-time issue, I think, for Councils that I've served on, is we see this very capable group and they never meet. So essentially, they have the honor of the title, but they don't, in fact, do anything. Because there are no appeals. And prior Councils have asked the same question of, well, how else can we use them? So, for me, I felt staff actually did undertake valuable exercises to understand how other jurisdictions are

using a similar board. I am intrigued by the city of Burbank and how they're using their board and building appeals, but I also have read in the staff report, which is something we all up here know, which is that city staff is extremely strapped right now. There are vacancies in the operative department that would be required to staff any such review that might be required to the extent they had some discretion on adopting building codes. And I haven't quite heard the need for public input on the adoption of these codes at this time. So, I'm not prepared to move in that direction. I also agree with Councilmember Montgomery. I don't think we want to eliminate this body, because in fact, one, we're required to have it. But I think for now, I would be prepared to simply not take action and leave things as they are and reserve the right at a later date, particularly if our state gets more creative with its obligations in these code requirements. This would be the perfect group to be able to receive public testimony on these building and fire code amendments, particularly if they become more complex and warrant public input.

MAYOR FRANKLIN: Thank you. Any other discussion? What are we going to do? So, we have a motion by Councilmember Napolitano.

COUNCILMEMBER NAPOLITANO: Your Honor, I move to do nothing.

MAYOR FRANKLIN: I've seconded that.

MAYOR PRO TEM HOWORTH: Let that be on the record.

COUNCILMEMBER LESSER: Call for the question.

MAYOR PRO TEM HOWORTH: Yeah.

ASSISTANT CITY CLERK ALVAREZ: Motion passes, 5-0.

MAYOR FRANKLIN: Okay. How are we doing?

COUNCILMEMBER LESSER: I'm eight hours ahead, which is why I'm not articulating myself so well.

MAYOR PRO TEM HOWORTH: Hey, you're doing fine, David. You're doing fine.

MAYOR FRANKLIN: Okay, moving on to item number 19, consideration of introducing and conducting the first reading of

an ordinance requiring a pocket permit for oversized vehicles.  
City Manager Moe moved on to...

CITY MANAGER MOE: Assistant City Manager George  
Gabriel.

ASSISTANT TO THE CITY MANAGER GABRIEL: Honorable Mayor Franklin, members of the City Council, George Gabriel, Assistant to the City Manager. So, this is a follow-up item. We came to Council on April 2nd, and we received some particular direction. I won't go with all the nuances of the parking permit program, but if you have any questions, I'd be more than happy to answer them. But in essence, this parking permit program has been discussed by Council multiple times, most recently in April. And following that, staff is returning to the City Council with a renumbered ordinance and with some particular changes. And one of the changes is specifying that a household is limited to one oversized parking vehicle permit, October 1 to September 30th of any year, and that was Council direction. And so, we made that change. And it should be noted that guest oversized vehicle parking permits remain limited to four parking permits per household in any 12-month period. And the second one that we made a change on is no permit would be required in the coastal zone. And so, in response to Council direction, staff reached

out to the Coastal Commission. Coastal staff informed city staff that the Coastal Commission has allowed oversized vehicle restrictions only where cities have sufficient space or designated areas to provide safe harbors for oversized vehicles to park near the beach, including overnight. Obviously, City of Manhattan Beach does not have a lot of available parking as it is, especially in the coastal zone. So therefore, at this time, staff is recommending that no permit will be required in the coastal zone. Thirdly, the staff also received direction from the City Council to reach out to the Manhattan Beach Unified School District and look into how that impacts the oversized vehicles parking impacts their parking lots. And based on our conversations with the school district, there doesn't appear to be any issue at the school lots. But we're going to continue to work together and see if there's any solutions and try to problem solve where possible in the future. With that being said, that concludes my presentation. We can certainly go on to the nuances of the parking permit program. If you'd like, but I just want to highlight the changes that were presented from the last Council meeting.

MAYOR FRANKLIN: Thank you. Councilmember Montgomery.

COUNCILMEMBER MONTGOMERY: Thank you, Your Honor. George, just a clarification question. The Coastal Commission answered you back and you quote them saying, you must provide locations near the beach. What does near mean to the Coastal Commission? A mile? Two miles? Five miles? What does that mean? I hate it when Sacramento gives a definition.

COUNCILMEMBER NAPOLITANO: It's got to be coastal zone.

COMMUNITY DEVELOPMENT DIRECTOR MIRZAKHANIAN: Good evening, Council. Mirzakhonian, your Community Development Director. The Coastal Commission essentially expects that if you're going to require this within the coastal zone, then you have an option B within the coastal zone. So, the expectation would be that there is some parking available, made available, whether it's a state beach parking lot within the coastal zone for oversized vehicles at night.

COUNCILMEMBER MONTGOMERY: There's the catch. In the coastal zone, at night. Does that mean overnight or just at night?

COMMUNITY DEVELOPMENT DIRECTOR MIRZAKHANIAN:  
Overnight.



COUNCILMEMBER MONTGOMERY: Overnight. Thank you. I appreciate that. Thank you. Nothing further, Your Honor.

MAYOR FRANKLIN: Okay. Councilmember Napolitano.

COUNCILMEMBER NAPOLITANO: Thank you, Your Honor. Last time we talked about a potential carve-out for residents who have these larger vehicles. You know, we received a couple emails by folks and apparently, right, it takes something to get them geared up to go off. They park on their private property, but they'll park on the street the night before or something before they take off because they have to fill it with all sorts of things and get it ready to go. And, you know, I hate to think that we're... So far, this doesn't do a lot, right? It doesn't employ the coastal zone now. It doesn't employ the school property. So, but we're going to come down on any residents in those other areas. They don't get a day pass or something like that for free when they're putting their stuff together.

ASSISTANT TO THE CITY MANAGER GABRIEL: We can certainly look into that if you so choose, but what I will say in terms of an enforcement ability, you know, I... We're going

to separate between residents and guests, obviously. And so, residents...

COUNCILMEMBER NAPOLITANO: But it should be 48 hours instead of, you know, immediately when it's seen on the street?

ASSISTANT TO THE CITY MANAGER GABRIEL: Could be. In practice, in practice, I would think that there's going to be a little bit more, especially in the very beginning, there's going to be a little bit more flexibility on the enforcement front. But I see your point, Council member.

COUNCILMEMBER NAPOLITANO: Well, there's flexibility until the Council says we don't want any more flexibility. And there's no flexibility and then we say why wasn't there more flexibility given certain somebody, so... All right. I mean, again, I think we're coming down and we should talk about that. Thank you, Your Honor.

MAYOR FRANKLIN: Councilmember Lesser.

COUNCILMEMBER LESSER: Mr. City Attorney, can you point me in the draft ordinance to where the exemption for the coastal

zone is located? I may have just missed it, but I'm not seeing it.

CITY ATTORNEY BARROW: Yeah, at the top of my head at subsection C, but I'll find the precise section.

COUNCILMEMBER LESSER: While you're looking for that, let me just ask you, George. Is there a possibility that the exemption of the application of this ordinance to the coastal zone might create an incentive for those that have these oversized vehicles to park them in the coastal zone if it's prohibited everywhere else in the city?

ASSISTANT TO THE CITY MANAGER GABRIEL: I can't talk about what motivations that individuals will have, but I will say that there's certainly an opportunity there that we would like people to avoid if possible.

COUNCILMEMBER LESSER: Thank you.

CITY ATTORNEY BARROW: So, the section is 14.46.030, subsection C.

COUNCILMEMBER MONTGOMERY: Did you get that?

COUNCILMEMBER LESSER: Thank you. There it is.

ASSISTANT TO THE CITY MANAGER GABRIEL: Can I elaborate a little bit on an earlier point? Okay, one thing I want to indicate is that Councilmember Napolitano, your point about the burden on residents, the idea is for residents who have the parking permit, they would get this parking permit once and they would entitle them to park there as long as they have a permit the entire year, so they wouldn't necessarily need a day pass if they have that actual permit for their one permit for their residents.

COUNCILMEMBER NAPOLITANO: No, we're asking them to pay for something they never had to pay before.

ASSISTANT TO THE CITY MANAGER GABRIEL: That's so true.

COUNCILMEMBER NAPOLITANO: The out-of-town folks aren't going to pay for the permit at all. Most likely, they're just going to park in the coastal zone.

MAYOR FRANKLIN: It may not be convenient.

COUNCILMEMBER MONTGOMERY: I'll follow you, your honor.

MAYOR FRANKLIN: So, my question is this, George, I couldn't figure out, let's say a person comes in, is not associated with the resident or anything like that, can they apply for that guest? How do they apply for a guest parking permit?

ASSISTANT TO THE CITY MANAGER GABRIEL: No, all guest parking permits need to be associated with the resident.

MAYOR FRANKLIN: So, they can't get any kind of parking permit?

ASSISTANT TO THE CITY MANAGER GABRIEL: No.

MAYOR PRO TEM HOWORTH: But they can park in a coastal zone. No, that's not the reality.

MAYOR FRANKLIN: Right, no, I mean, but shouldn't we make allowances for that? I mean, in a sense.

COUNCILMEMBER NAPOLITANO: We talked about that last time too, people were visiting, they used to spend their money

down here and park somewhere and have lunch or dinner or go to the beach, then we're saying, come along.

COUNCILMEMBER LESSER: Or come to the coastal zone.

COUNCILMEMBER MONTGOMERY: It should be parked downtown.

ASSISTANT TO THE CITY MANAGER GABRIEL: It should also be known that there's very limited opportunities to even park in the coastal zone because they'd have to fit in a marked space that they can fit in, and typically a lot of oversized vehicles probably would not be able to fit in many of those marked spaces.

COUNCILMEMBER NAPOLITANO: A coastal zone. A coastal zone goes up to Ardmore, right? So, it's valley along the, along the street you could park there.

MAYOR PRO TEM HOWORTH: There's an oversized park there now.

COMMUNITY DEVELOPMENT DIRECTOR MIRZAKHANIAN: It curves up on the, it's not exactly linear, but yes, Valley, Ardmore,

generally speaking, is the boundary. But again, like George mentioned, there are limited opportunities because there are many markings. They can't fit within the markings, and so there has to be an unmarked area, and then that unmarked area cannot be interrupted by driveway aprons, and no cars have to be there so that they can take up multiple, you know, multiple spaces. So, the areas within the coastal zone are limited.

MAYOR FRANKLIN: Okay. I thought the coastal zone was mostly Highland. Everything--.

COMMUNITY DEVELOPMENT DIRECTOR MIRZAKHANIAN: No.

MAYOR FRANKLIN: West of Highland? No.

COUNCILMEMBER NAPOLITANO: Like West of Ardmore on the south side of an Outreach Boulevard.

COMMUNITY DEVELOPMENT DIRECTOR MIRZAKHANIAN: The appealable area of the coastal zone is Manhattan Avenue. That's the boundary for the appealable area, but the actual coastal zone, the entirety of it goes all the way through to Valley.

MAYOR FRANKLIN: Okay. Councilmember Montgomery?

COUNCILMEMBER MONTGOMERY: Your Honor, this is a question for George. George, we talked to the district. Did they talk about the area in Begg Pool to the west side of Begg Pool? I had the issues with RV parking. I saw one in the day, but it must have been a day past person lost. They parked over the Begg Pool. You know, they come in a big pool, that flat parking lot, a peck, coming up a big property. That's what I mean.

COUNCILMEMBER NAPOLITANO: But this doesn't apply to school property.

COUNCILMEMBER MONTGOMERY: No, I'm saying. When you talk in the district, did they ever make any mention? They've seen.

MAYOR PRO TEM HOWORTH: We asked them. They said no. They haven't seen enough.

COUNCILMEMBER NAPOLITANO: So, they didn't have a problem?

COUNCILMEMBER MONTGOMERY: Difference. Between seeing one, having a problem, doing different things.



MAYOR PRO TEM HOWORTH: But they said they've not reached anyway.

COUNCILMEMBER MONTGOMERY: No problem. But they may have seen it, but they're not reporting a problem. All right. Fair enough. Thank you. I asked.

MAYOR FRANKLIN: Okay. Any more questions? Okay. Open it for public comment.

RITA: Rita Crabtree-Kampe. Honorable Mayor, Mayor Pro Tem and honorable City Council members. So, a couple of questions just got brought up. So, if we go ahead and post an additional 35 signs around town, it says you can't park here. But somebody looks into it and says, oh, but I can park in the coastal zone. So, are we for free whenever I want? Or somebody, a resident even, doesn't want to get a permit or pay for it and says, well, I can park on Ardmore or Valley. That's concerning. It's a red flag to me. I don't want to have Ardmore and Valley congested with a number of RVs because individuals either don't get the opportunity to purchase because they're just visitors or they don't want to purchase. The other red flag that I think I heard in the report was, so if you park your RV and you're

visiting from New Jersey, you can park your RV for as long as you want for free overnight so you can now live in your RV. That would concern me as well. I don't want to bring attention to like, oh, you know, here, don't, a green flag, you can park here for as long as you want and you can sleep here overnight. So, I feel like we need to answer a few more questions before we move forward with approving or, yeah, or saying, getting any permit issues. If people are parked using them, keeping them on their land and they don't need to put them on the street except for the one day that they have to, you know, suit it all up to go, they don't want to pay \$65 or \$100 a year. So, it's not making sense so I'd like to know a little bit more about those questions. Thank you.

COUNCILMEMBER NAPOLITANO: Can I have a follow-up question of staff on that point. I mean, what would the signage be if we can't tell them that they can't park in the coastal zone so that has to be excluded from any signage? And are we creating more problems here than we're solving?

ASSISTANT TO THE CITY MANAGER GABRIEL: Well, the signage would basically say that, you know, no parking, no oversized vehicle parking without a permit and it would be referenced the Manhattan Beach Municipal Code which already has

a reference to the coastal zone application. And one thing I do want to say in terms of, one thing to recall is that we do have the 72-hour rule that's always in effect as well. So regardless of any car, whether it's oversized or not--.

COUNCILMEMBER NAPOLITANO: Is that the rule where they can move three inches and it's another 72 hours?

ASSISTANT TO THE CITY MANAGER GABRIEL: So regardless of that, yes, a car cannot park in their space for longer than 72 hours.

COUNCILMEMBER NAPOLITANO: Well, I'm just wondering if the Coastal Commission or the staff there will take issue with the idea that we're bearing the ability to park in the coastal zone in the, you know, a reference to the Municipal Code and having a general prohibition that some folks would feel deceived by.

MAYOR FRANKLIN: Okay, Mayor Pro Tem.

MAYOR PRO TEM HOWORTH: No, I'm waiting. I'm sorry. I thought we were done with the public comments. These are my comments.

COUNCILMEMBER LESSER: I have a question but I think there might be more public comment first before we close public comment.

MAYOR FRANKLIN: Anybody here in Chambers know how about Zoom?

ASSISTANT CITY CLERK ALVAREZ: Heather Kim.

HEATHER KIM: Yes, I too am really confused about how all this RV parking stuff will work out. I have the same questions that Rita had. I definitely do not want, you know, our town to somehow, you know, people who will somehow fall into those cracks of you're following the law but then you're following these signs and it gets confusing and they're able to just, you know, make it look like what, you know, what it used to look like at the Biono Wetlands area. You know, they have tons of RVs there. I'm glad you are adhering to the three-day rule but like someone brought up, you can just move it a little bit or erase the chalk, as I've seen people do and then you've got another three days. So, I have a lot of questions about this and I know that it was intended, it had a good purpose but then now as we're kind of going through this and I'm hearing this

more, maybe there really wasn't a problem. If we just actually enforce the laws that we have, then it's not really an issue because I don't see an RV takeover in Manhattan Beach. So, I don't want to create a problem now when there really isn't one anyways. I don't want to encourage homelessness and, you know, in the RVs but I don't know, I'm just really confused about this the more I'm hearing about it. Thank you.

MAYOR FRANKLIN: Thank you.

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

MAYOR FRANKLIN: Okay, so we'll close public comments.  
Mayor Pro Tem?

MAYOR PRO TEM HOWORTH: Yeah, thanks, Mr. Mayor. I want to try to, I guess, start this off. I want to thank staff for bringing to light kind of the unintended consequences of the well-intentioned efforts to respond to residents' concerns at one point. I think this, I believe, and if I'm wrong, please let me know. We were getting some emails about the difficulty in dealing with some RVs that have been parked, a few RVs that have been parked, I want to say, on Ardmore. And the police, you

know, there's a 72-hour rule or code enforcement, you know, were they enforcing it? We didn't want this to become like Biona Creek and welcome that, if you will. We wanted to have some laws and codes in place. And so, we were responding to that. And at the time, I believe, I did raise a lot of questions because I don't think I knew it at the time, but I knew that we were going to be moving down a path that wasn't really going to do what we needed it to do. Because remember, these codes don't even apply to the school district property, which is one of the places that we got a bunch of emails about. I think it was, I want to say Grandview or something, that there's a van or an RV park there over the weekend. And, you know, I don't think that the ordinances as proposed are going to do what we need or want them to do. And I think that we have something in place. As Councilmember Napolitano sort of pointed out, we're sort of punishing residents who enjoy the RV recreational lifestyle by making them get passes and others can just come and park in the coastal zone and, you know, whatever. I also think we are saying that we're not welcoming to people who might want to, you know, drive through town and park their RV or their van and go spend money downtown. And I think the Coastal Commission might look at that and be a little bit upset by that. So, I'm not in support of this going forward, but I do just want to say that we were, as a Council, I believe that we were trying to allay some fears

and head off something before it became a problem. And I think it was frankly directed at unhoused individuals who might, you know, be renting or owning a van. But I don't think this is going to solve a problem. And in fact, the irony is this weekend, my husband and I will be pulling up a small Winnebago to the back of our house to load it up for our trip. We have a house that are, for all of you watching, anyway. Yeah, I just don't realize that. But anyway, so we don't have a permit and we're only doing it overnight, so now I'm all worried. Anyway.

MAYOR FRANKLIN: That's not an effect yet. Okay. There you go. So, I, actually, we got to remember, though, that a key part of this is the size of the vehicle. So, if it exceeds 22 feet in length, 7 feet in width, and 8 feet in height. And I think that's what we want to go ahead and control as well. So, if there is an oversized vehicle, and I don't know, would that apply to the coastal zone as well? If it's, well, no, this is our restriction so it would not apply in the coastal zone, but at least in the rest of the city, you'd have a very large RV and they would be prohibited. So, I think that, in its own right, is worth it for this ordinance. It's making people cognizant, I think. You know, I'd love to have an idea of how many vehicles this applies to, owned by owners, that would actually bring it to their home, like we just heard here, but that'd be oversized.

We do know in this age of social media, these cracks, these gaps in codes are exploited by people, and they can be very problematic. I mean, moving at 72 hours, what does that mean? They just move at one rotation of their tires, and then they back it back up. So, I think it does give us a handle on, and also it applies to tent trailers, unmounted campers, I mean, trailer coach, whatever that is, trailer bus, but I think it is giving us this definition of nuisance type of vehicles that quite frankly should be parked in an appropriate place, storage, whatever. Storage is very expensive, I understand. That has to go into your calculus if you're going to own one, but you're not going to have, we don't want you to be making it an issue in your neighborhood. So, I am going to support it, and we can always come back and change it. One other question I had that I've just now found is talking about the meters. What if it does expand over two spots, and it sort of technically takes up two meters? I mean, that person who's parking it has to feed both meters, or would it disqualify it because it's too long?

MAYOR PRO TEM HOWORTH: Can you feed both meters?

TRAFFIC ENGINEER ZANDVLIET: Good evening, Mayor and members of the City Council, Erik Zandvliet, City Traffic Engineer. The simple answer is, the code does not allow an



oversized vehicle to over-park more than one parking space. All parking meters are one parking space, and so that would not be allowed.

MAYOR FRANKLIN: Okay. And with or without a meter as well.

TRAFFIC ENGINEER ZANDVLIET: With or without a meter, correct.

MAYOR FRANKLIN: So, all right, gotcha. Thank you. Okay, Councilmember Lesser.

COUNCILMEMBER LESSER: I think we need to be very cautious before we adopt a whole new regulatory scheme that will apply to all of our residents and visitors alike when there is some confusion. There's some confusion in what this code means and how it will be applicable. We don't even know how many spaces are even receptacle or available for oversized vehicles in the coastal zone to which this ordinance would not even apply, even though it would apply to the rest of the city. So, I share the concerns of the Mayor Pro Tem in moving forward at this point. I appreciate the rationale for spending as much time as we've spent, as a Council and staff have spent exploring it,

but I think we have a number of open questions that really need to be resolved first before moving forward.

MAYOR FRANKLIN: Councilmember Montgomery.

COUNCILMEMBER MONTGOMERY: Thank you, Your Honor. So, institutional knowledge time again. Those who weren't here at 2008 and 9, I can say it was like, this is deja vu all over again. This is people complaining about RVs near the kids' athletic school grounds. So, we do remember that, Eric. We passed an ordinance that banned RVs from parking near adjacent school grounds. Problem solved, right? The RVs that want to move around, no one got punished. Everybody read the sign, moved the RVs around, and guess what? It worked. Guess what? Where'd they all go? They went somewhere. They weren't parked in my parking lot. They weren't parked in here. They went somewhere, so it worked. Now, fast forward to now. All of a sudden, people are saying, I'm going to hurt my residents. Wait a minute. The residents pay \$65 a year one time to have their car, their RV parked as much as they want from their house for a year. How does it hurt? Tell me that. That's almost one take of the year for parking past our meters. And Erik talked about that. You can't park two spaces. No. How many spaces do we have down at the State Pier or near El Porra that you can fit an RV in? I bet

you answer zero. Zero. So where are they going to park? Ardmore. Try to find a spot past Thursday night until Sunday night on Ardmore. For a regular sized car. Tell me that. And then second, come back and tell me if it's 22 feet or more on Ardmore. Fit it in there. How many are you going to find? I'll say less than five. I'll take that bet. Anytime. Thursday midnight to Sunday night, ten o'clock. Find me one. So there's your answer. Five or less. So that's your issue, folks. The idea that we haven't heard anything, we brought this back, Joe, and I. Was it October last year? Twenty-three? Whatever it was. Yeah. So, the problem was we're seeing RVs come here, not just from Ballona Creek. We realized we weren't following up our own. We were. Because remember the parking on Parkview, Erik? We outlawed parking on Parkview. They were dumping their stuff on Parkview. They put it there. And that changed it. So, all we're trying to find out, people are still having these RVs. They're still finding places to go. They're still doing it around. We don't enforce it from Hermosa, Redondo, or El Segundo. Where are they going to go? They're going to come here because, A, we're not clear on our messaging. Our signs are either not confused or we know what they're doing. Or B, is someone smart? They're not going to go to the website and read it. But our signs did their job. It worked on Parkview. It'll work anywhere else in the city. A loophole's, yes. You can find loopholes. Anything you want.

Every city's got a loophole. But the most we have our signage, that makes it clear and limit what we're doing already. As far as making it easy to park anywhere, we're not stopping guys from Iowa and Kansas or Ohio bringing the RVs here. We're saying, oh, when you come here, park in the appropriate place. That's all we're asking. Nothing else. So, I think it's very clear what our intent was. We don't want them parking everywhere. But we also want to have a clear definition. We do want them to park and where they can park and go from there. So yes, I support it. If not, we're going to kick the can down the road. And a year from now, when it gets worse, we're going to remember this, that we did nothing but sit in our hands. Even though we had the right intent because we're too scared to do it. Thank you, Your Honor.

MAYOR FRANKLIN: Councilmember Napolitano?

COUNCILMEMBER NAPOLITANO: Thank you, Your Honor. I'm neither scared nor confused. There's one. I can see it both ways. I'm not confused over it. I just question, given the limitations that have been put on us by the Coast Commission and I would also say the school district in not applying it to the school district property, that it does cut down where we can enforce this and enforce it with meaning. On the other side of it, though, we're one of the only cities around here that

doesn't have this kind of restriction. All our adjacent cities do. And so that directs things our way, too. So, you know, I'm not afraid to go forward with this, but I think that it should be evaluated at a certain time. I would give this, I would rather describe this as a pilot project for 18 months and have staff bring back a report on what the effectiveness is. Are we getting, seeing more RVs in the coastal zone? Are we seeing RVs in other areas of the city where they're not supposed to be? Are we dealing with them at all? How many permits are issued? What kind of effect are we having on our residents? Are we getting pushback from them? Are we having people come in and play games with moving their car every 72 hours and everything like that? So, I would like to turn this into a pilot project, 18-month review by staff, bring it to Council, and Council can either decide to maintain it and stay going forward with it or make changes as appropriate at that time. Sorry about my voice.

MAYOR FRANKLIN: Okay. Mayor Pro Tem?

MAYOR PRO TEM HOWORTH: Yeah. I appreciate the way you're kind of trying to bring it all together, because I think I would support a pilot project and I would want us to give, I mean, I liked all of your suggestions for metrics and things to examine, because, I mean, to both of my colleagues' points, I

mean, I think the problem we were trying to solve, I mean, we want our community to be safe. We were trying to avoid, it's not avoiding the casual person coming to visit or loading your car, it's when suddenly somebody appears and they don't move it, and, you know, you wonder who's there, et cetera, et cetera. So, it wasn't well intentioned. Don't get me wrong. I just, the unintended consequences are something that none of us knew would be there, and so now that we are informed, that's what I was responding to. I'm willing to try some sort of pilot project, but I do think we have to pay attention, just make it a pilot project, for sure.

MAYOR FRANKLIN: Okay, Councilmember Lesser.

COUNCILMEMBER LESSER: I guess I would want to ask staff whether this lends itself to a pilot project, because we're talking about requiring permits for all of those that have oversized vehicles, and then also then have the limitations that you, Council Member Napolitano, brought up about visitors and it not being clear on how they would obtain permits and where they could park. So, I think I would like to ask staff just a little bit about the logistics of a pilot project. Through the Mayor, may I?

MAYOR FRANKLIN: Yes, please.

ASSISTANT TO THE CITY MANAGER GABRIEL: So, we haven't seen the implement as a pilot project. That being said, the Council should be aware of certain capital expenditures in terms of signage that we would be removing, putting it back up. It doesn't mean it can't be done. It just means that, you know, we haven't seen a permit program done in a pilot fashion.

COUNCILMEMBER NAPOLITANO: Let me rephrase it. Everything Council does is a pilot project if they repeal it later. Very true. Thank you. So regardless of what you call it, after 18 months, I'm asking for a report back on the metrics involved here. Call it a pilot project, call it a change, and like I said, it stays the same after 18 months if the Council says yes, a success. If it's not a success and there's pushback or it's totally ineffective, then Council can reassess at that time. But that applies to everything that we do.

MAYOR FRANKLIN: Councilmember Montgomery?

COUNCILMEMBER MONTGOMERY: I was just going to say, Your Honor, I'll make a motion. You guys are counting after me. A motion is just that. I don't want to call it pilot. I think

where Steve was going with it, it was just I want to see where we are with the idea of 18 months and look and see what's changed. But it will do two things. My motion is that we do this, but we'll stop being a magnet. It's that only city doesn't have a strong ordinance, number one. And number two, the metrics will follow. Let us see where we are. Do we push something away that we didn't know about? Great. Do our residents come back to Jamie's point and say, I don't want to pay one time for your permit? Great. Let's find out what happens in a year or 18 months. So, give them time. Let it settle. Are we fine? With six months or two soon, 12 months maybe, 18 months gives me a long time to get there two summers.

COUNCILMEMBER NAPOLITANO: I said 18 months because you get a permit for a year as a resident.

COUNCILMEMBER MONTGOMERY: Yes, exactly. That's my motion, Your Honor, too.

MAYOR FRANKLIN: Okay. I would almost say the cost of the signs is 2,100. So, let's call it 21 months, \$100 a month. No, I'm just kidding. Okay. So, Mayor Pro Tem.



MAYOR PRO TEM HOWORTH: Okay. So, what will we be measuring at the end? Well, not the end. What will we be looking back on in terms of success? Is it going to be residents say, you know, not complaining about having to get a permit? Or will it be no RVs left unattended? You know, I want to know what we think. And the reason I ask, and it's not, we don't, I don't, it's not necessary for me to vote on, but I think we need to think about why we're doing this, right? And I would even say, why make residents pay a permit to have this? I mean, do they pay right now? Do they pay for a permit right now, Mr. Gabriel? No.

ASSISTANT TO THE CITY MANAGER GABRIEL: No, there's no oversized vehicle parking permit right now.

MAYOR PRO TEM HOWORTH: Why don't we ask them? I see staff is looking, you can see staff from up here and they're looking at me like, what are you crazy? No, but why are we making residents pay for these permits? Why don't we ask them to get the permits? I know that will cost, there's a cost, right? There's a cost to staff. I get it, but I don't, I don't want to make residents pay for this.

COUNCILMEMBER NAPOLITANO: Well, it's like, why do we have residents pay for block parties or anything else?

MAYOR PRO TEM HOWORTH: But we haven't made them pay in the past for this.

COUNCILMEMBER NAPOLITANO: Because you have no ordinance.

MAYOR PRO TEM HOWORTH: So, we can have an ordinance that requires them to have a permit.

COUNCILMEMBER NAPOLITANO: In terms of what to measure, you measure how many permits that we've issued, how many citations we've given. What's been the effect in the coastal zone as to RV parking there? What's the effect in other parts of the city? And then just overall, you know, have we solved anything or do we need this anymore? It has an introduction.

MAYOR PRO TEM HOWORTH: Yeah, no, I actually really appreciate you laying it out like that. And, you know, I just thought I'd float it. I get that it will cost us the money, but I, you know, we're charging residents. We haven't charged them before for that, so.

MAYOR FRANKLIN: Councilmember Lesser.

COUNCILMEMBER LESSER: I'm trying to get my arms around supporting this. And I guess I want to go back to some of the open questions that we initially had. One was, what do visitors do? What are visitors supposed to do if this only applies to guest permits? Any of my colleagues have an answer to that or do they look to city staff?

COUNCILMEMBER MONTGOMERY: I think most people that actually do have an RV, the ones that wrote to me, they actually know before they go somewhere, they read about where they're going. Research on the website. And it says, RV owners, bang, stop at the city permit. Here it is. Here's the guest overnight is what you do. Here's places you may be able to park. That's they read before you go. Then it'll show up one day and drive. I would say, I want to pull over here and park my RV here. They actually do research where they showed up there. These are the ones that plan the trip. Not all of them are going to be like that. But most RV owners driving to a new location, research where they're going to go first.

COUNCILMEMBER LESSER: Second open question is, how many spaces are we talking about in the coastal zone and where are they located? To what extent is it worth researching that first or is that not a concern?

COUNCILMEMBER NAPOLITANO: Just approve the parking study will tell you all that for \$500,000.

MAYOR PRO TEM HOWORTH: Yeah. Well, Erik has an answer.

ASSISTANT TO THE CITY MANAGER GABRIEL: There are 68 possible locations to park in the coastal zone.

COUNCILMEMBER MONTGOMERY: Try to find them.

ERIK ZANDVLIET: If they're empty.

MAYOR FRANKLIN: Yeah. If they're. There's your big. There's your big guy.

MAYOR PRO TEM HOWORTH: Yeah. Well, that would be about that would be a bummer if they were 68. Hey, RVs jammed in different places in the coastal zone. I'm just saying.

MAYOR FRANKLIN: So, I would support the pilot. You know what? There's a dearth of his data and this will give us data. And I think we will find out pretty quickly or maybe not. Maybe it's not going to cause much of a ripple because I just can't believe that an RV owner is, you know, has the expectations of coming in off of the 405 and going, I'm going to park down as close as I can to the beach. And these little beach towns, but they're certainly not going to find it in Hermosa and they're not going to find it in Redondo. I'm not quite sure what El Segundo does.

COUNCILMEMBER MONTGOMERY: The Dock Weiler Beach, your honor. They can park there.

MAYOR PRO TEM HOWORTH: Well, you reserve it.

COUNCILMEMBER MONTGOMERY: They research it before they show up.

MAYOR FRANKLIN: Yeah. That's right. And I agree with the research. You know, I agree. I agree with that.

MAYOR PRO TEM HOWORTH: Friendly amendment. Sorry. Friendly amendment would be, can we ask for, just to codify this

request, uh, in 18 months to come back with some of the, the, the data.

COUNCILMEMBER MONTGOMERY: That was part of the motion.

MAYOR PRO TEM HOWORTH: Was that part of the motion? That's so friendly then.

MAYOR FRANKLIN: Yes. We're all friendly here. I wrote it all down.

MAYOR FRANKLIN: So, we have a motion to accept by Councilmember Montgomery.

COUNCILMEMBER MONTGOMERY: Motion to move, your honor.

MAYOR FRANKLIN: And, I've seconded it.

CITY ATTORNEY BARROW: So, two questions and I'll read the title of the ordinance. there's two ways to deal with the pilot program. And it sounds like you're leaning toward just giving direction to staff to come back with the metrics.

COUNCILMEMBER NAPOLITANO: 18 months.

CITY ATTORNEY BARROW: Okay. The other alternative would be to put a sunset clause in the ordinance, but it sounds like the consensus is option. Number one, just give direction to the right. Okay. So, I'll read the title. Ordinance number 24-006 and ordinance of the City Council of the City of Manhattan beach, California restating and amending Manhattan beach municipal code chapter 14.46 regulating and requiring a parking permit for the parking of oversized vehicles and trailers.

MAYOR FRANKLIN: And part of that program is some web information on the web. My pages.

ASSISTANT TO THE CITY MANAGER GABRIEL: Our public outreach will be robust. In terms of the piloting program and timing, it's mean that we would, the program would begin on October 1st. So, in the coming months, we're going to be building out the program, and then 18 months after October 1st, we'll return to the City Council with some of the information and data that we requested.

MAYOR FRANKLIN: Okay. Voting screen? Great.

ASSISTANT CITY CLERK ALVAREZ: Motion passes, 5-0.

CITY ATTORNEY BARROW: So, if this will come back with the second reading of the ordinance and also the two P resolutions.

MAYOR FRANKLIN: Great. So, item number 20, a City Council AB1234 reports. Does anybody know? No? Okay. Item number 21 consideration request by Councilmember Lesser and Mayor Pro Tem Howorth to obtain a third vote to enable the Council to discuss rear yard setback regulations.

COUNCILMEMBER MONTGOMERY: I met premise here. Remind us please.

COUNCILMEMBER LESSER: So, I can set it up. I guess this way. And that would be that our state legislature along with the governor and signing laws have set housing laws that increase density in our residential neighborhoods. This issue related to zero setback requirement. It's something over which our city has control. I think we should review whether or not the current.

COUNCILMEMBER NAPOLITANO: Okay. I'll be the third. Yeah.



COUNCILMEMBER LESSER: You don't want to hear me.

COUNCILMEMBER NAPOLITANO: Nope.

COUNCILMEMBER LESSER: Go further? I would like to do is just provide a little more direction to staff. And that is one of the concerns that the mansionization commission that I served on as a planning commissioner. Gosh, how many years ago was that?

COUNCILMEMBER MONTGOMERY: 2002 I pointed. I asked David to be served on that one.

COUNCILMEMBER LESSER: Councilmember Montgomery was a Council at that time. And I was on the planning commission and served on the commission. We looked at the implications of determining what would otherwise be a legally constructed property, legal nonconforming and what that would mean for any future improvements of that project. That is to say that if a property has a structure on this, the property line with zero setback, if we change the code, that would make it legal nonconforming. And that would mean that that property owner would need to bring the property up to code in order to make any improvements. The mansionization commission committee came up

with a way to work around that with other setbacks. And I would like for staff to explore how that might apply here. And that would be specific direction for staff to look into when they would report this back.

COUNCILMEMBER MONTGOMERY: Here's a question for City Attorney on that. We have the right, city. So even though SB9 is in effect, do we have the right to adjust, setback requirements for 80 years. Is that up to the city to do that? If we have the right to push back on the SB9 part of it--.

COMMUNITY DEVELOPMENT DIRECTOR MIRZAKHANIAN: We cannot make the four-foot required setback. Sorry. The four-foot minimum setback is what the state has set forth. We cannot require more than that. But this specific request is actually about garages on the first floor, which can go up to the property line. That's the distinction to go after that.

COUNCILMEMBER LESSER: It's presently zero.

COUNCILMEMBER NAPOLITANO: Let's, let's kind of report back without asking for any specific solutions. I think we need to have a general. It's actually been on the books for years.

Now people don't like it because it's happening. I get that.  
Let's take a look at it. Raw form.

COUNCILMEMBER LESSER: Good. Thank you.

MAYOR FRANKLIN: Okay. Thank you. Good enough. We got a  
third vote.

MAYOR PRO TEM HOWORTH: That's the setbacks for RVs.  
Oh, no.

MAYOR FRANKLIN: Yeah. Item number 21. Consideration  
requests by Council member Montgomery and Mayor Pro Tem Howorth  
to obtain a third vote to enable the Council to discuss options  
for a voluntary e-bike registration program.

COUNCILMEMBER LESSER: I'll be the third vote.

COUNCILMEMBER MONTGOMERY: When you first set it up.

MAYOR FRANKLIN: All right. Just an item on that that I  
was going to discuss.

COUNCILMEMBER NAPOLITANO: Is that a nice list? Is that what it is?

MAYOR PRO TEM HOWORTH: The shame. The public wall of shame.

MAYOR FRANKLIN: I'm having a meeting tomorrow. I'm trying to see exactly which group reached out to me. They've got an e-bike sticker program where you don't get the sticker. You don't get to park your car at the schools, things like that. So, I'm going to be talking with them tomorrow and I'll just pass that information.

MAYOR PRO TEM HOWORTH: Because we were talking. We talked to the schools about that too in our ad hoc and there's discussions underway.

MAYOR FRANKLIN: Yeah. I don't know if it's with the same group, but they wanted to see what we did. You know, because it. You know, relatively successful. So, I'll add that to it. Okay. Item number 23 consideration requests by Mayor Franklin and Councilmember Montgomery to obtain a third vote to enable the Council to discuss a waiver of fees associated with

the use permit amendment application and code enforcement administration citations for uncle Bill's Pancake House.

COUNCILMEMBER MONTGOMERY: You want to set that up, your honor? You want to set that up so everyone understands what it is. Do I tell them what it is? What the request is?

MAYOR FRANKLIN: Yeah. I mean, did you want to do it? Okay. So, Uncle Bill's has been getting cited because they serve breakfast early at the adjacent patio when in 1999, I believe it was indicated that the operating hours of the restaurant would be from 7 a.m. to 3 p.m. But except for the patio, that was to only start at 9 o'clock and over the years, over the many years from 24, 25 years since 1999, it just evolved that they were serving breakfast early at 7 o'clock. And it wasn't until I believe recently that at least we have documented in the last year that they've been cited for that. And so, the city talked to them about going through the whole conditional use process change, the expense that that would require, the city staff has been amenable to forego the requirement of having plans set up and everything like that. And what Uncle Bill's is looking for is just saying, look, we've been doing this for 24, 25 years. They've been in business for, of course, another 25 years before that, but not with the patio. And can we just go ahead and just

change the hours of operation to 7 a.m.? And so, this was to get the data as far as we got some data. It doesn't seem to be any complaint in the previous 23 years from any neighbor or anybody about the 7 a.m. start time. So, it would be to waive the usual CUP change fee and allow them to go ahead and start serving in compliance at 7 a.m. to 3 p.m. Their current CUP says it's going to 5 p.m., but they close before then.

COUNCILMEMBER MONTGOMERY: The request is more procedural as far as changing the hours of operation. That's your, that's your ask. I'm still a second for the Council. They want to pursue it past that point.

MAYOR PRO TEM HOWORTH: It's also to get rid of the citations they've received.

MAYOR FRANKLIN: Yeah. And to get rid of the citations that they've received since about \$7,000 worth.

COUNCILMEMBER MONTGOMERY: You're asking the third vote to bring this back for full report.

COUNCILMEMBER LESSER: I have a question for the City Attorney. What if anything can be said about the process here?

CITY ATTORNEY BARROW: Yes. So, they need to file an application to amend their use permit and they were on the road to that. But apparently they balked at the price. And staff has been very accommodating to them. Said you can use those old plans. But they're still, I don't know what the amount is, but they're still a fee to process their application. That's part one. Part two, the administrative citations. I don't know if the City Council's done that before. But if there's a third vote, we can find out about that.

COUNCILMEMBER LESSER: Currently, there is a process in place for the applicant to proceed, to pursue this request.

CITY ATTORNEY BARROW: Oh, definitely. Well, with respect to the first one, with respect to the administrative citations, they had a process. They went to a hearing officer. It's too late for them to challenge that decision by the hearing officer.

MAYOR PRO TEM HOWORTH: They did go before the hearing officer.

CITY ATTORNEY BARROW: They did. On two up there, I don't know how many citations there are, maybe five or six, I don't know. But definitely on two, they appealed it. The hearing officer affirmed it. Just like some of our other people who have gone before a hearing officer, they could go to the LA Superior Court. They did not do that.

COUNCILMEMBER NAPOLITANO: Your Honor, I'll say you right now. I would love to find a solution here, but I'm not going to tie it to the money and the process. We've got businesses that come in here that are longstanding, that everybody likes, that go through things, and some of them do it the right way, some of them do it the wrong way. But, you know, we don't sit here and say, well, we're going to waive this or that for you. And I'm not ready to do that without more information as to how we got here and everything else. I don't want to tie that up with an issue of waivers of fees and waivers of the process. I don't remember us waiving the CUP process for anybody else. And I think that's, you know, because we love Uncle Bill's, we can't just say that we're going to do that for them. You know, I'd love to see some way to find a solution here, but I'm not ready to do this. I'm ready to do something else but not this.



MAYOR FRANKLIN: Okay, can we?

COUNCILMEMBER NAPOLITANO: No, I'm not going to be the third on this.

MAYOR FRANKLIN: Okay, so another question I had was these citations for the violation of the 9 a.m. start, it just seemed that it's happened in the last, since in 2023. Are there citations prior to that for the 24 years?

CITY MANAGER MOE: I don't believe there are.

MAYOR FRANKLIN: There's no?

CITY MANAGER MOE: I don't believe there are.

MAYOR PRO TEM HOWORTH: Didn't we hire more code enforcement?

CITY MANAGER MOE: Yes, yes. Council authorized additional code enforcement and also gave us direction to be proactive in enforcing code violations throughout the city. This coincides with that.

MAYOR FRANKLIN: Okay, can we change this to explore those options with them to get the change on their CUP and go through the process to make it an officially 7 a.m. start?

COMMUNITY DEVELOPMENT DIRECTOR MIRZAKHANI: Honorable Mayor, we have been speaking to the applicant and we've provided them very clear direction as to what the process is. This is the same process that we utilize for any change to a condition of approval in a use permit. And so, they apply for an amendment to the use permit. Staff analyzes the request and then presents it to the Planning Commission for a decision. The Planning Commission is the decision-making body on a use permit unless it's otherwise directed in the original use permit's conditions. In this case, it would be the Planning Commission and staff has advised the applicant that we're happy to take forward a request to shift the hours of operation as they're not able to extend their hours of operation based on the way Title VII is written for walk street commercial uses. So, we worked with them to come up with this idea to shift the hours of operation so that it's not an expansion of the hours. And so, we've presented them with a path forward and they submitted an application but have not paid the fees or submitted the corresponding plans. As soon as they do those two things, we can move forward with the process.

MAYOR FRANKLIN: Okay, and what is that fee?

COMMUNITY DEVELOPMENT DIRECTOR MIRZAKHANIAN: It's approximately \$6,000.

MAYOR FRANKLIN: \$6,000?

COMMUNITY DEVELOPMENT DIRECTOR MIRZAKHANIAN: Yes. We are currently processing an application for another business, same request to change a single condition of approval.

COUNCILMEMBER NAPOLITANO: Your Honor, there's a question to stuff and that is, there seems to be the, we used to have minor exceptions and I don't know where those have gone and they applied some to encroachment, but it seems like, you know, when you talk about plans and things like that for a business that's been in place for a number of years and operates the same way and what plans need to be reviewed, what is the \$6,000 for when we're talking about the expansion of two hours? It seems to me that the whole entire CUP process is a bit of overkill if we're just talking about a change in hours. And so, maybe that's up to council to bring something like that back as to what a conditional use permit, what's considered a minor versus a major change and whether or not, what? And whether or not they have to

be subject to the entire CUP process, the entire amount and whatnot because I understand that the money is supposed to pay for the staff, the processing this, but I find it hard to believe that we need \$6,000 worth of consideration for either, you know, noticing and things like that I get, but in terms of processing paperwork, they're not changing anything but the hours. There's no change in the operation of the building. We're not asking them to bring everything up to some standard of today.

MAYOR PRO TEM HOWORTH: Or are we?

COUNCILMEMBER NAPOLITANO: No.

COMMUNITY DEVELOPMENT DIRECTOR MIRZAKHANI: No, we're not.

CITY ATTORNEY BARROW: So, if I could jump in and then Talyn can be more precise about this in terms of what the actual code requires. When I first came here, I was surprised that we didn't have more of a, let's say, robust minor exception ordinance. And so that could be the direction that you want to give us is to take a look at a minor exception. Typically, other cities, I'm not sure about here, but like, for instance,

setbacks. Sometimes there's, you have some leeway, but it's only a 10% variation. So, you have to go through a minor exception process. And so, maybe you want to consider giving us that direction to see if there's, we can expand that minor exception process.

COUNCILMEMBER NAPOLITANO: I'd rather address the process and the cost in that than single out a single business instead of present at work. How can I tell another business?

MAYOR FRANKLIN: That's fair. You know, no.

COUNCILMEMBER NAPOLITANO: So, I don't know if we need that. That's a separate future agenda item.

CITY ATTORNEY BARROW: Well, two of you have just done that, said bring back the more analysis on the minor exception. So that's good enough.

COUNCILMEMBER NAPOLITANO: I'd like to see from other cities, you know, what is involved in the minor. So what things are subject to it? Is it ours? Is it whatever else? I don't know. Parking there.

COUNCILMEMBER LESSER: And for clarification, we're talking about commercial properties in terms of this quote minor exception. I want to be careful because we just talked about minor exception in a residential context. But now we're talking about a commercial context.

COMMUNITY DEVELOPMENT DIRECTOR MIRZAKHANI: We do have a minor exception process for residential. So, what we can do is we can look into a minor use permit amendment versus a major use permit amendment.

COUNCILMEMBER LESSER: Great. And then the fully burdened rates obviously is the consideration for Council. And that would be part of the discussion and analysis. Thank you.

MAYOR FRANKLIN: Okay. Great. Thank you.

MAYOR PRO TEM HOWORTH: Just another clarification, but it's just not addressed any fines acquired through any code violations.

COUNCILMEMBER NAPOLITANO: No, that's entirely separate.

MAYOR PRO TEM HOWORTH: That's separate. Okay. Thank you.

MAYOR FRANKLIN: All right. Thank you. Future agenda items.

COUNCILMEMBER MONTGOMERY: I have one, Your Honor. I'm not going to use the word waiver. I'm going to use the word an appeal when some resident makes an appeal of a cell tower obligation in the future. That the Council has the right to waive that one appeal.

COUNCILMEMBER LESSER: I'll be your second.

COUNCILMEMBER MONTGOMERY: Telecommunications tower was the heading one appeal. Just to make sure everybody hears that one. Thank you.

COUNCILMEMBER LESSER: Can we add to that? That's a friendly amendment to request it to be able to discuss this. Just how we can respond to the resident that requested more information on what the process is. I think it would be helpful to have more information on the city website at a minimum for

explanation for interest to residents in the future. Is that acceptable?

COUNCILMEMBER MONTGOMERY: I accept that. Thank you.  
Sounds good.

MAYOR PRO TEM HOWORTH: So friendly.

MAYOR FRANKLIN: Okay. City Manager report.

CITY MANAGER MOE: None tonight. Thank you.

MAYOR FRANKLIN: Okay. City Attorney report.

CITY ATTORNEY BARROW: Nothing tonight.

MAYOR FRANKLIN: Okay. Any informational items? And, not hearing any and so we will be adjourning. All these sheets of paper. We will be adjourning to Hadley Baker. No, that's, that was the pledge. Meetings adjourned to a closed session on Tuesday, July 2<sup>nd</sup>, 2024 at 5 p.m. in Council Chambers. Thank you.