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**MANHATTAN BEACH CITY  
COUNCIL REGULAR MEETING  
REMOTE BROADCAST CAPTIONING  
TUESDAY, FEBRUARY 6, 2024**

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CITY OF MANHATTAN BEACH  
CITY COUNCIL REGULAR MEETING  
TUESDAY, FEBRUARY 6, 2024

MAYOR FRANKLIN: So, we just have to finish a few things from the prior meeting and then we'll get to our Council meeting. So, we need to reconvene into open session. And then City Attorney, Barrow. You have a closed session announcement, an open session.

CITY ATTORNEY BARROW: Thank you, mayor. Pursuant to government code section 549 56.9d1, the City Council in the closed session, discuss the piece of litigation identified on the agenda the name is Chill the bill versus City of Manhattan Beach by a 5 to 0 vote. The City Council gave direction to the city attorney.

MAYOR FRANKLIN: Thank you. We adjourned that meeting, and we go into our, City Council regular meeting for Tuesday, February 6th, 2024. Welcome, would like to start off with the pledge of allegiance and we have the honor of having a student, Leighton Sullivan, who's an 8th grader from Manhattan Beach Middle School.

GROUP: 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: That was well done. Thank you so much. Well, wait a minute. We're going to send you to the principal's office. And this is the principal of the Middle School, Jennifer Wynn, and she has a few things to say about you.

JENNIFER WYNN: Thank you. Good evening, everyone. I'm the very proud principal of Manhattan Beach Middle School, Jennifer Wynn, and it is my honor, it is my absolute honor to be able to nominate Leighton Sullivan for this role this evening. Leighton is one of our web leaders on campus, and a web leader is someone who welcomes our 6th grade students as they come onto MBMS and transition from an elementary site to a middle school site, which is a very big deal. And Leighton is one of those kids who completely changes the lives of those students that have the ability to interact with her. You know, she treats them with absolute respect no matter how old they are. She gives them all of these wonderful opportunities to feel comfort and safety when they come to school, and she's always giving them this sense of security of just feeling like they're part of the Waves

family. She's also one of our office aides on campus, so she's always greeting our families and our customers that come into our school on a regular basis, always willing to help out, and when this opportunity came about, I could think of no one else better than Leighton to be able to represent MBMS in such a positive way. So, we're very proud of you, Leighton, and I know that you will continue to do amazing things as you embark on your educational endeavor. So, thank you for being such a wonderful Wave.

MAYOR FRANKLIN: Still not done. So, we want to, on behalf of the City Council, we want to present you with this certificate of recognition for all the great work that you do and your great citizenship and being such a terrific student and role model. And Mayor Pro-Tem Howorth is going to present you with a city pin as well. And your family can come up and we can have a photo taken with your family. You want to introduce them?

LEIGHTON SULLIVAN: This is my mom. This is my sister, Eloise. She's a ninth grader, and that's my sister Juliet. She's a fifth grader.

MAYOR FRANKLIN: Wonderful. Well, we've got more Pledge of Allegiance leaders coming up. Great. If you want to just come

on over this way. Have the council join us. We'll get a picture too. Thank you so much. All right. Okay, great. Now we vote on the approval of the agenda and waiver a full reading of ordinances. Oh, I'm sorry. Roll call.

ASSISTANT CITY CLERK ALVAREZ: Councilmember Montgomery.

COUNCILMEMBER MONTGOMERY: I am here.

ASSISTANT CITY CLERK ALVAREZ: Councilmember Napolitano.

COUNCILMEMBER NAPOLITANO: Here.

ASSISTANT CITY CLERK ALVAREZ: Councilmember Lesser.

COUNCILMEMBER LESSER: Here.

ASSISTANT CITY CLERK ALVAREZ: Mayor Pro-Tem Howorth.

MAYOR PRO-TEM HOWORTH: Present.

ASSISTANT CITY CLERK ALVAREZ: Mayor Franklin.

MAYOR FRANKLIN: Here. Thank you. And we'd also like at this time to acknowledge any veterans who are here today and ask that you stand so we can acknowledge and thank you. Any...

MAYOR PRO TEM HOWORTH: The chief is standing.

MAYOR FRANKLIN: Chief. You know. Thank you. Thank you so much. And that applause is also for any of you veterans who are watching on TV or on Zoom. We thank you for your service. So now we go to the approval of agenda and waiver a full reading of ordinances. Do we have a motion?

MAYOR PRO-TEM HOWORTH: Weird, I can't...

UNIDENTIFIED SPEAKER: We don't have a motion screen yet.

MAYOR PRO-TEM HOWORTH: I move to approve the agenda and the waiver of full reading of ordinances.

COUNCILMEMBER NAPOLITANO: I'll second.

MAYOR PRO-TEM HOWORTH: Or Steve actually... Oh, there we go.

MAYOR FRANKLIN: So, we have a motion by Steve Napolitano and a second by Mayor Pro-Tem Amy Howorth. Voting screen, please.

COUNCILMEMBER NAPOLITANO: Proud to move that, Your Honor.

ASSISTANT CITY CLERK ALVAREZ: Motion passes 5-0.

MAYOR FRANKLIN: There we go. So, at this point, we have the City Council and community organization announcements and announcements. And this would be for one minute per person. So if some folks want to get ready behind Josh.

JOSH MURRAY: Hi. Good evening, Mayor, members of the council. My name is Josh Murray. I'm here on behalf of Manhattan Beach Library. Teens are invited to make binary bracelets with Makemo on Tuesday, February 20th from 4 to 5 p.m. Computers represent all information as a series of zeros and ones called binary code. Come make a bracelet or keychain with a secret message only you and your computer can read. Registration is available on our website, [lacountylibrary.org](http://lacountylibrary.org). In honor of African American and Black History Month, adults are invited to make your own button in the style of Jean-Michel Basquiat. On

Thursday, February 22nd at noon, come to the library and learn about influential artist Jean-Michel Bosquet. Draw from the work of his style and express your creativity by making your own art buttons to wear or to gift to your friends. And I thank you for your time.

MAYOR FRANKLIN: Great. Thank you, Josh.

UNIDENTIFIED SPEAKER: Hello, City Council. Before I begin, I'd like to ask by a show of hands, how many of you support Measure MB? Here in the room or council? At the Council table. Actually, everyone. Thank you so much. And I'd like to thank each of you for the fact that I can say that every single sitting elected leader in Manhattan Beach has personally endorsed Measure MB. Ballots have just landed and in just four short weeks is March 5th, primary election day. Measure MB enjoys broad support because it's simple. It's the same amount, \$225. The same duration, six years. And it doesn't increase over time. Voting for it won't raise your taxes, but it will keep vital locally controlled funding in our schools. Also, the same are the exemptions for those 65 and over, and strict accountability protections like public reporting and oversight. Historically, Measure MB has sustained more than 20 teaching positions. If renewed, it could eliminate more than half the

layoffs projected for our schools this year, which will make a big difference for our students. Join us in maintaining top rated schools without raising taxes by voting yes to renew Measure MB on or before March 5th. You can even vote today.

MAYOR FRANKLIN: That's right. Thank you. Thank you very much for coming here today. Oh, we have another comment here about it.

COUNCILMEMBER NAPOLITANO: Do you want to do it in three minutes? Do you want to advise them about the three minutes?

MAYOR PRO-TEM HOWORTH: Yeah, I think you should. There's community announcements, then there's public comment.

MAYOR FRANKLIN: No, no, we worked it out.

MAYOR PRO TEM HOWORTH: Okay. Earlier, yeah.

MAYOR FRANKLIN: Okay. Go ahead.

NORA MAYNARD: Hey, Manhattan Beach. My name is Nora Maynard, and I'm here to ask all Manhattan Beach voters to vote

yes on the renewal of Measure MB. As a student at Manhattan Beach Middle School, I value my education and am fully aware of the impact it has on my future. If we do not vote yes on Measure MB, the district will lose crucial funding that covers approximately 20 teaching positions. Teachers are here to help us and make our lives better, and losing so many of them will only have a negative impact on our school community and all of the students in it. When we renew Measure MB, we can ensure that we will keep 20 of our hardworking teachers without having to pay any additional taxes. My sister and I have a business called Pet Sisters, and we charge \$15 per visit to care for pets while our customers are out of town. At that rate, it would take 15 visits to make \$225, the annual cost of the Measure MB parcel tax. I would gladly trade 15 visits to keep the education I value and love and to keep teachers in the classrooms that they love. Since I am not able to check the yes box myself, I respectfully ask that every MB voter does whatever it takes on or before March 5th to return their ballots to voting boxes or a voting center and to vote yes on the renewal of Measure MB.

Thank you.

UNIDENTIFIED SPEAKER: Good evening, Mayor, Mayor Pro Tem, and other Council Members. I'm here to remind everyone that on March 5th, Measure MB is up for a vote, and it takes every

one of us to go out, spread the word, and come out and vote yes to save 20 teachers from being eliminated from our schools on the projected layoffs. I appreciate all of your support in this chamber, especially the council, for everything you've done so far for the school, but we need additional revenue to keep the school remain at the top of its class and continue to provide excellent services for this community. Thank you.

EMMA MARKOLF: Good evening, Mayor and City Council Members. My name is Emma Markolf, and I'm a member of the Leadership Manhattan Beach Class of 2024. This year, we're raising funds to provide book zones at Ralph Bunch High School in Los Angeles. They don't have a school library, and so our book zones will include books and furnishings in six of the classrooms with the goal of improving literacy rates among the student body. We're so thankful to Janet Jones and the Single Moms Project for introducing this idea to Leadership Manhattan Beach, and we're really excited to begin working on the project, but we wanted to let you know in case anyone in the community is interested in donating, in which case they could use the link or the QR code that we've provided above. Thank you.

MAYOR FRANKLIN: Great. Thank you.

MAYOR PRO-TEM HOWORTH: She had her own police escort.

MAYOR FRANKLIN: I know. That's because our chief is in the leadership class of 2024.

NINA TARNAY: Good evening, Council members and Mayor Pro Tem. My name is Nina Tarnay. I am the mother of three kids. My oldest is a senior at UCSB. I'm a freshman at University of Washington, and I have a sophomore in the audience who's mortified that I'm pointing him out. He's at Costa. We're a Grandview family, and I am here to speak to all the people who are hesitant about voting yes on Measure MB. My kids have gone through many cuts in the system in the years that we've been there, and I can tell you we will lose music. We'll lose PE teachers. We've done all of that. They have gotten brought back thanks to people who've donated in our previous drives, but all I can say is if we lose our PE teachers, especially to all you parents of young kids, you're going to be rushing to write that 225-a-year check to make sure that they run all their energies out during the school day. Thank you.

MAYOR FRANKLIN: Thank you.

SENIOR CIVIL ENGINEER FIJALKA: Thank you. Good evening, honorable Mayor and members of the council. Jeff Fijalka, senior civil engineer. I'd like to invite interested community members to attend a public outreach meeting next Thursday to learn about the 28th Street stormwater infiltration project. During the meeting, staff will discuss the city's plans to construct a stormwater infiltration system designed to capture storm flows from the 28th Street storm drain, and we'll present the findings of the project-specific environmental review. The meeting will take place, as indicated on the slide, next Thursday, February 15th at 6 p.m. at the Manhattan Heights Community Center. Additionally, meeting invites were mailed to residents west of Highland between Marine Avenue and Rosecrans Avenue. Meeting details can be found on the event's calendar on the manhattanbeach.gov homepage, and notifications will also be posted on social media prior to the event.

MAYOR FRANKLIN: Thank you, Jeff.

FINANCE DIRECTOR CHARELIAN: I was waiting for that. Good evening, honorable Mayor and members of the City Council. Steve Charelian, your finance director for the city. Next Thursday, February 15th at 5 p.m., the city will be holding a community budget meeting via Zoom. At this meeting, staff will

present an overview of the operations of the various departments and programs throughout the city, provide an interactive look at the city's financial resources and spending plans, and ask for feedback and input on how city funds should be allocated during the next year's budget. All departments will be present to provide an overview of their operations, as well as answer any questions anybody has at the meeting. We encourage all residents to come join us and tell us their budget priorities as we develop the budget for fiscal year 24-25. A link to the Zoom meeting will be available at the city's website and posted on the event calendar as well, and we'll be doing some public outreach during social media and those type of things. Thank you.

MAYOR FRANKLIN: All right, let's maintain order here. Is there anybody else in council chambers that wants to make a community announcement? Martha, how about Zoom?

ASSISTANT CITY CLERK ALVAREZ: There are no raised hands on Zoom.

MAYOR FRANKLIN: Okay, thank you. Colleagues, anybody want to make an announcement? I'd like to make an announcement that the council will be reviewing a resolution of support for

measure MB at our next meeting on February 20th. And it's okay, if you need to go do your homework, you may go. I also want to announce Coffee with the Mayor. Again, thanks to the graciousness of council member, former mayor Richard Montgomery, he's allowing me to step into his shoes, and we're going to be meeting the second and the fourth Tuesday of every month, from 3:30 to 4:30. And the next one is February 13th at Coffee Bean and Tea Leaf at 328 Manhattan Beach Boulevard. And then at the end of the month, it's going to be at Dunkin at February 27th. And City Manager Moe, did you have an update on the Bruce's Beach plaque for us?

CITY MANAGER MOE: Yes, Mr. Mayor. As we all know, the plaque has gone missing, likely stolen, and we are looking to replace it in kind with the exact same bronze plaque. We've been in touch with the manufacturer. We will actually be able to get it fairly quickly, since they already have the mold, and we'll even get a little bit of a discount on it, probably because it's the second one we're getting. But we are working on that. And in addition to that, we'll be looking for better ways to secure it so that we don't have this situation again. And at the same time, we've been looking at our other plaques around town to make sure that those are secure, to make sure we don't have

anything similar to that happen elsewhere. So it's unfortunate, but we're taking action to replace it with like kind.

MAYOR FRANKLIN: Great. Thank you very much. And public comments now. So, you have three minutes. Speakers may provide public comments on any matter that is within the subject jurisdiction of the City Council, including items on the agenda. And please step up.

STEFAN KAMPE: Yes, Honorable Mayor, Council Members. On the consent calendar on the financial report, I put an e-comment in there. When I was reading it, I mean, it's very comprehensive, 208 pages, I think, something like that's a lot to read through. What I was looking for was just kind of the big punch line, which was, you know, we ended up with a net position of \$245 million and more. But I didn't see is that good, is that bad, is it just right. And I'd like to just get an opinion on that. And how do we base that on? I mean, if you have in your own home, you're going to have your emergency fund, you have a basis for coming up with that. I'd just like to understand what our view is, is that a good net position? And the other one was, you know, how do we compare to other cities? And then we had a net loss of \$28 million last year. I was looking for a trend analysis or an impact of that in a forecast looking forward. And

I just didn't see that in the report, and I'd like to kind of get that perspective, I think on behalf of the constituents it would be good to talk to those points. Thank you.

MAYOR FRANKLIN: Thank you.

EVELYN SCHMIDT: Mr. Mayor, council members, my name is Evelyn Schmidt. I'm a longtime resident of Manhattan Beach, over 50 years. I love Manhattan Beach. I can't think of any place else in the world I'd want to live than here. I spend most of my time retired taking pictures down at the pier. The pier has inspired me to become a photographer, and I just enjoy it so much. So tonight, I want to give back some little thing I can do. I brought with me a picture that I took of the pier just this past December and the big waves were hitting.

MAYOR PRO TEM HOWORTH: Wow. Oh, that's terrific. Wow.

CHRIS KNOWLES: Good evening, everyone. My name is Chris Knowles. I'm the principal over at American Martyrs School, and I just wanted to come by and express our community's gratitude for, specifically to the Department of Public Works over the last week and a half who have really kept our campus safe. We've had, last Thursday

morning was quite a morning. We had Lake Martyrs appeared. The water went all the way from the sump up to our classrooms, and we had about six or seven classrooms with a good inch or so of water. And a huge thank you to our mayor, Joe Franklin, who came by with some tools, rolled up his sleeves, and helped our faculty and staff and some parents and other community members take care of it quickly and minimize the damage. But we really appreciate the city and how they've supported us. And to you, Mayor Franklin, thank you so much. Pleasure. It's great to be a part of the community. Thank you.

MAYOR FRANKLIN: Thank you. So, thank you for coming by, and yes, we have to really thank the Public Works. Many of the staff were here on a 24-hour basis. We had set up the Emergency Operations Center as well with Amanda MacLennan of the Fire Department. So great coordination, great work, and thank you so much.

JIM BURTON: Mr. Mayor, members of Council, Jim Burton, kudos to Director Lee and the stormwater folks and everything that happened over the last - this is absolutely unprecedented. As someone in the water industry, this is what we do, monitor this stuff, and unprecedented levels of water. And thank you for

the city for - I know it passed barely, but we've got a stormwater fund that has - that measure just passed, which maybe those that voted no might recognize maybe they should have voted yes. But again, there's some additional funding for some things. The 28th Street, I know one of the gentlemen talked about the 28th Street infiltration drain, the low-flow drain, that's going to be fantastic keeping bacteria out of the ocean. But that's not why I'm here. One of the gentlemen was talking about the financial reports, and one of the items on the consent calendar is the confidentiality agreement for the sales tax. And I understand the reason to keep that separate and the legalities, we don't need everybody going in and looking at all the details. But it is part of an overall long-going process and things that we're looking at in the city, and I'm just wondering what the commitment is from the city with the consultant to make that information available. There's been a lot of discussion over the last several years about balancing sales tax issues with city expenses on certain items and things that are happening. And so whatever the agreement is to do that analysis, at least at some point at a much higher level, doesn't need to be details, but that some of that information would be made transparent, would be accessible either directly to everyone, or certainly within the city, but maybe even the Outdoor Dining Task Force or others

that could be able to see that information I think would be very beneficial. And that's it. Thank you very much, appreciate it.

MAYOR FRANKLIN: Thank you, Mr. Burton. Anybody else in chambers? On Zoom? Martha?

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

MAYOR FRANKLIN: Okay. Great, so I'm going to close public comments. And next up is the consent calendar. Do I have a motion? Council Member Richard Montgomery, made the motion, and it's seconded by, I'm sorry, Mayor Pro-Tem MTP. MPT Amy Howorth.

MAYOR PRO-TEM HOWORTH: Thank you. It's a great honor to second that motion.

ASSISTANT CITY CLERK ALVAREZ: Motion passes 5-0.

MAYOR FRANKLIN: Okay, so public hearings. We open up to public hearings. There's none. General business, item number 11, Consideration of a Resolution Certifying the Results of Proposition 218, and Finance Director Charelian.

FINANCE DIRECTOR CHARELIAN: Good evening, Honorable Mayor Franklin, members of the City Council, Steve Charelian, your Finance Director. I'd like to take a moment before I hand the floor over to Julie Bondarchuk, the city's financial controller, to discuss the results of the Prop 218 special mail ballot election. I'd like to extend my gratitude and appreciation to the dedicated staff members on the team. Every so often in one's career, there arises an opportunity to collaborate with a talented team and contribute to something significant. The passage of this ballot provides both financial stability and relief to the general fund, allowing the continued strong reserves. This is an integral part of the city's financial stewardship and long-term financial planning. I would like to express my heartfelt thanks to the City Council and the City Manager's Office, as well as the Communication Team, City Clerk's Office, Public Works, Community Development, and the City's Executive Team, and anyone else that I may have missed that helped along with this process. This includes our contracted teams at RWG Harris, Civics, and True North. Lastly, I want to recognize the dedication and exceptional team effort by Finance, Julie Bondarchuk, Libby Bretthauer, and Marcelo Serrano. Special thanks is reserved for Julie Bondarchuk for her outstanding commitment and for her shouldering the heavy lifting

throughout this process. I'll turn it over to Julie. Thank you.  
Great. Thank you.

FINANCE CONTROLLER BONDARCHUK: Good evening, Honorable Mayor Franklin and members of the City Council. I echo Finance Director Charelian's words about this being a team effort. And after accumulation of all those efforts, I have the pleasure of presenting the results of the Storm Drain ballot tonight. The goal of tonight's meeting is for City Council to consider adopting Resolution 24-0010 to certify the results of the Storm Drain ballot election and introduce Ordinance 24-0003 to address the Storm Drain phase. The second reading of the Ordinance will be presented at a subsequent City Council meeting for adoption. We will also review the timeline that has brought us to this point today and talk about the ballot results. The Storm Drain process started in March of 2023 with an item on the City Council work plan. Prior to the commencement of the special ballot election, there had been three Finance Subcommittee meetings and two City Council meetings between April and October of 2023 for a total of five public meetings. Additionally, eNotifications were sent to registered users along with two publications in the Beach Reporter. The protest notices were mailed out September 22, 2023, starting the first part of the Proposition 218 process. After the first phase of the

Proposition 218 process concluded with no majority protests, the election timeline commenced after the November 7, 2023 public hearing. After City Council adopted a resolution calling for a special mail ballot election, there has been three additional City Council meetings where the Storm Drain measure was discussed. Additional outreach was administered by a communication professional with publications in the Beach Reporter and Easy Reader, along with public outreach through mailing. The ballots were mailed on November 29 with a ballot deadline of January 17, 2024, at 5 p.m. Ballot tabulation commenced the following week on January 22. A total of 5,368 ballots were received prior to the January 17, 2024 deadline. For full transparency, the City contracted with a third party, Harrison Associates, to tabulate the ballots. The ballot tabulation took place in the public at the Police Fire Conference Room starting on January 22 and lasted two days. The election resulted in a 52.65% of yes votes and 47.35% of no votes. Due to the majority of the ballots being a yes vote, the Storm Drain measure passed. In conclusion, staff recommends City Council adopt Resolution 24-0010 to certify the results of the special mail ballot election and introduce Ordinance 24-0003 to adjust the Storm Drain fees as a result of the election. City staff will return to City Council every June for a public hearing to place these new fees on the property tax assessment.

And this concludes my presentation and we are available to answer any questions. We will be calling on Vanessa Guerra, Director at Harrison Associates, on Zoom to answer any questions you may have regarding the ballot tabulation process.

MAYOR FRANKLIN: Okay, thank you. Colleagues, any questions?

COUNCILMEMBER MONTGOMERY: None.

MAYOR FRANKLIN: None? I'll open up public comments. Anybody wish to speak on this for here in Chambers? Martha online?

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

MAYOR FRANKLIN: Okay, thank you. So I'm going to go ahead and close public comments and open for discussion. Comments? Oh, I'm sorry. Yep. Council Member Montgomery.

COUNCILMEMBER MONTGOMERY: Thank you, Your Honor. I made the motion to introduce 2400-10 and I'm sorry, adopt 240010 and introduce 24-003 on this item. But before I do that, I think

this is a major victory for the city staff and our resident those understanding exactly what we had to do and what the right thing to do was this should have been easy, no thought process involved. Yes. And another victory for those over the misinformation campaign led by a few residents, including a former council candidate that was unsuccessful the last four times. He runs a misinformation campaign that is only equal to a Tariq Aziz during the U.S. Army occupation of Iraq. If you know who Tariq Aziz is, this guy's face is right next to it. But the answer to the question was, how many votes did it pass by? 281. If the city hadn't used its balance, which is its right, 70, what's 281 minus 70? It's 211. There you go. So easy math. But it wasn't close, folks. 200-something votes in our city is a landslide vote. I'm not sure what the percentage turnout was. I'm sure finance can tell us. What was the percentage of eligible voters, property owners?

FINANCE DIRECTOR CHARELIAN: Approximately 40%.

COUNCILMEMBER MONTGOMERY: There you go. Even with that low number, look at what the number was. But it's a hard-working effort from the staff, outreach, council, and you, the residents, voted the right way. So, with that, Your Honor, my motion stands.

MAYOR FRANKLIN: Okay. Thank you. Any other comments? No. Seeing none, we have a motion to adopt Resolution Number 24-0010, motion made by Councilmember Richard Montgomery and seconded by Mayor Pro-Tem Amy Howorth, and to also introduce Ordinance Number 24-0003. Again, motion made by Councilmember Richard Montgomery and seconded by Mayor Pro-Tem Amy Howorth.

CITY ATTORNEY BARROW: So, Mayor, let's do the resolution first. So, the resolution is 24-0010. So, let's have a motion. Well, you have a motion, so let's have a vote on the resolution.

ASSISTANT CITY CLERK ALVAREZ: Motion passes 5-0.

CITY ATTORNEY BARROW: At this time, I'll read the title of the Ordinance Number 24-0003, an Ordinance of the City of Manhattan Beach to increase storm drain fee rates beginning in fiscal year 2024-2025 and providing for an annual inflation adjustment.

ASSISTANT CITY CLERK ALVAREZ: Motion passes 5-0.

CITY ATTORNEY BARROW: As stated by Julie, that this will come back on the consent calendar probably at the next meeting. Okay.

MAYOR FRANKLIN: Okay. Thank you.

CITY MANAGER MOE: Mr. Mayor, if I may, and Steve Charelian did a great job recognizing those that were involved with this. And irrespective of the outcome, and fortunately it is in our favor, Steve and Julie in particular should be recognized. They really did the heavy lifting on this. Whether it was answering the email box that was set up to answer the myriad of questions that came in, or making sure that the dates were met, down to working with the clerk's office and the ballot counting and all those things, that should be understated. They did a wonderful job. And certainly, Erick Lee and Allie in my office with the communications, that was a great effort. And of course, the clerk's office with Liza, Martha, and Jamie as well. And there were many other staff, but those are the folks that really brought this home. And I wanted to make sure to echo what Steve said, because this is huge. I mean, when I was finance director, I know you all got tired of me coming every year with the budget, talking about how we had to fix storm drain, and we've finally done it. And it'll pay benefits for us going

forward. So, thank you for that, and thank you to the board for your excellent work. You're here.

MAYOR FRANKLIN: Thank you. Okay. Moving on to agenda item 12, consideration of the Parks and Recreation Commission proposal for establishing a 501c3 nonprofit organization and donation policy update. And we have Parks and Recreation Director Leyman.

PARKS AND RECREATION DIRECTOR LEYMAN: Good evening, Honorable Mayor, members of the City Council, Mark Leyman, your Parks and Recreation Director. I wanted to first just thank you for the opportunity to present this item. It's been really years in the making, and I would like to take the opportunity to thank a number of ad hoc committee members of the Parks and Recreation Commission that have been working on this for years, starting with Suzanne Karger, J.J. Turkminey, and Ken Weiner, and the current members, Karen Komantinsky, the ad hoc committee chair, Larry Zimbalist, and Lori McCarthy. Again, they've spent literally hundreds of hours and many years bringing this for your direction and consideration this evening. So with that, I will start us right off with the history of the city donation program. Again, the current program, the current donation policy, excuse me, included a park amenity catalog. And

initially, you know, we thought this was a great idea, looking at picnic pads and barbecues and benches and trees. And unfortunately, it's just really inefficient and really difficult to administer. And so, the City Council directed the commission to look into exploring a nonprofit organization, and that's what they've been doing since 2021. The ad hoc committee, again, has done a lot of legwork, working with city administration, with MBX, with local and national organizations, a number of executive directors, accountants, attorneys, really looking at people that have set up nonprofits locally and nationally. So why form a 501c3? And if we look at the first bullet, this is taken out of the mission statement, and ultimately it is to improve the quality of life in Manhattan Beach and really build the community, provide efficiencies of administering donations through the foundation, it provides tax-deductible donations, collaborating with public and private partnerships, and then looking at new sources of funding, potentially new grants, and ultimately a shared sense of community giving back to the city of Manhattan Beach. So, introducing Love MB Foundation. So, the ad hoc committee has put together a detailed proposal, which includes establishing a 501c3 corporation for tax-deductible donations, create a governing board, which I'll talk a little bit about, as well as an operating budget, and also develop a user-friendly website link, working with the donors, projects,

and programs, and generating funds to support each of these. So again, the due diligence. Again, the committee spent literally hundreds of hours looking at best practices, looking at a number of foundations' websites, and I have four slides right after this just walking through some of those website best practices. They also met with attorneys to develop the MOU and bylaws, and they assessed over actually all of the Manhattan Beach nonprofits. There's over 400 nonprofits registered 501c3s in Manhattan Beach. And just to provide a few highlights of that data, they found it was 29% of them were family trusts or foundations, and about a third of those have been inactive for two years. 20% of the budgets are over \$100,000. 16% were athletic clubs or sports teams. 15% education or arts-based groups. 12% business, government, foundations, and then a variety pack of religious, medical, environmental, and miscellaneous comprise another approximate 20%. So again, from this data, it shows that Love MB provides a unique opportunity for donors in the city of Manhattan Beach. So just taking some time to walk through a number of webpage examples. Again, I know the committee looked at literally hundreds and looked at the best practices. And so, running through a few of these examples, again, just the landing page and making sure it captures your attention, that it's clean, that it's engaging, that it's easy to navigate, that it's efficient, and that it will be seamless

with the city's website as well. The Love MB domain has been secured, and there's also social media channels that are in place. And again, all of these examples will be used to develop the website if approved. So, looking at some additional website examples. Again, this is another clean, intuitive website, City of San Carlos here. And ultimately, with the mission statement, it's engaging the community. The donors are understanding the foundation mission and the partnership with the city. People feel like they're a part of something bigger than themselves. So again, additional webpage examples. A range of projects, and I will run through those in a future slide and City Council direction on some ideas there. But again, this website clearly identifies each project. And there are a number of different ways, but really to be as transparent as possible, you can do the money raised against the goal. You can include schematics, budget, timeline, and all of those project details. Again, with the goal of just being intuitive, clean, and transparent. And so moving on to the last example. So, as you can see, just really clean, intuitive. The drop-down menu from projects, ongoing pledges, legacy gifts, donating your time, community partners. And again, that click-through transparency providing a variety of project details as you're navigating the website. And then whatever project you choose, there would be a receipt that would be given to you online immediately after your donation, which

would provide all the tax-deductible information. So, as I mentioned earlier, possible projects for LOVE-MB, there are a number that was discussed. And I know the ad hoc committee would love council's direction on this and some of the ideas and direction from council. Some of the things that they have looked at, I know they are most excited about launching a LOVE-MB pay-per-view wall project. They've identified a number of possible locations, and this could be used for a kickoff fundraiser and really build awareness and build a brand. Other possible projects, again, it's a wide range, but small projects from play equipment to larger projects such as Begg Pool to programs such as the concerts in the park, annual special events. You could have an annual recognition ceremony at the West Drift. You could have an annual golf tournament at the West Drift as well, just as a few examples. And then naming and recognition, this could be done on a case-by-case basis and those brought to City Council for consideration. So, again, these are some samples, but the committee is seeking further ideas and direction from council. So, advantages for LOVE-MB. So, as highlighted earlier, there are 400-plus Manhattan Beach nonprofit foundations. LOVE-MB is unique in their mission, doing projects and benefiting programs for the city of Manhattan Beach exclusively for Manhattan Beach residents. There are a number of highly qualified individuals for board and executive positions.

Individuals have expressed interest and excitement for these opportunities, which will ultimately help build community and engagement. So, the proposed composition of the board would be four officers, again, chair, vice chair, secretary, and treasurer, board members, no less than nine, no more than 13, and then representation. I know the Ad hoc committee is seeking direction on City Council involvement and whether that would be voting or non-voting. And then a variety of stakeholders from city representatives, again, Parks and Recreation, Public Works Commission, Cultural Arts Commission, older adults, school district representatives. And ultimately, the stake-holders group would have a wide range of expertise, would be able to communicate freely, and really have a team review and determine the needs for these projects prior to bringing to the full council. So, moving on to budget. Again, they spent a lot of time with experts in the field to develop a detailed budget. I know that was attached to the staff report as well. This is more of a high-level snapshot. Based on best practices, they're asking for a three-year commitment to become self-sufficient. And to clarify, so the startup cost for the first year would be \$104,900, and that would be for a full 12 months. So that is not to be spent before July 1st. That would be 12 months from, you know, if council approves moving forward, so that would be February of 2025. And then a consecutive, the second year would

be \$73,700 for the second year, full 12 months, and then same for the third year. So, in terms of, you know, what those funds would be used for, especially out of the gates, it would be for developing the MOU and the bylaws, working with legal, developing the website, the branding, the logo. And then the foundation will update council with each of these milestones. They would plan on returning with an initial update in 90 days if approved. And they're also requesting staff assistance during the startup, which would be working with legal and the city team as well.

COUNCILMEMBER NAPOLITANO: Couldn't you just say \$105,000?

PARKS AND RECREATION DIRECTOR LEYMAN: And I will say, you know, I think this is, to their credit, the due diligence that they did to develop these numbers to make sure that they were accurate. So, in conclusion, staff recommends that City Council discuss and provide direction for the Love MB Nonprofit Foundation. Specifically, they are seeking direction on support of the foundation name, council representation on the board, whether that would be voting or non-voting, and then the resources required with legal, working on the MOU and the bylaws, as well as the other city staff. So, I'm available for

questions, and I know the committee chair, Karen Komatinsky, is also available for any questions.

MAYOR FRANKLIN: Okay. Thank you, Mark. Mayor Pro Tem, Howorth.

MAYOR PRO-TEM HOWORTH: Thank you, Mr. Mayor. Well, this is certainly exciting and a pretty thorough kind of report on the efforts and a very thorough set of efforts. A couple questions. Let's say this, you know, it's approved and this gets started. I'm thinking about the person out there who committed, the anonymous donor who committed the \$15,000 for three years to support the Juneteenth celebrations. Could that person then make, could this be utilized for that person's funds, so then they would be tax deductible?

PARKS AND RECREATION DIRECTOR LEYMAN: Absolutely.

MAYOR PRO-TEM HOWORTH: So, it would be, you know, for events like that, too. So, I think that's something to know about.

COUNCILMEMBER NAPOLITANO: Mayor Pro Tem, can we clarify that? Yes. Can people donate now to the city without it being tax exempt?

CITY MANAGER MOE: That's my understanding.

COUNCILMEMBER NAPOLITANO: I've heard two different ways, that's why I'm asking.

CITY MANAGER MOE: Yeah, we have provided letters in the past to folks. Of course, we're not tax attorneys, we don't give tax advice, but we have provided receipts of sorts that I know residents have used for tax deduction purposes.

COUNCILMEMBER NAPOLITANO: Mr. City Attorney?

CITY ATTORNEY BARROW: Yeah, I'm not a tax attorney either.

MAYOR FRANKLIN: Do we have one in the House?

MAYOR PRO-TEM HOWORTH: We do, actually. We do. Could Gary Wayland come down and give us, and I do have another comment or question afterwards, but.

COUNCILMEMBER NAPOLITANO: It's important to clarify that.

MAYOR PRO-TEM HOWORTH: Thank you, I thought so, too.

GARY WAYLAND: Honorable Mayor and members of the Council, thanks. My name's Gary Wayland. Excuse me, I actually was representing the individual that made the donation to the city recently, and the requirement was that it maintain confidentiality, and our belief was while it was deductible to the city, it wasn't confidential at the city level. So, it was not done through the city because of the individual wanting to be anonymous. It went through MBX. It did, where it has more confidentiality than it would have if it was done through the city. The city can provide donations, deductions, that's not the problem. It was the confidentiality.

MAYOR PRO-TEM HOWORTH: Okay, so my question, I guess, really was only specific, really. It turns out we can accept donations, but it's very different than, yeah, we can accept a donation here or there versus an organization, which is targeted and trying to raise money and accepting donations in some much kind of bigger, more efficient way. But my question was about the board, the question of, you know, who's on the board, and,

you know, it could have City Council representation. And I heard in your presentation a question. I heard that, you know, people, the committee would like to have council representation. And, you know, I think they're looking for direction from us on that. And could you explain why they may want City Council representation?

PARKS AND RECREATION DIRECTOR LEYMAN: Again, because ultimately City Council is the decision maker, you know, for the city, for the policymaker. And so, they would know best what the needs are and what you would support in terms of various projects and programs.

MAYOR PRO-TEM HOWORTH: And I assume it would be a way, I mean, if we decide to go that route, I also think it would be sort of one of those things, and we'd have to decide who gets assigned and if it rotates. But also, for them, it might be helpful. So they don't start going down some path. I think is right. They don't want to go down a path that is not, you know, going to be supported by council in general. So, I guess that's it. I see other questions. Okay.

MAYOR FRANKLIN: Councilmember Montgomery.

COUNCILMEMBER MONTGOMERY: Thank you, Your Honor. I'm going to follow that same line of donation policy questions. I see, Mark, you put on there, you have an arts commission representative and Parks and Rec. Yes. Donation policy. Do you envision in your mind that this group would host any programs that would have art or dance or music in it?

PARKS AND RECREATION DIRECTOR LEYMAN: They absolutely could, and there are definitely other nonprofit models out there that do fund programs such as that.

COUNCILMEMBER MONTGOMERY: Thank you. So, my second question, Mr. City Attorney, is why don't we use any public art trust fund for this? Because you just said arts commission is on there. They can have music, art, and public space. Why couldn't the city use public art trust fund for it?

CITY ATTORNEY BARROW: I'll have to look at the language again on the state, I mean, on the municipal code. I think that's just for art. I don't think it would cover music. We can look at that right now.

COUNCILMEMBER MONTGOMERY: I'm thinking any kind of, let's say Parks and Rec has a, a Metlox has a music program. And

I think it would cover it. I think in the past we've talked about it. I'll let you confirm it. But if the, if a equals B, why can't it go to C and say our contribution can be used public art trust fund money instead of general fund money, it gets to the same direction. Why can't we use this pretty there? It has a clock ticking on the timeline versus pulling from our general fund money. That's my question I'm looking for. So, I appreciate your comments Mark, because if we do have any kind of art music public display, it qualifies on a public art trust fund.

PARKS AND RECREATION DIRECTOR LEYMAN: And if I could also share, we are planning to bring back the Public Art Master Plan because they have a, it really outlines a detailed donation process and it's actually excellent language and it was developed in 2002. And so, I know that needs to be updated. So, we'll bring that language back and that could flow right in with the nonprofit.

COUNCILMEMBER MONTGOMERY: Nothing further your honor. Thank you.

MAYOR FRANKLIN: Okay. Councilmember Lesser.

COUNCILMEMBER LESSER: Well, first I want to acknowledge the not just hours, not just months, Months, but years that volunteers are community. To try to get this off the ground and to thank them. Many are friends and I appreciate your efforts, but I do have some fundamental questions about this. The first time this council really has addressed this. So let me just ask you, Mark, to what extent has there been a projection of the potential donations after the city's contribution? After the first three years, I recognize it's difficult to do. And obviously it's dependent upon a. Up in marketing material going out, but is there some sort of projection on revenue that this might generate in donations?

PARKS AND RECREATION DIRECTOR LEYMAN: We do not have specific numbers. You know, I think there's, we can guess based upon the projects that are supported. We know what those numbers might be, but we do not have those productions.

COUNCILMEMBER LESSER: Has there, I think you mentioned that the actual projects for which this phone foundation would be set up is, is a yet to be determined. In other words, there is not presently a list of what the priorities are. I know what my priorities are. I think this council starting with facilities like Begg pool, but to what extent has there been a list of. A

list of program services and facilities where it would make sense to collect donations from the public to supplement what city funds are available. Have we done that analysis?

PARKS AND RECREATION DIRECTOR LEYMAN: And so I know that there was a laundry list developed, but I think, you know, the ad hoc committee really wanted council input on what those might be before they prioritize those. But yes, absolutely. There's a number of different projects and programs that they discussed.

COUNCILMEMBER LESSER: Can you help me with a challenge that I'm having, which is a more general foundation versus one that's specialized. Sort of like the friends of the older adult scout house, which is now called the community center in live Oak Park which is a very specific fundraising effort. What's the thought of setting up this more broadly, more broadly oriented nonprofit.

PARKS AND RECREATION DIRECTOR LEYMAN: So, I, guess I would maybe say two-fold one looking at those 400 existing nonprofits. I think this really does show that there is an itch specific to benefits to the city of Manhattan beach and looking at all of the other nonprofits globally and all the time that

we've spent doing that. There's really just this, this sense of community. There's a sense of ownership. People are interested in contributing their time or contributing towards a project and really making it their own and within their own community.

COUNCILMEMBER LESSER: I guess some of the questions that the budget, a proposed website, 30,000, is that consistent with what it's cost to get a website up and running?

PARKS AND RECREATION DIRECTOR LEYMAN: It is. And again, they've spent many, many hours speaking with professionals to make sure that that is an accurate number. They didn't want to low ball it. They didn't want, they wanted it to be an accurate number of what it would take to have a professional do this. And in discussions with another, you know, a number of the other nonprofits, you know, if you try to find volunteers, you're not going to be able to move forward. You know, someone will get another job and then they're not, they're going to have to fall off of this one. So, I think it was a realistic number based on doing it professionally and moving it forward as, as reasonably as possible.

COUNCILMEMBER LESSER: Final question is, do you know if the subcommittee or the commission looked at the idea of a

fiscal sponsor? That is to say a fiscal sponsor in the nonprofit world is a larger nonprofit that allows charitable causes to get set up and start up and relieves them of the administrative burdens at the outset. So that, for example, the startup costs that are projected here are not necessarily ones that are worn. Otherwise, many nonprofits would never get off the ground. And I'm just wondering if any fiscal sponsorship was ever evaluated. Community partners is one of the larger Southern California nonprofits that serves in that role.

PARKS AND RECREATION DIRECTOR LEYMAN: But I'll bring down Karen to answer that for you.

KAREN KOMATINSKY: Good evening, Council Members, Mayor. So we, our committee, has done an extensive amount of due diligence and talking with a number of different cities. You have a lot of cities around us, everywhere from Palos Verdes has a program just like this. It's Santa Barbara. We spent a lot of time with, and we tried to take into consideration not only like demographics, but also taking into consideration, what do we hear in Manhattan beach? What would we want out of this? A number of programs that we did look at are very park oriented. And we felt as though that was too, too narrow of a niche. And because our group really thought that we would want to take on

things like everything from capital improvement projects, like a Begg pool project all the way through to arts, working with the arts commissions, beautifying the community more. So, I think the biggest goal here is right now, the program that has been sort of limping, really is not known to the public. And so, the idea here was to really put together a business model for you to look at with a budget, with a plan of how we were going to go out and sell it to the community. We're very excited about this initial kickoff program that we want to launch because it really do feel like that awareness to the community would bring and generate interest right away. We're not looking at this as sitting here on our coattails and, or your coattails and just riding it for a year. We have a group of people who most of these people who have been on this subcommittee will continue to be governing board members, as well as we've collected a number of other people who do want to participate. You know, how we do things in this town, how things get done in the 90266 is you get people generating ideas and coming together and collaborating. There's a lot of people who really do want to get involved. We've taken in a lot of interest in a lot of names and ideas or projects. So, I feel pretty comfortable. I feel pretty confident. I think I speak on the behalf of my crew right there that we feel like we could get with your support. We could get this initial kickoff program and have a big sort of blast of the

love MB foundation that would generate interest both not only with potential corporate partners and other places to go, but people to really want to donate to the program. We're coming up on tax season, right? People are looking to generate tax deductions right now. So I think if we had an opportunity, if we had a program that actually was widely talked about here, that people would actually, we got to get them, we've got to get them to come in and want to donate maybe \$500 or \$1,000 to start. And then maybe in four or five years, they want to donate 5,000 or 10,000 or they want to band together as a bunch of college alumni and say, let's do something with the pool. There's, I think there's huge opportunity here. We just need your support. We've come as far as we think we can at this point. And we really can't do a lot more without some sort of financial consideration from council. Thank you.

COUNCILMEMBER LESSER: Let me ask you this, Karen, Karen, I asked the staff if there had been consideration of a fiscal sponsorship model. You're familiar with that model, but I'm just wondering to what extent, particularly with the kickoff funds being what they are, with the thought that we'd need to clear a certain amount of donations before this would be a net positive contribution. I'm just wondering to what extent there

was an exploration or consideration of this as a model, which is used by many other nonprofits to get started.

KAREN KOMATINSKY: I think in the presentation, what you see is you see a lot of points of things that we did assess with others, an actual financial model, like who worked with who to get who in many, many of these other cities. I'll just use Santa Barbara as an example. Their model is specifically based upon donations, foundations, family foundations that donate into their city. That wasn't necessarily a model we really wanted to use because when we looked at our family foundations, we realized that many of them are inactive. So, I don't know if that's necessarily a model for us to generate that kind of revenue.

COUNCILMEMBER NAPOLITANO: I think he's referring to something like the California community foundation.

KAREN KOMATINSKY: So, there's a whole grant process. I mean, we want to look into the grants, the possibility of the grants that are out there. We need somebody on our team to actually start to generate that, but that's something quickly to dive into. Thank you.

MAYOR FRANKLIN: Thank you. Sure. Council member Napolitano.

COUNCILMEMBER NAPOLITANO: Thank you. Just a couple of questions because it was brought up about council attendance and everything and having someone on there is helpful because it then you're heading in council's direction, but having been on those subcommittees, that's not always the case. So don't take that as a guarantee of anything getting done. But then that begs the question of, you know, who decides where the money goes, right? If the council has these projects that we want money to, but the, the nonprofit says, well, no, our priority is here or this person gave specifically for this project. You know, MBF for the most part, I think there has been some issues there in the past regarding where money is spent. MBX, I don't know if they've had any issues or, or priorities, but it's like, if, if push into the city wants the money goes somewhere, like, I mean, the arts is only going to go so far. It can only go through our projects. And for that same reason, why would we go through the nonprofit to spend the money when council makes the decisions where it goes? And if for instance, the murals that we choose and some we don't like that come before us and let's say nonprofit says, this is the one we want to fund. City Council says, no, we don't want to fund that. We're not going to put

that on a wall of a municipal building, you know, then we're at odds with each other. That's not the best relationship either. So those are issues that need to be worked out, I think as well. But my, I guess my question is who decides that because they're, they're going to be a separate entity. They're not going to be part of the city.

PARKS AND RECREATION DIRECTOR LEYMAN: And I know the discussions that I was a part of that, that it would be approved by City Council and then they would work on, on funding that project or that program. But again, I can turn that over to Karen to clarify. I mean, that's my recollection.

KAREN KOMATINSKY: That's exactly it. I mean, this is a, yes, it's a separate operating entity obviously, but in the, the goal really is to develop a partnership with you. So if you know, council is, you are suddenly deciding, let's build a, a hut somewhere. I don't know, whatever it is. You know, our expectation is that you would bring that to us and you would say, this is something that we want to do. We, you know, we're giving direction that we want you to start working on this and fundraising for it. Then our group is off and running and raising funds for it.

COUNCILMEMBER NAPOLITANO: Okay. Because I guess I can't imagine the city approving a project and saying now go raise funds for it. Typically, we have to identify where the funding's coming from, from the get go. And it can be supplemented of course. I guess that goes to another question. I'll just throw it out there. I mean the total costs for the three years that the upfront money, and I think this goes to Councilmember Lesser's point, it's \$252,300. That's just the startup cost there. So you'd have to raise \$252,300 just to break even and raise on top of that is the gravy that then we, you would put, and you were talking \$500,000, \$5,000, but I mean, that's not going to build a Begg pool. So, in the, whereas for whatever project, I mean, the city could spend that \$252,300 on a lot of these things already. So why the need for the nonprofit for pavers to do that? Why not just use trees and benches when we can take that \$252,000, buy a whole lot of pavers, whole lot of trees and things like that?

KAREN KOMATINSKY: Well, you, you have a program that's been limping along and it's really not been very efficient over the last few years.

COUNCILMEMBER NAPOLITANO: Administrative funding wise, not necessarily. I mean, if somebody wants to give something, they do it.

KAREN KOMATINSKY: Yeah, that's fair. But I don't think a lot of people in town really know that this program is even available. So, the idea here is to actually build a website, build a mission, you know, really build it out so that it really could be something that generates something for the city.

COUNCILMEMBER NAPOLITANO: I guess I have to wonder and Gary ran away. There he is. He's shifting on me. So, I mean, how did MBF start? How did MBX start? Did the school district fund that or did they have a bunch of people at a dinner and they had, they had some chardonnay and they, everyone said, okay, at the end of the night, this is a great idea. I'm going to write my check and that's how it got started. Or did the school district fund that?

KAREN KOMATINSKY: So, Gary would be a perfect person because he's got a little bit.

GARY WAYLAND: I don't know if he wants to, but we're putting them on the spot.

GARY WAYLAND: Thank you. And I'll try to keep this brief. I was originally involved with MBEF and the fundraising machine that, that is MBF. And I think what's magical about them is that they raise money to make everybody's boat go higher. But what I saw was a need when we helped form MBX for directed donations.

COUNCILMEMBER NAPOLITANO: How did it start?

GARY WAYLAND: Well, all we did was we rolled out the mat and said, if you donate and you want it to go to lacrosse equipment, that's where it goes. We didn't do any fundraisers. We didn't do anything other than make the tool available to make directed donations. And mayor Franklin recently attended our 20th anniversary where we announced that over those 20 years, we raised \$55 million total to support programs and close to \$12 million to build stuff. And that was our motto for a number of years. We build stuff. And we did it through a whole series of people realizing that their money completely goes to the program.

COUNCILMEMBER NAPOLITANO: But the money was raised by an individual. The school district did not give you money to start that.

GARY WAYLAND: They did not. Okay. And so, and I'm sorry to interrupt, but the, I think the other question that you're asking was that we made it a point to work hand in hand with the governing board. We weren't going out looking for projects they didn't want to do. They wanted to redo the track. They wanted to put grass on or turf on the field. They wanted to build the new Westfield and we all planned to try to build it. We all tried to raise money for it and once we had money in hand and a plan in hand, we went forward. So, we worked as a partnership to try and make this happen. It wasn't us simply going off and saying, we're going to put a dome over Waller Stadium. We would have had to have asked permission to do that because we felt we were basically a subset of the Manhattan Beach Unified School District. I think what you're giving everybody here is a tool to turbo charge their fundraising. And I think that the committee's work and their efforts here recognize the fact that through nobody's fault, the city just gets in the way. And if you lay out the plan with the number of people, we can make this fundraising much more dynamic.

COUNCILMEMBER NAPOLITANO: And so back to Karen, I just, I have to thank you, Gary. Appreciate all that information because I come back to the idea that you, Gary and MBX and MBF, right? The proof of concept was the fact that people were writing those checks and it got going. What I hate to see is the sinking of \$252,300 into this. And after three years, we've collected maybe \$50,000. That's a, that's a loss and it doesn't prove anything. The proof of concept would be something like choosing the pool and saying, this is what we're going to fundraise for people because everyone said we took a poll. Everyone says we support the pool. Well, let's see financially how much they really support it. And maybe that's your initial project to get off. I think there's a question there somewhere, but this is still a question. I'm sorry, Your Honor. I think it's there, but I mean, that's the, I'm just wondering, like I said, MBX, MBF, right? The proof of concept has to be more than just, you know, hope as a strategy. Right. That we've got a list of people who are willing to write a check tomorrow that goes beyond \$252,300. That's fine. Thank you, Your Honor.

MAYOR FRANKLIN: Okay. I'm going to go ahead and take a turn now. So, it sort of begs the question, and we've been going through that, has not having a 501c3 been a hindrance here to forth, you know, like in the last 10 years? I mean, the fact

that we didn't have the 501c3, did that hinder people wanting to pay for a plaque or pay for a bench or plant a tree or things like that?

PARKS AND RECREATION DIRECTOR LEYMAN: I think for trees and benches, I think if the awareness is there, there's definitely more community support. I think projects like the, again, the Catalina Classic or the Scout House, I think those, you know, the Catalina Classic was expedited because they had that nonprofit and they had that funding wing to expedite the project.

COUNCILMEMBER NAPOLITANO: We forced them to fundraise. You remember that. It turned out great at the end of the day. It did.

MAYOR FRANKLIN: Okay. So how many inquiries, you know, have we gotten say over the last several years? Have we received, you know, for, we want to memorialize our family. We want to make this donation. We want to improve facilities.

PARKS AND RECREATION DIRECTOR LEYMAN: So, the program was placed on hold. And so, we have kept a spreadsheet of

interested donors, but the tree and bench donation was placed on hold.

MAYOR FRANKLIN: Okay. Is there any, is there any like total amount of dollars that, I mean, if you field a call and they say someone was interested, do you just say not now or do we keep it running total? I'm just trying to get an idea of the magnitude of.

PARKS AND RECREATION DIRECTOR LEYMAN: So, we did share and we posted online that it was, the program was on hold. There was, you know, and we weren't actively publicizing it. It was on the website and when we'd receive a call, then we would just place them on the list.

MAYOR FRANKLIN: Okay.

COUNCILMEMBER NAPOLITANO: Folks want to know what they're getting for their money, right? They want to give to a particular thing. The bench or the truck. No one's donating a hundred thousand dollars to Manhattan beach to go spend on whatever they want. That's why the storm drain vote was so close.

MAYOR PRO-TEM HOWORTH: Cause it's not, well, sorry. Well, no, it's not a, it's not a 5013C it's a program, right? It's a program for, I want a memorial tree. It's not, there is no way to go say, oh, I just, I want to put Manhattan beach in my trust or I want to donate a hundred thousand dollars, but it's not anyway. We'll talk.

MAYOR FRANKLIN: So, another question or comment on page 498 of the staff report. Item number 6 implementation. Number two there, it says funding. Just let me know when you get there. Page 498. Number six Roman numeral six implementation. Number two more talks about funding. Oh, you don't have a full. The cost of labor and installation. Yeah. So it says the cost of labor and installation is the responsibility of the donor. That is installation, labor and materials and insurance if needed. Yeah. The donation 498, a donation policy for 90 of the agenda. What number on the court? It's the attachment.

PARKS AND RECREATION DIRECTOR LEYMAN: And so that, that is the old donation policy. We were just showing this for reference. And so, we took out any reference to the park amenity catalog, but this will absolutely be updated based on council direction.

MAYOR FRANKLIN: Because we're, it's a red line. Because I'm just, you know, in the arts and public places commission on the Bruce's beach statue. Yeah. That created, we thought was a diminution or, you know, fewer submittals because an artist was responsible for the engineering and, and, and the expense of installing it as something like that might be a hindrance to someone saying, what do you mean? I going to, I'm going to donate this. You going to have me get building permits and engineering drawings and things like that.

PARKS AND RECREATION DIRECTOR LEYMAN: So, and that absolutely has been a discussion among the committee building in that entire cost. And so, you know, what, if it was \$5,000 have a bench all in, then you'd be charging \$10,000 5,000 into the nonprofit 5,000, but that would include the install. That would include the fabrication. There's also other models such as the tree fund. So, it's not one individual tree. You would be donating to a fund that would plant trees throughout the city and then have your recognition on the, on the website. There's a number of different ways to, to recognize donors.

MAYOR FRANKLIN: And, and I forgot to say at the beginning of my comments is thank you to all of you for all those hours. I could, when you said hundreds of hours, I know

what you're talking about. So, thank you for doing that. No more questions for me. Okay. So yeah. So public comments. I was just checking with you all. There was any, so I'll open up public comments.

STEFAN KAMPE: Good evening again. Listening to this conversation. I want to tag along with a Councilman Lesser's comments, it seems like a good way to present us as a business case to your constituents would be, we have this list of X number of projects. The total cost is let's say \$20 million. We get X million from the city. We can expedite these if we get more funding, but we'll, if we don't have that list, we don't have that timeframe for me. I'm trying to figure out where's what are we? What's the time? Why do this? But I think if we can have that, if we can grab onto something like that, it will really help drive your business case for the funding side. Recommendation. Thank you.

GARY WAYLAND: I wrote, Gary Wayland again. I wrote one of the greatest speeches I've ever written and I'm throwing it away because you've touched everything. I really appreciate your consideration of this, but I come up again once more to thank all of these people who did amazing work. They touched base with me and just several times to ask for some input, but I know they

spent hundreds and hundreds of hours at it and I appreciate all of their efforts. Again, I think you can't always look at not for profit fundraising like you do a business. I think there is untapped potential in Manhattan beach to do a tremendous number of projects. And I think what you're doing is providing them an easy opportunity to move forward and to take it. I think MBF has shown that MBX has shown that, and many of those foundations and organizations that you all support and attend has shown that if you give them something to donate to and a reason to do it, they'll make it happen. So please support it if possible. And again, sorry, it was really a good speech.

MAYOR PRO-TEM HOWORTH: It always is Gary.

MAYOR FRANKLIN: Just save it for another time.

KAREN KOMATINSKY: Make a last statement. I thank you all and reviewing documents. I know it was extensive amount of information for you to look through and to consider. We really want to make this happen. I think we have a group of people who are ready to dive in more than we've already dove in. And there's a lot of people out there who are really interested in seeing something like this happen. There are people in this town who really want to give back. And I think that this would

provide a very unique opportunity for people who are looking for those opportunities. Small, medium, large, and extra-large. And we would want to partner with you and get direction from you on those kinds of projects that you'd like to see and future council members would like to see. And that group of people in this 501c3 are ready to take on. Thank you again for your time and thank you for listening.

MAYOR FRANKLIN: All right. Thank you. Anybody else? Martha on zoom.

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

MAYOR FRANKLIN: Okay. Thank you. We're going to close public comments.

CITY ATTORNEY BARROW: Mayor, I looked at the research. I looked at the municipal code and it is art in public places. It's works of art. It's display of art. And it's art education. Number one. Number two. There's two council members on this nonprofit that would convert it to a Brown Act body. So that's something to think about.

MAYOR FRANKLIN: Okay. Thank you. Colleagues. Mayor Pro Tem Howorth.

MAYOR PRO-TEM HOWORTH: Thank you. I want to make a few. I want to make several comments because I think there were a lot of questions that were important, but I want to make sure we're not missing the forest through the trees or the swimming pool through the whatever, the waiting pool. You know, when we talk about, have people been clamoring to, you know, put money towards trees or benches, maybe there isn't a need for this. This is really not being driven by that, but it could include those things. Right. And if it did include those things, it would make it probably the parks and rec department and staff. So, what I mean to say is this is actually being driven by the pool. Okay. And here, and, but yet they're saying, but let's make this bigger and broader so we could do more so we can provide, you know, opportunities for people who might really want to, you know, take over soccer fields or not take over the funding of this, whatever. And I, so I think that we don't want to miss the big picture and the opportunity here. It is, as Gary mentioned, it's a, it's a funding mechanism. It's a way for people to, to seek out and, and, and provide funds and looking at the way MBX started you know, I've known Gary too long and I'm sorry, Gary, I know you like to be humble, but MBX didn't have a board and needs 80,000 to get started. Cause I had Gary Wayland and who, you know, kind of single handedly created the

track at Mira Costa who kind of single handedly does all these things in his sleep and he's retiring people. So that's how much this costs to replace Gary Wayland. Not quite, but the, the funding that they're asking for is so it doesn't take five or 10 years to get this going so that they can be effective enough. It's the money, you know, it's money to properly incorporate a 501C3 takes a bit of time and legal help. You know, doing the website, it's not just creating a website like let's say we all did for our campaigns. It's actually having a web master. It's actually keeping it going. It's adjusting it per project. It's interfacing with the city. It's, you know, it's a lot of stuff. It's creating awareness. It is going to help us if we do decide, if we hope, you know, and everyone knows my opinion on this, but when we go to build a pool, it will, it will be in place. So it will be a seamless partnership and it won't experience the problems that frankly the scout house did, right? Because the scout house didn't have, you know, the 501C3 to begin with. They kind of came and they said this would be great if you did it and we'll help you if you can't make it. These people are saying, you decide this is a priority. We are going to do this, right? And it's still going to probably, you know, cost money. But from, from our revenues, but this is a better process. This is very common. I, you know, in cities across at least a state that I'm aware of, but again, the Catalina classic, you know, that

would fit into this, right? We, this would be really important to have for a lot of different reasons. So yes, pavers, which would be a fundraiser, I guess, trees, benches, um, plaques, they all come into this, you know, maybe it helps the scout house too, but it let's, it's about the pool, which MB will love. And as far as a list of projects, and this also speaks to Stefan's comments about, well, you need a list of projects. And I think they do have a list of projects. And I think, you know, we're being asked to support them. So, we should be able to approve their business plan, but I'm saying that by funding it to this level, I think this is going to benefit our community and our city for years to come. And it's going to be such a wise investment. Um, I think if we don't, I think we set ourselves back. So, um, I, I will be making a motion to support it. I think by the way, only one council member cause a Brown act. No. I think we could explore using some public art money, uh, to fulfill our commitment. Perhaps they wouldn't need the money in the third year. You know, there's also that possibility but I want to get behind these people who have put in hundreds of hours in order to, to do something for all of us. So, I will be making a motion to do that. And I hope, I hope a couple of you will join me, but I appreciate the concerns. I really do. But I I'm asking a look bigger than, you know, the smaller individual projects and the fact that people can give us money now, that's

fine, but we don't go out and solicit it. And I don't think any of us want to say to Mark Leyman or his staff, hey, could you guys create a PR plan and a fundraising program? And could you go out and raise money for this? I don't think they can and we don't, that's not their role and we don't want to make them ask them to do that. So, there you go now. Okay. Thank you. Mr. Mayor.

MAYOR FRANKLIN: Councilmember Lesser.

COUNCILMEMBER LESSER: My goal in asking the questions that I have is not to kill this idea, but to perhaps give specific questions to the parks and rec commission and its subcommittee to answer, to help us come up with a city affiliated nonprofit that works for our community, particularly given that, I think it's been just stated by Mayor Pro Tem Howorth. My goal is to get a pool on track, a large facility, the example of, I think the nine other city affiliated nonprofits that were provided as an attachment to the staff report for purposes of their websites. If you dig into those websites, you'll see that most of those programs are about their parks, other programs. And my worry is to the extent that we're going to task our staff to interface with the nonprofit and all of the work that would be involved there. I just have to ask, is

that really going to help us achieve our most fundamental goals? I see it, which is to get these facilities built, to get supplemental funds, which this nonprofit could potentially provide to finally address a challenge that multiple talent councils have been unable to address. And that is, how do we fund some of these fundamental facilities that are well beyond their useful lives that are going to fail, particularly with Begg, which is 80, is it 83 years old? We need to come up with supplemental funding beyond our city resources and a nonprofit is a really terrific model for trying to do so, but I want to make sure we're not hung up with pavers and trees and benches when that has to be a priority. So, what I would propose, if you give me just a little latitude, I have some questions. If others agree with that framework to pose questions for the parks and rec commission, to task their subcommittee to try and address in a timely manner, to not let this continue to kind of proceed for, I think it's been at least two years, three years, since it last was before council, these volunteers are asking for guidance from council. Let's give them the guidance and encourage staff to bring this back promptly. If there's a consensus among council. I mean, I could go through my list of questions, but I want to see if that's true. One, I think it would be helpful to have some sort of projection, best case scenario, how much revenue could this nonprofit earn? If

everything is set up as it should. Two, I again ask about a fiscal sponsor community partners is one example, one organization in Southern California, which provides an overlay nonprofit, which allows charitable organizations to get their start to not have to pay these large administrative fees, which all nonprofits have to face when they start. What would that look like? Is that something that could be started? Just to see a proof of concept to see if in fact you are able to elicit funds in a way that individuals have not felt comfortable donating to the city, even though they can already donate to the city and get a tax deduction. Could we set up an organization which would do better marketing to make individuals and organizations aware of that? How let's see, I'd be curious how the other city affiliated funds contributed to their nonprofits. If there's some, there's these nine programs, for example, to what extent did those cities contribute to get them startup funds? Let's see. And I'd be curious, where are the shortfalls? If there are shortfalls, where donations would be appropriate. That's really more of a policy decision. And that's one of the challenges. I mean, to a certain extent there needs to be council direction on where it might be appropriate to solicit donations. But I do take seriously the comments made by my colleague, council member Napolitano about what happens when there is a disagreement as to what the priority should be. So,

I'll leave it at that as just to start to the extent that there's support for this framework.

MAYOR FRANKLIN: Councilmember Montgomery.

COUNCILMEMBER MONTGOMERY: Thank you, your honor. I'm much more concise than my colleagues have been so far. I'll go right to the point. This isn't anything new folks. 2009, you were all here. Remember the FSP? Facility strategic plan? Facility strategic plan that we all looked at and the pool was right there behind the library. It's not new. It's a new idea. So, taking that where we are today, fast forward 15 years. To Gary's point, I think Gary's right. There's a lot of money in the city for the right project, a right project that can move. And not to compare this to the Scout House, but that's one project did not move. Whether you want to say it's part of it is the reason because of COVID, whether it can get the numbers, whatever happened, it did not move the needle and never got there, which way. City stepped up and here we are going forward. So just footnote that one going forward, but I am loathe to use general fund money when I can find another resource. Karen talked about grants. Great idea. Once you get ball going, it's a great idea. I love it. But why would I take money out of a pot? I don't have to. When I have another pot over here that we

barely touch, has a clock ticking on it. Most, you know, it only can be used in a public space, public art, public programs. And then you talked about checks, all those boxes. That's why our city attorney looked at it to make sure we read the same way. So I'm a believer in the program and the believer in where you're trying to go. I just want to make sure I don't have to go from this pot where I can use on police, fire, streets, or this one. Then, you know, there's the clock ticking to spend it. Why don't I go to the pot that's a bigger and we can get rid of it and use it for the right program. So, however, we can structure it to make us get from A to B. I'm for it, but I don't want to sign off until I know for sure. We can do that and make it easy. Why impact our general fund money? That's my point. So, I'll stay as a yes to get there, but I didn't find a way to get there. Thank you, Your Honor.

MAYOR FRANKLIN: Okay. Councilmember Napolitano.

COUNCILMEMBER NAPOLITANO: Thank you, Your Honor. I feel like I have my back to you and I apologize. I'm trying to speak into the microphone because people yell at me at home. My mom does. She'll say I'm not talking up so she can't hear me. Can you hear me now, Mom? Okay. So, I don't think this at all is about missing an opportunity. I think it's the question about

setting it up for success. Where the money comes from, though, does matter. I don't think the arts fund, I don't believe that we can use that for it because the things that you need to buy or pay for, the advertising, the website, the executive director, things like that, whatever else, support, that's not arts directed. So, I don't see how we can use arts funds that are dedicated just for those purposes to then just transfer to you to spend however you want. That's not what the arts fund is meant for. So, then the question is, okay, if it comes from the general fund, the \$252,300 and they're asking for approval of these three years, we can say just two to begin with, but it's still a chunk of money. And that's where I come back to the proof of concept. And that's where I don't have a problem at all with creating a 501C3 that works hand in glove with the city on getting things done. But I have had serious doubts for many years, not just starting with this, that we create a fund for tree replacement or something. Nobody wants to give, that I know, money to get just a tree fund and someday in the future, years from now, a tree might be planted there. They want to see a tree with the plaque recognizing their loved one and they know what their money is going for. Same thing with why people purchase benches on the Strand because they put a plaque and they can go down there and say, this is in memory of my loved one. So that's the value I think that Stefan was talking about.

They want to know when projects are going to get done. In their lifetime, they're going to be able to see the value of the money they're putting towards something. So, it's not an easy thing. It's a tricky thing. If somebody were someday to deed their property upon their death, the city of Manhattan Beach for something, that'd be great. But it hasn't happened in the last several decades. So, knowing that, how can this succeed? I think you really just need to settle on a project. I think we know what that project is. It's been mentioned several times. You go for that one project. You make yourself the fundraising arm for that project. I disagree. I think the senior folks did a great job under the circumstances they had dealing with COVID, the extension of time, their network, their resources, their capabilities. They raised a lot of money given a lot of constraints. And seeing this group and knowing the connections and knowing that you've spent hundreds of hours in doing this and that you're going to succeed in whatever you do, let's pick that project and move forward on that. And then after that, if there's funds left over, along the way, someone says, hey, I want to donate to this as well or donate to that, how can I do that? Then maybe we branch off in those directions as it goes. But I would pick a project. We've talked about the pool. And say, we're going to set up this MB Love, Donate MB, whatever you want to call it. Names, all right. Love MB, Donate MB, MB Gives,

whatever you want to do. But set it up for a project specific, and then we start advertising and everything else. I don't know that you need an executive director for that. You're going to need, again, I think volunteers to start with. I don't know that, you know, I look at the seniors. They raised hundreds of thousands of dollars without any of those things. And we did not front the money for them. They came to us after they couldn't get it all. And we're going to have to do that for the pool. But it can be up and running without sinking the quarter of a million dollars into it without knowing what the outcome is going to be. And for bells and whistles that we don't even know that we need yet. If we can settle on something, and I push it back to you all, as to if you want to accept that as a guideline, and I'm just speaking for myself, that we're going to be a project focused, one project, make it the pool, and we're going to start fundraising. And then we come up with a laundry list of how the city can help achieve that rather than just a generalized nonprofit that we don't know if it's people are going to give for this, that, or the other. That's my takeaway.

MAYOR FRANKLIN: Okay, thank you. Yeah, we can switch. Okay, great. So, I just wanted to take a turn here. So, I was just sitting here making notes about the impact of MBEF and MBX on my family and being here in Manhattan Beach. My son, our

firstborn, started in kindergarten in 1997. And I don't know, does anybody know exactly when MBEF started? Terry Willen might. Was it like 2000 or something? No, it was before that. It was after Prop 13, wasn't it? Something like that. Yeah, okay. So, it was there, and then we had our second child a year and five days later. So, you're busy, right? You've got things. But I kept hearing about this MBEF, and then later on in high school years and middle school years, MBX. And again, it was still busy at home, but they were there. Don't underestimate the effort of determined people, especially parents that want to have better facilities, want to have better schools. Yes, there were the bond measures, and the parcel taxes, but there were still a lot of gaps to fill. I'm thinking specifically, by the time they got to high school, my son was on the Coasta football team, and we were talking about artificial turf for the field, and I was the treasurer of the boosters, the football boosters club. And yes, we had to sell a lot of pot bellies in order to get some of that money rolling. But it happened. And it happened, probably there were some major donors in there, but a lot of smaller donors as well. I always felt kind of badly, particularly for Manhattan Bread and Bagel on Sepulveda. You ever go into that store from the driveway in the back, and you go through that long hallway, and it's all these thank you notes and PTAs and things like that, and I just felt, oh my gosh, they're doing so much. And we

just kept calling as PTA members. We just said, oh yeah, we'll just go to Manhattan Bread and Bagel, or we'll just go here, or we'll just go there. And bless these stores, and bless these businesses, they helped out. They helped out to the extent they could. So, organizing all that really makes a big difference, and we've seen it. The growth of MBX, they saved us, they saved summer school with Gary's and the folks' creativity there. Summer school was going to be discontinued by the high school, and yet MBX stepped forward, and they moved this, and they moved that, and they collected money here and there, and they went ahead and did it. So, I think it can happen. I think it's the right way to go to form a non-profit like this with very determined people. There's something that I heard tonight said people aren't aware of it, and we're going to go ahead and make them aware of it, and invite them to dinners, and yes, pour the wine, and bring the checkbooks, and ask for the money, because that's how it's done. Sorry. The sense of community, and the pool is an excellent example. There's such a need for that. It does so much good for our children and for our older adults. You talk about multi-generational, just like the Scout House, and the Scout House, I was amazed, did a great job without that infrastructure, but with this infrastructure, it's sort of like that leap of faith, and there's great examples that can lead us, such as MBEF and MBX. If it takes a little bit of seed money,

that's a lot, a little bit, but it's the seed money from the city. One thing I would say is, let's ask for people. I heard what you said about a web developer, if you ask for someone to donate it, then a project comes along, then your project goes behind, but on some of the things, a grant writer, we just had an experience, David, with the senior adult committee, where a member of that committee took it upon herself to do this statistically valid survey of the parks and recreation programs, and didn't ask for a penny, didn't cost a penny, and did a fantastic job, and that was such a great help to help determine where we're going to go with that. I think we got that level of talent, both that are actively working and retired, that can help pitch in with this, just like you saw the countless volunteers in MBX and MBEF. So, I would support going forward with the City Council providing some seed money. I'd like to take a little bit, look into those numbers for the seed. It is a big number. For over three years, \$250,000, and then beyond, but I definitely have the confidence that it can be done. Thank you.

MAYOR PRO-TEM HOWORTH: So, I want to just kind of clarify sort of what I'm hearing might be to try to get some support and to try to move it forward to try to figure out where we're going with this. I mean, I agree, Steve, and I appreciate your reframing of my comment as setting it up for success. I

appreciate that. And I do think, I bet you if you'd asked the group kind of what do they really want to do, it was like we want to build a pool and we want to start a 5013C to do this, and then they thought, I mean, I'm totally making assumptions so I'm just putting words in your mouth or whatever, but, you know, because what I'm hearing is, hey, if we focus on this one thing, this pool, like that's going to really, you know, draw people in, let's do that and show success, and then you have the structure of the 5013C and then you can keep going. I think that's what I hear Steve doing. So, what I hear Steve saying is if you focus on the pool, it makes more sense to me than saying it's anything you want. It's a red bench, it's a pink port-a-potty, it's whatever. No, okay. I had to throw the pink port-a-potty in. So, I hear that. I hear, you know, a difference of interpretation of our public arts policy because, and I think that would need to be sorted out, and what I hear Steve saying I think is probably true because if the money is going to get this going, there's probably not a public art project in there. So, I think I'm going to agree with that. So, and I think that the committee, so listen, if somebody was going to form a non-profit in this town, they don't all have to come to City Council and get approval. They can still form a non-profit, right? But they're asking, A, they're asking for funds to do it. They're also asking to do it sort of within our framework so they can be

this partner. And I think, David, you mentioned something about if there's a shortfall, what happens. I mean, they, we determine, we are the council. We determine the projects. We determine everything else. They're set up. They're not setting up to say, oh, we think there's a need for the pink port-a-potty, right? They are there to raise money for council direction and all this kind of stuff. So, if it was, and to the point of, and I will get to an idea here, listen, MBF did it and they just, you know, were volunteers and MBX. I go back to, MBF has a built-in army of volunteers and messengers and funders in the schools, in the parents, right? So, you're not just looking at, oh, here's a non-profit and they're out there and all of a sudden, they've got 3,000 families. Where'd those come from? They didn't have to have a website at first. They didn't have to do anything because they had the parents of the school children. So, you had the Grandview rep for MBF sending out the emails.

COUNCILMEMBER NAPOLITANO: I think that's the point about the pool. You have a built-in contingency.

MAYOR PRO-TEM HOWORTH: Not quite as. You do have a constituency, but you don't have a built-in organization as you did with the schools. You can build one. You can build one. I'm coming in. What's your idea? I'm getting there. I just want you

guys to understand it is very different and I think that the committee understands that.

COUNCILMEMBER NAPOLITANO: I understand it too.

MAYOR PRO-TEM HOWORTH: I'm not sure as much, Steve, with all due respect, you probably haven't been on the ground with the schools and the PTAs and the MBF trying to raise that money.

COUNCILMEMBER NAPOLITANO: I've written the checks. What's the motion?

MAYOR PRO-TEM HOWORTH: We're way before nine, so just calm down. We have a bet. He's going to win again, but here we go. I want to support them in creating what they're doing. I don't hear the support from my colleagues for the amount of money, so I want to talk about the amount of money, but I want to let them.

COUNCILMEMBER NAPOLITANO: Could we ask them, though? For instance, if the city wants to focus on the pool, are they willing to take on the pool?

MAYOR PRO-TEM HOWORTH: I think we should ask them that, so that's going to be a question. Will they focus on the pool? Then I want to ask my colleagues what is the amount that they will support to get it, because I think they need some money to get going because it's not a built-in organization. The other questions, David, I think get handled through their nonprofit formation because that's what you have to do to get it going. I know Richard wants to speak, but could we ask him those questions? Can we ask somebody from Mr. Mayor through the chair? Somebody from the committee, perhaps Karen, or somebody to come down and say, if we wanted you to focus on the pool, would that meet your goal? Would you guys be... Yeah.

COUNCILMEMBER NAPOLITANO: Sure. If a majority of the council would like.

KAREN KOMATINSKY: If the goal is to start out with the pool project being the thing you want this group to focus on, they're absolutely willing to do that. A few of us already on this subcommittee sit on the pool. I'm the co-chair with Lori McCarthy for the pool project. Ken Weiner also happens to participate pretty actively with the pool project, so it is absolutely, if this is what you would want this 501c3 to focus on, let's do that.

MAYOR FRANKLIN: Okay. Can we have Councilmember Montgomery?

COUNCILMEMBER MONTGOMERY: Thank you. So now the goalposts have moved. We watched them move over here from setting it up on an assembly line to what you want to pick a project. Smorgasbord, now you're going to focus on one. I agree with the idea, focus on one. I'm not yet convinced that you can't tap into art, but if Quinn says we can't on the next project, hey, go for it. But I remind everybody that two things, MBX and MBF do not start with city or school funding, so it's unusual from this point of view. I'm not saying, we're all trying to get to the same place. How do we get there? So I've watched councils in the past that did pay attention to \$100,000 here, \$500,000 there, and it panned out zero. So I'm careful to spend money in the area we don't, A, control, B, where we're coming from. Can I get to that money without dipping into my general fund money or not? That's question one for me. And so far, it's not answered from anybody yet. I want to come back with that one. And once we find that, where we can go and come from the money, then take the next step. To Amy's point, you don't need half a million dollars to get there now. You can start with a much smaller number and do anywhere the money's

going to come from. This pool? Pardon the pun. This pool of money or this pool of money? You don't know yet. So that's answered. I'll stick right there and hold to it.

MAYOR PRO-TEM HOWORTH: It begs the question. Thank you.

MAYOR PRO-TEM HOWORTH: Okay, so we... Okay, so I'm going to try to make a motion.

COUNCILMEMBER MONTGOMERY: Revise your motion you made?

MAYOR PRO TEM HOWORTH: Well, I just hit. I make a motion to support, so I'll revise it. Okay, so, I want to approve the commission's proposal for establishing a 501c3 that will focus on the pool. Yeah, it's a community pool. It's not just my pool, although the Amy Howorth pool sounds very good. Sorry, guys, sorry. Give enough money, it can be... I know, right? I know. Mark? Okay, so... And I would like to... I would like... Okay, so that would... I have a couple... I'm sorry. This is on the fly here. So, I want to support that. I would like to appropriate \$50,000 for the first year to get it started and to come back and report to us at six months to see how, you know, what they've raised. That would be my motion. I would

also... Thank you, Steve. It's been seconded. Within that, part of the request was also can the city attorney help with setting up the 501c3 documents, and I would like to include that in my motion. It's not different, but I just want to be sure that's included.

COUNCILMEMBER MONTGOMERY: Very different.

MAYOR PRO-TEM HOWORTH: Is it?

COUNCILMEMBER MONTGOMERY: Yes.

MAYOR PRO-TEM HOWORTH: Okay.

COUNCILMEMBER NAPOLITANO: So... Thank you, Your Honor. I have a little... A few qualms about that last part using the city attorney, but the other part I agree with because the forming, the focus on the pool, and that's why I don't have a problem with the \$50,000 because that is investment in a larger return on something that we specifically want to start prioritizing as the next big project in Manhattan Beach to take care of. And so that's what gets people going to go out and talk to others and get them to provide those checks that we were talking about to the amount that we are going to need. Again,

like the Senior Scout House, they went out, you know, we said this is our project, we will back the project. They want some money put in by the city so that other donors would say, okay, the city's committed to it. I mean, we'll pass resolution, whatever it is. They know that the pool, folks should know that the pool is top of our list to get done. As we do that, though, we'll have something to show donors. And I think, you know, the seed money, we're picking numbers out of the air, but there are groups who start with nothing, there are groups who start with something if this is the middle, and again, proof of concept we can see after a period of time. I don't know what we're going to see in six months, but...

MAYOR PRO-TEM HOWORTH: I mean, maybe that's too directive. I just was trying to give some checks and balances.

COUNCILMEMBER NAPOLITANO: I do have concerns about using the city attorney, though, in case there's any issues. And it then comes back as it's the city's fault that it's this way or that way. And he's got a full point already.

MAYOR PRO-TEM HOWORTH: Did you want to say something, Mr. City Attorney?

CITY ATTORNEY BARROW: Yes, I was going to actually summarize that. But by the way, on the forming the 501c3, I mean, Gary is the expert on that. And... And he's worked with a friend of mine, Kent Burton. Yes. We've recommended him before. So, to me, out of the 50,000, that could go to forming the 501c3.

MAYOR PRO-TEM HOWORTH: So that would be the legal fees, basically.

CITY ATTORNEY BARROW: Yes. I'm not sure what else you'd need out of that 50,000 as your seed money. And I just don't know how much it will cost. But I've actually formed... Many years ago, I formed a basketball league for Hermosa Beach. But it's not a big... Wrong city. I know. It's not... It shouldn't take much legal work to do that. So, I would say have it as part of the 50,000.

MAYOR PRO-TEM HOWORTH: Plus, what I hear you saying, and I'm sorry, I know my other colleagues want to speak, but I could take that out of the motion. Because I also hear you saying you might not be the best resource for them. But you... Can I... Well, I'll ask later. Great.

MAYOR FRANKLIN: Council Member Lesser?

COUNCILMEMBER LESSER: Well, first, I want to thank Mayor Pro-Tem Howorth for trying to thread the needle here. Obviously, we all want this to be successful. And that is certainly my goal. And I'm appreciative of Councilmember Napolitano for highlighting this focus, which I think all of us share, which is we want to start with this big project. This is what has eluded our city for decades. This has to be our priority, and particularly having been on Council where there was this donation policy and seeing how much time staff spent on the smaller gifts. Think about working with one donor for one tree, the wording on the plaque. It became a bit of a distraction from some of the larger priorities. And I think that's why I share Councilmember Napolitano's focus on starting with at least this project, which is the highest priority. And I appreciate Councilmember, excuse me, Mayor Pro Tem Howorth, you're pivoting and trying to make a motion that can capture that. What we haven't left out, of course, still is the governance and how that is structured. But as you've rightly indicated, it is the nonprofit that you seek to form as a separate entity, even though it would be in support of the city. So, I'm less concerned about that, and I would be supportive of the motion. Thank you.

MAYOR FRANKLIN: So, I, too, appreciate your effort there to make it a true public-private, you know, partnership here. The pool also served the needs of the schools, you know, assuming if it ends up near the middle school and they would have access to it and perhaps, but that gets the impetus of the parents behind it. And they're a very powerful force to help with that. It also gets the, you know, it gets the seniors behind it because they do so much with the aerobics in the water and the like. You got master swim teams. I mean, there's a built-in constituency that could probably do a very good job of if we tap into it to get the whole process started. So, I would also support that.

MAYOR PRO-TEM HOWORTH: Call for the motion.

CITY ATTORNEY BARROW: And so, ma'am, I'm just going to summarize the motion. There's four parts. Number one is to support the commission's proposal to establish a 501C3 non-profit. Two, with a focus on the community pool. Three, is appropriate \$50,000. And four, come back with a six-month report.

MAYOR PRO-TEM HOWORTH: Yes.

CITY ATTORNEY BARROW: Correct?

MAYOR PRO-TEM HOWORTH: Yes.

CITY ATTORNEY BARROW: That's the motion.

MAYOR FRANKLIN: Did we get the second and the third?

MAYOR PRO-TEM HOWORTH: Yeah. Steve, I was the mover, and Steve seconded it. Oh, there we go.

ASSISTANT CITY CLERK ALVAREZ: Motion passes 5-0.

MAYOR PRO-TEM HOWORTH: Okay. And then, what I would just say, additionally, is also, I appreciate what staff was trying to do. I mean, you were trying to solve some other problems throughout this process, and I know you worked really hard, because we don't have, you know, our donation policy is maybe outdated, and it doesn't fit the needs anymore. So, I'm sorry that it's not a one-size-fits-all, and I appreciate that the, I think the commission was trying to help with that, too. So, we can fix that, too, but let's focus this on this. Okay?

COUNCILMEMBER LESSER: Can I maybe use that as a jumping-off point to ask, while this is still an agenda item,

what direction, maybe I'll ask the city manager or the Parks and Rec director, what further direction might you be looking for from council on donation policy that's updated in light of the direction tonight to focus just on the pool? What are we leaving out tonight that would be helpful for a later date, perhaps?

PARKS AND RECREATION DIRECTOR LEYMAN: So, I think that's something we can bring back and take a closer look at I think some of the donation policies, again, we've struggled with in terms of just efficiencies and benefits to the community, so I think maybe that's something we take a look at and return with recommendations.

COUNCILMEMBER LESSER: Okay. Thank you.

MAYOR FRANKLIN: Okay. All right. So, we move on. City Council requests and reports including AB 1234 reports.

COUNCILMEMBER MONTGOMERY: I'll start us off, Your Honor. I'll wait until everybody stops for a second, then we'll go. We'll catch back up. So, those of us who attended the Independent City Association conferences past weekend in Santa Barbara, as a president, I might be a little bit biased. This wasn't one of the best ones ever, but we had our very own Chief

Johnson was there presenting the very first panel about recruitment. Police Department, not only Culver City, but we had the sheriffs, LASD sheriff's captain talking about his difficulty in recruiting sheriffs as well. If you hadn't heard the presentation before, thank God our chief went first because he always tried to copy her birthday day off idea, but it was great to hear from that point of view watching all the heads nodding, like, what a great idea, and watching that presentation take off from Chief Johnson to the captain at Culver City, then the captain from LASD, and then Monica Rodriguez, the LA City Council member who's in charge of their public safety group talking about the issues LAPD has and how many thousands of officers they are down. So, we're not unique in trying to hire good quality people. It's all over the region, so Chief Johnson, thanks to you and your crew for making that fun. It's nothing but bragging one of your own to everybody else. But it wasn't just that, we had the person talk about the bail, no bail issue, the Mallory County Superior Court. It was an eye opener to watch the newly elected were told one thing about how no bail works. Had someone explain it to them, they went, oh you get it now. That aha moment, you could see them looking across their faces. That was the second one. The third one was the part about and technology and law enforcement. And remember, this is a conference focused on public safety. You had police chiefs, fire

chiefs, elected officials, and our city manager and city attorney, but everybody there, and colleagues were there, but we got to watch from a no-frills police department to Beverly Hills, and you watched their drones. You swear you're watching a movie. The right chief, you got to watch them zoom down and listen to their dispatcher. Drones are far ahead of the units. Watching what they can see, how they manage it, a full-time screening watching, think you're watching a NASA launch. That's all detailed. Their program is set up, but they're at one end of the spectrum, and we're kind of moving our way there, but it's nice to watch it in real time, what they're doing, and everybody really enjoyed that one. You moved ahead from that to, I think one of the highlights of the day past that was a discussion on fentanyl, and what we all read about, what we hear about, it's talking about the impact and hearing it from not only a company that designed a system to track two grains of sand and fentanyl can kill you, and everybody forgets that fentanyl is an opioid that is mixed with illegal drugs into a pill form, but that's how they find it, pill form, and people think it's a regular pharmaceutical pill that can't hurt you. They're hearing stories about it, and you had, along with the Fent company, which has made this fentanyl, you want to call it a warning system, see for lack of a better word, highlighting it, then you had the head of Anthem Blue Cross, a doctor, talking about what he sees,

what they're trying to look out for, and at the very end, someone you don't know, Dr. Drupinski, was talking about his systems, what they look for, and how it's spread not just from kids to adults, and what they're seeing on a daily basis, and so that, to me, was the most intriguing. We had 147 people. There were 146 hearing Chief Johnson talk, and 146 hearing Drupinski and people talking about fentanyl, so I'm glad we were so strong with the mayor and Councilor Napolitano, and myself, and city attorney and city manager, and Ali from, our PIO was there, but hearing it live from people that are experts, it got the hit home. I thought it was the best highlight one of all the ones we'd seen. There wasn't an empty spot. Maybe the rain played a little part of it, but either way, no one left, and it was great, so I'm glad we went.

MAYOR FRANKLIN: Councilmember Napolitano.

COUNCILMEMBER NAPOLITANO: Thank you, Your Honor. What he said, but full congratulations to Councilmember Montgomery, too, as president and going out on that high note, because it really was a great conference. I've been to many of these, and they haven't been as good as this one, especially with the reports that were given. Everybody was interested in them. It was there, the court report at lunchtime really informed people

on the no-bail update and everything. It was well-attended, and everyone got a lot from it, and again, forging relationships that can pay benefits down the road, too, and talking to some of our other elected officials. Thank you.

MAYOR FRANKLIN: Great, thank you, and I also want to echo the words that were spoken about the ICA. That was my first attendance at that conference, and it was very good. The sessions were packed, or the session was packed. I mean, we were in the same room, but also, you get to meet your colleagues in other cities, and that's very valuable, as well, to meet up with them. I also attended the United States Council of Mayors conference earlier in January. That was my first time there as mayor, representing the city. I love politics, and it was just great. I mean, you're literally sitting there, and you're hearing the vice president. You're seeing the president. You're seeing Anthony Blinken, the secretary of state, and Pete Buttigieg, transportation, and the Department of Energy, Grissom, so that was very, very interesting, but there were two breakout sessions I have to mention. One was on battery safety, managing the fire risks of lithium-ion batteries. Very eye-opening, very sobering. I talked to city manager Moe. I think we're going to bring some of this information out. There's a lot of good information provided by the City of New York Fire

Commission, and it's eye-opening. I mean, double the, they've gone from 19 deaths to over 30 deaths from lithium-ion batteries exploding in homes, and then from 102 fires to almost 300 fires as a result of them, so something that we could all learn from, and in addition to, they had a great session on policing and the recruiting issues and what they're doing, so that was very valuable, and thank you for the honor of letting me attend the U.S. Council of Mayors. And a city manager report. Oh, I'm sorry, future agenda items.

COUNCILMEMBER MONTGOMERY: I've got one, Your Honor, and that is to, I know that council had talked with previously about replacing signage that was missing on parking signs on Rowell, from 19th Street North to Marine. We gave them, looking back in time five years, we replaced them, the poles were there, but we couldn't find when the signage was gone, and council directed public director Lee to go back five years and replace them. Well, went back five years and couldn't find them there, so, or the poles there, but I'm not sure he can speak for himself, but we need to go back and replace the ones that were there. We have poles with no signage on them. This has nothing to do with the street that opted out, the block that opted out. This is replacing signage that we had in place, so we have a pole on every block, but the signs are gone. Sounds like a

vigilante opting out. Yeah, it's like, whatever it was, thinking, okay, either A, we replace our own signs, or take all our signs down.

MAYOR PRO-TEM HOWORTH: Well, I would support bringing that back, but I just want to know, like, yeah. I would support bringing it back.

COUNCILMEMBER MONTGOMERY: Okay, that's good.

MAYOR FRANKLIN: Anything else? City manager report?

CITY MANAGER MOE: Council had given direction on it. There you go. Council had given prior direction.

CITY ATTORNEY BARROW: Okay, so this could be a third step next time, based on two votes.

CITY MANAGER MOE: We can come back with a report.

CITY ATTORNEY BARROW: Yes, report the next time.

CITY MANAGER MOE: Perfect, thank you.

MAYOR PRO TEM HOWORTH: That'd be helpful.

MAYOR FRANKLIN: Thanks. Okay, City Attorney report.

CITY MANAGER MOE: And so, I would like to echo what you said earlier, Mr. Mayor, and also what Mr. Knowles and Mr. Burton said about our public works department. They often go unsung, and people don't recognize, even though they have bright orange shirts on, they don't realize everything they're doing. And over the weekend, of course, we were up in Santa Barbara, and there was rain coming down. There were sandbags being put out. There were press releases from Allie being issued. I think our communications game has done a great job with that. And so, we've been informing the community that sandbags were available, the sandbags were filled. We had staff there to assist. And of course, the Martyrs' issue with the sump there was addressed on two occasions in the last week here. And I have to say, Erick and the public works folks have just done yeoman's work in keeping areas from flooding over. And this type of rain, unbelievable the job they did, and they should be applauded. I saw a great picture in the public works break room yesterday, I think it was from yesterday, where they're all standing there ready to go. I don't know, there were probably 30 plus public works guys in their orange jackets, reflective jackets, ready to go out there and save the community from come what may. And so,

it's certainly applause worthy. And I think that, well, yeah, let's give it up. Yeah. Yeah. And along with that, it is a team effort. And Amanda in the fire department, having an emergency preparedness administrator now makes a world of difference. We all saw weather reports and she kept us up to date on what we could expect in Manhattan Beach, what we did to prepare. We had the emergency operations center, not open, but ready to go. And she was there oftentimes, and Manny and IT was there with her, making sure the technology was set up. And so, again, these are the things, it doesn't go noticed in the community, but it's the effort, it's the care that our staff puts into these things that keeps us safe when these things do occur. And I did want to echo what you'd said, Mr. Mayor, and any other people said, because it's certainly noteworthy. So, thank you. That ends my report.

MAYOR PRO-TEM HOWORTH: Through the chair, if I could just, you mentioned Allie sort of in passing, but Allie did an amazing job because there was this one point where I was trying to coordinate with a resident who had a lot of questions because she wasn't getting an email and she didn't follow social media. And Allie just like, great, well, fine, I'll blast it out everywhere. And it's really true, like we have people access information in all different ways. And Allie just like, you

know, fine, yeah, let's get it out, let's get it out. So, it was an amazing effort.

CITY MANAGER MOE: And I might add, you know, we treat this 24/7. I mean, Allie, public works, everybody was working whatever hours were necessary, didn't matter what time of day or night it was. I'm proud of how responsive we are, and I hope the council is too.

COUNCILMEMBER MONTGOMERY: Your Honor, could I ask a follow up question? Bruce, did we find out how many sandbags we handed out? I know the first big storm, we knew, Erick, I'm just curious, did we give out 10,000? Because I know the first round ran out, people texting me saying, the sandbags are gone. Like, how many sandbags did we go through? Poseidon and Joe to save Martyrs, I'm wondering how many sandbags, how many sandbags were out there?

PUBLIC WORKS DIRECTOR LEE: It was not 10,000 that we gave out. I think we deployed a few thousand. And then, I know we had, going into the weekend, we had a thousand in reserve that quickly on Saturday, we realized was not going to be enough. And we brought staff in on Saturday to really help us get ahead of that curve. And, you know, as City Manager Moe

mentioned, we've got great people that really care about this community. And, you know, it's really, it's my privilege to steward them and lead them, but they're dedicated. And that really predates anything that me or my team have ever really done on that.

COUNCILMEMBER MONTGOMERY: Well done, I think a lot of residents kept on the little sandbags from the last time we used them. We call that recycling here, but well done. Thank you. Nothing else, Your Honor.

MAYOR FRANKLIN: We even had the Boy Scouts on, on call. Along with MBCert, did we not? Yeah, MBCert was on standby as well. Yeah, everybody was there.

MAYOR FRANKLIN: Thank you. Okay, any informational items? Oh, did you get to it?

CITY ATTORNEY BARROW: No, you skipped to it.

MAYOR FRANKLIN: Oh, so I went backward, okay, go ahead.

CITY ATTORNEY BARROW: Yeah, nothing tonight.

MAYOR FRANKLIN: Okay. Informational items? None? Let's see. So.

COUNCILMEMBER NAPOLITANO: All the way down.

MAYOR FRANKLIN: Okay, adjournment, we're going to adjourn. The meeting is adjourned to a work plan meeting on Tuesday, February 13th, 2024 at 6 p.m. in City Council Chambers. Thank you.