

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

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1 CITY OF MANHATTAN BEACH  
2 CITY COUNCIL REGULAR MEETING  
3 TUESDAY, JULY 16, 2024  
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6 MAYOR FRANKLIN: Thank you. Well, welcome to City  
7 Council regular meeting. We need to adjourn from closed session  
8 and re-adjourn into open session, so we need an announcement  
9 from City Attorney Quinn Barrow.  
10

11 CITY ATTORNEY BARROW: Thank you, Mayor. We had a busy  
12 afternoon with four different closed sessions. With respect to  
13 the first case, the piece of existing litigation, by a three to  
14 two vote with Councilmembers Montgomery and Napolitano saying  
15 no, the Council gave direction to Special Counsel. With respect  
16 to IB by a five to zero vote, the City Council gave direction to  
17 the City Attorney with respect to the claim from regarding the  
18 BKK landfill. With item C, public employment, the Council, by a  
19 five to zero vote, gave direction to the City Manager. And  
20 finally, on the conference with the real property negotiators,  
21 by a five to zero vote, the City Council gave direction to the  
22 City Manager and City Attorney.  
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27 MAYOR FRANKLIN: Great, thank you. So, we will close,  
28 we will adjourn from closed session and open up into our City

1 Council regular meeting for Tuesday, July 16, 2024, at 6 p.m.  
2 And we are going to have a very special treat today. We're going  
3 to have, the Pledge of Allegiance going to be led by Tenleigh  
4 Miller, and then we're going to have her older sister, Teagan,  
5 sing the national anthem for us. You got to double-head her.  
6

7  
8 GROUP: I pledge allegiance to the flag of the United  
9 States of America and to the Republic for which it stands, one  
10 Nation under God, indivisible, with liberty and justice for all.  
11

12  
13 MAYOR FRANKLIN: Wonderful, thank you. Okay, Teagan,  
14 are you all set to go?  
15

16 TEAGAN MILLER: Yep.  
17

18  
19 MAYOR FRANKLIN: Okay.  
20

21 TEAGAN MILLER: Oh, say, can you see by the dawn's  
22 early light. What so proudly we hailed at the twilight's last  
23 gleaming? Whose broad stripes and bright stars through the  
24 perilous fight, o'er the ramparts we watched, were so gallantly  
25 streaming? And the rocket's red glare, the bombs bursting in  
26 air, gave proof through the night that our flag was still there.  
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28

1 Oh, say! Does that star-spangled banner yet wave o'er the land  
2 of the free and the home of the brave.

3  
4           MAYOR FRANKLIN: That was amazing. Thank you so much.  
5 And we're going to have your parents come down here, Kimberly  
6 and Sean and Tenleigh, come on back. And Tenleigh, I know you're  
7 a little shy, but you want to tell us a little bit about  
8 yourself, please?  
9

10  
11           TENLEIGH MILLER: My name is Tenleigh Miller, and I'm  
12 eight years old, and I go to American Martyrs, and my favorite  
13 sport is soccer, and I really like the color purple, and yeah.  
14

15  
16           MAYOR FRANKLIN: That's wonderful. Well, I had the  
17 honor of throwing out the first pitch at the South Bay Pony  
18 League a few months ago, and that's where I heard Teagan sing  
19 the national anthem, so she can really belt it out. Now, that's  
20 a challenge for all of you. Next time you're at a game or  
21 something like that, you all can sing it, just like Teagan.  
22 Okay, so why don't you tell us about yourself?  
23  
24

25  
26           TEAGAN MILLER: My name is Teagan Miller. I'm 10 years  
27 old. I like to sing. I go to American Martyrs, my favorite  
28 sport, top three, top four, basketball. Just, I like all the

1 sports I play. My favorite food, I like steak, just meat, pizza,  
2 shrimp, and yeah.

3  
4           MAYOR FRANKLIN: So, Mom, why don't you go ahead and  
5 tell us why your two girls are so special.  
6

7  
8           KIMBERLY MILLER: Well, they're special because they're  
9 mine, and my husband's, but they're both very smart and driven,  
10 and they dedicate themselves to what they love, which is  
11 amazing.  
12

13  
14           MAYOR FRANKLIN: That's terrific. Well, thank you so  
15 much for coming here today. We really appreciate it. We've got  
16 city pins for the girls from Mayor Pro Tem Howorth, and then we  
17 were just, we just did this ad hoc today. I had met Teagan, but  
18 I hadn't met Tenleigh before, so we're going to get you one of  
19 these Certificate of Recognition for, on behalf of myself and  
20 the City Council, and this is to recognize that Teagan, and  
21 we'll say Tenleigh Miller, for leading the City Council and the  
22 community in the Pledge of Allegiance and national anthem. So,  
23 there we go. Thank you so much. Let's get some pictures.  
24 Councilmembers, yeah. Thank you so much. So, we've got some more  
25 ceremonial. Well, actually, let's do the roll call first,  
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CITY CLERK TAMURA: Councilmember Lesser.

COUNCILMEMBER LESSER: Here.

CITY CLERK TAMURA: Councilmember Napolitano.

COUNCILMEMBER NAPOLITANO: Here.

CITY CLERK TAMURA: Councilmember Montgomery.

COUNCILMEMBER MONTGOMERY: Here.

CITY CLERK TAMURA: Mayor Pro Tem Howorth.

MAYOR PRO TEM HOWORTH: Present.

CITY CLERK TAMURA: Mayor Franklin.

MAYOR FRANKLIN: Here. So, for the ceremonial calendar,  
Chief Johnson, could you please come down here?

POLICE CHIEF JOHNSON: All right. So, the first  
presentation we have today is for Officer of the Year, and

1 before I begin my prepared remarks about our Officer of the  
2 Year, one of the things that I like the most about how we choose  
3 our Officer of the Year and our Professional Staff Member of the  
4 Year is that these are voted on. These nominations are submitted  
5 by our team members, and they're voted on by a committee of  
6 police department employees. So, the employees chosen as Officer  
7 of the Year and Professional Staff Member of the Year are truly  
8 chosen by their peers, and so that's what I believe makes this  
9 award, these awards, very special. So, for 2023, our Officer of  
10 the Year was voted by our team to be Officer Chad Swanson, who,  
11 as most of the people in this room know, tragically passed away  
12 in October of last year on an on-duty motorcycle collision. I  
13 will read directly the nomination that was submitted for Chad,  
14 because I think it just really speaks to the person he was, and  
15 I think it's just very fitting, rather than putting it in my own  
16 words and wordsmithing it, this is from one of Chad's peers. In  
17 today's day and age, few occupations are as multifaceted as that  
18 of a police officer. It is a difficult job requiring skill sets  
19 to address a wide swath of societal demands. As such, it is  
20 equally difficult, if not impossible, to enumerate a full list  
21 of qualities or accomplishments that make an officer superior.  
22 The fact of the matter is that an officer's true merit is most  
23 often a product of who they are at their core, their  
24 foundational values, and what they do to better the lives of  
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1 others. Chad Swanson was a highly regarded member of this  
2 department who served with dignity, humanity, and unwavering  
3 bravery for 13 years. Even the most harrowing of circumstances,  
4 Chad's partners knew he could be relied upon to act without  
5 hesitation in coming to their aid or that of civilians. Maybe in  
6 no instance was his bravery and heroism more on display than  
7 during the Route 91 shooting in Las Vegas. During the shooting,  
8 Chad ushered his wife to safety, then risked his own safety to  
9 re-enter the fray. He remained calm in the face of unimaginable  
10 terror and put his training and experience to work. He applied  
11 makeshift tourniquets to those wounded by gunfire and carried  
12 the wounded to safety. He did all of this despite being wounded  
13 himself and being keenly aware of the danger presented by the  
14 situation. He continued on his mission, putting others before  
15 himself until he was sure all those who could be received help.  
16 And in typical Chad fashion, he downplayed his role in saving  
17 others and rarely spoke about it. Chad's unflappable confidence  
18 in his physical abilities, even when faced with the most violent  
19 of encounters, was contagious and his partners felt safer and  
20 more confident working with him. Chad took on numerous roles  
21 throughout his career, including honor guard member, force  
22 instructor, crime scene investigator, SWAT operator, and serving  
23 as a motor officer in the traffic bureau. While he was an  
24 accomplished and contributed member of the department in all



1 these roles, his true value to the department, his partners, and  
2 the city cannot be defined solely by the roles he served, the  
3 arrests he made, the heroism he displayed, or the lives he  
4 saved. Rather, Chad's merit is far better measured by the  
5 partner and person he was. He was relentlessly positive, and  
6 even in a profession where the most serious of situations are  
7 encountered, he never let the job bring him down. His sense of  
8 humor never wavered. It was a given that any day you saw Chad,  
9 you would receive a booming greeting and a flash of his famous  
10 smile. Any day working with Chad was certain to come with more  
11 than its fair share of laughter, and the number of days that we  
12 all drove home and found ourselves smiling and laughing, as we  
13 reflected on humorous moments from Chad, were numerous, to  
14 include myself. In short, Chad did his job, and he did it well.  
15 In certain areas, he excelled beyond most or all others, and in  
16 doing so, he made the city a better place to live. In addition,  
17 Chad's skills, training, and bravery made policing Manhattan  
18 Beach a safer job for all of his partners. Finally, and most  
19 importantly, Chad's larger-than-life personality, infectious  
20 smile, and positive attitude, and ever-present sense of humor,  
21 made Manhattan Beach a better place to work for 13 years that we  
22 were blessed with his presence. In a profession where  
23 camaraderie, amoral, or weighty factors, and career  
24 satisfaction, Chad had an immeasurable, positive impact on this  
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1 department and the officers he worked with. As such, I believe  
2 Chad Swanson's richly deserving of being recognized as Officer  
3 of the Year. If you'd all join me in a round of applause for  
4 Officer Swanson. With us today to accept this recognition on  
5 Chad's behalf is his wife, Hailey, who's before us today, his  
6 parents, Kip and Valerie, as well as his nephew.  
7

8  
9 MAYOR FRANKLIN: Hi, how are you?  
10

11 HAILEY SWANSON: Happy to be here.  
12  
13

14 MAYOR FRANKLIN: We are honored. We are so honored. On  
15 behalf of myself and my council colleagues, this is a  
16 Certificate of Commendation for the 2023 Police Officer of the  
17 Year, Police Officer Chad Swanson. I am going to take the time  
18 and read this because he is so special. So, whereas the  
19 Manhattan Beach Police Department implemented a program whereby  
20 the department would recognize outstanding efforts of police  
21 officers and encourage motivation and morale by naming an  
22 Officer of the Year. And, whereas, nominees must be sworn  
23 officers of any rank and must maintain an outstanding attitude  
24 and professional demeanor. And, whereas, the distinction and  
25 honor of being named 2023 Officer of the Year recently went to  
26 Officer Chad, I'm sorry, Swanson, who has shown the professional  
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1 qualities that render outstanding police officers, the  
2 expertise, the courage, the patience and the ability to perform  
3 a duty which at times seem impossible. And, whereas, Chad's  
4 performance stands out among his peers and whereas the City  
5 Council wishes to recognize Police Officer Chad Swanson for  
6 being designated Officer of the Year and for doing so, such an  
7 outstanding job for the police department and the community.  
8 Now, therefore be it resolved that I, Joe Franklin, Mayor of the  
9 City of Manhattan Beach, California, on behalf of the City  
10 Council and the residents of Manhattan Beach, to hereby commend  
11 Police Officer Chad Swanson for his outstanding contributions to  
12 the city, to the Manhattan Beach Police Department, and to the  
13 community. Thank you very much.

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18 POLICE CHIEF JOHNSON: All right. The less heralded  
19 half of the police department is our professional staff members  
20 and our professional staff members are special because they're  
21 what really, as I say, they make the choo choo go. Our officers,  
22 you see them out in the field and you know, when we think of  
23 police departments, we think of police officers, but quite a lot  
24 of what we are able to accomplish as a police department simply  
25 would not be possible without the engagement and invested  
26 investment of highly qualified professional staff members to do  
27 all of the things that we need done to meet state and local  
28

1 mandates, as well as simply helping our officers out with the  
2 work that they do. And just like our Officer of the Year, our  
3 Professional Staff Member of the Year is nominated by our  
4 employees and the nomination is approved by a committee. And for  
5 me, this one is just a little bit bittersweet for different  
6 reasons because our Professional Staff Member of the Year is  
7 Barbara Rosenberger, who's up there. If you give Barbara a round  
8 of applause. Barbara, come on down. And I say this one is  
9 bittersweet because while Barbara is recognized for the third  
10 time as Professional Staff Member of the Year in 2023, Barbara  
11 has also announced her retirement. And I say to that, what about  
12 me, Barbara? What about my needs? Barbara has had a wonderful  
13 and storied career at the police department. And I just want to  
14 just talk a little bit about Barbara and her accomplishments as  
15 we recognize her for 2023 Professional Staff Member of the Year.  
16 So, Barbara has been here for 32 years, starting in June 1992.  
17 She's a recipient of the post record supervisor certificate. And  
18 as I said before, this is her third time being voted  
19 Professional Staff Member of the Year. She began her tenure as a  
20 records clerk, which was later reclassified as a records  
21 technician. And she moved to her current position as records  
22 manager a few years ago. And during her career with the police  
23 department, she has represented us on a myriad of special  
24 projects from being member of a consortium consisting of  
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1 Manhattan Beach, Gardena, and Hawthorne police departments to  
2 review, recommend, and train for our new cat and RMS systems, to  
3 be a member of the crisis negotiation team, and was the first  
4 professional staff member in the department to obtain an FBI  
5 certification. She served as a member of several organizations  
6 and groups, including the California law enforcement  
7 associations of record supervisors, the California CLETS users'  
8 group. She's been a department liaison for the Department of  
9 Justice and the police department custodian of records and CLETS  
10 coordinator. So, Barbara's done a lot. And all of those things  
11 that Barbara has done and those accomplishments I enumerated are  
12 vital to the efficient operating of the police department. But  
13 at the end of the day, Barbara's just a nice lady. Some of the  
14 things that were written about her in her nomination is that  
15 she's always available to help everyone with whatever they need.  
16 She consistently does her job as well as helps everyone else  
17 with theirs, no matter how busy she is. Well, I guess they're  
18 going to have to get used to some changes, huh? I said she  
19 always has a positive can-do attitude. She's progressive. She  
20 inspires others. She's a team player. She's cooperative. She  
21 consistently serves a department and our residents with  
22 excellence and distinction. And she demonstrates initiative by  
23 going above beyond her job description. She's always working on  
24 projects and tasks and she does them with excellence. The last  
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1 line of this nomination was she's just so dedicated to this  
2 place. And it's amazing how she's always there to help. So,  
3 Barbara, congratulations on your third nomination as  
4 Professional Staff Member of the Year. Congratulations on your  
5 upcoming retirement. And thank you for all that you've done to  
6 serve the City of Manhattan Beach for 32 years.  
7

8  
9           MAYOR FRANKLIN: We actually have two, we have a  
10 certificate of recognition for your 32 years of service to the  
11 City of Manhattan Beach. And then we have a Certificate of  
12 Commendation for the 2023 Professional Staff of the Year. Public  
13 records manager, Barbara Rosenberger, on behalf of myself and my  
14 fellow colleagues here on City Council. So, congratulations and  
15 thank you so much. Okay. So, could we please have Deputy Fire  
16 Chief Tony Gomes to present the Firefighter of the Year Award.  
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20           FIRE DIVISION CHIEF GOMES: Thank you, Mayor. Hello.  
21 Thank you, Mayor. There's a lot of times that when you're in the  
22 fire department being a Chief Officer, there's numerous  
23 occasions that you're excited to brag about and be a part of the  
24 organization. One of those is recognizing the Firefighter of the  
25 Year. And so, this year I have the distinct pleasure of  
26 recognizing engineer, paramedic Josh Kueng and his family for  
27 the 2023 Firefighter of the Year. If you could please come join  
28

1 me. So, before I talk about Josh and his accomplishments, one of  
2 the things that I had the conversation with Chief Lang about  
3 prior to coming out here is I would like to take a moment to  
4 recognize his family, his wife, Stacy, his sons, Peyton and  
5 Nash, the Chief and I had a conversation about the tremendous  
6 amount of contributions and what Josh brings to our  
7 organization. And what I want to recognize is the support system  
8 that he has at home and how that's emulated here in the fire  
9 service and how that affects Josh at work and how that leads to  
10 Josh affecting all of us. So, I want to take a second to  
11 recognize his wife and his two sons. If you guys give me a round  
12 of applause for that. So, I'm going to speak to Josh a little  
13 bit. Josh has been in the fire service since 2005, where he went  
14 to the Rio Hondo Fire Academy. He had a reserve status at Santa  
15 Fe Springs in 2006. Josh retired full-time with the city of El  
16 Cerrito in 2007. During his time in El Cerrito, he accomplished  
17 quite a bit. One of the biggest things that he accomplished,  
18 which is adding value to the Manhattan Beach community, he  
19 became a hazardous materials technician. And that takes a lot of  
20 tremendous work. There's a lot of academia involved and  
21 manipulative exercises to get trained and to get certified in  
22 those things. So, that's a huge accomplishment that Josh was  
23 able to do while he was with El Cerrito. The other thing that  
24 Josh did is that he graduated from Imperial Valley College with  
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1 his firefighter paramedic certification, which was vital because  
2 that's one of the things that we require as an organization to  
3 come here. So, we're really happy that you did that in 2010. We  
4 hired, or I should say, we stole Josh in 2012, which is a  
5 benefit for our community. And since he's been here, I'm going  
6 to read off a couple of things that he's accomplished. There is  
7 a lot more, but these are the main accomplishments that I think  
8 really sticks to who he is and what he brings to the  
9 organization. One of those is that he took that hazardous  
10 materials technician level and he upped it to the highest level  
11 of specialist. And I think that anybody that's gone through  
12 that, that is hours of work and a lot of sweat being away from  
13 his family, going back to the support system at home for him to  
14 be able to accomplish that. And as a community and as an  
15 organization, we're taking full advantage of that. His  
16 certification is the qualifications in that area. Another thing  
17 is that Josh is a certified acting captain, which is huge for  
18 our organization. He obtained his All-American Leadership  
19 Certification in 2022. He's currently a member of the  
20 Association Board. And throughout all of that, Josh has found  
21 the time to volunteer as a basketball coach for both of his sons  
22 in their youth leagues. And then is also a parent booster, and I  
23 believe he just became president. Is that correct? The  
24 organization for the El Dorito High School Aquatics Program. So  
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1 quite the accomplishment. But speaking of 2023, I'm going to go  
2 through this list really quick. But I think what the takeaway of  
3 this list is, it's not what he does. It's how he does it. How he  
4 communicates the interpersonal communication that he builds in  
5 his leadership. So, I'm going to read off some of the things  
6 that he was able to do. He was selected as our hazardous  
7 materials coordinator within the organization. That position is  
8 to develop our program further than where we're at. Draft and  
9 implement department and area policies where all of our local  
10 jurisdictions to follow, allocate funding to build his own  
11 budget, provide for equipment needs and maintenance  
12 requirements, and provide annual training to all of our  
13 firefighters in this area. He's a dedicated member of the  
14 association board. And on behalf of myself and the chief, we  
15 appreciate your leadership in this area. Josh took the lead in  
16 our department asset tracking system. And that's a platform that  
17 we implemented. And that doesn't sound like a lot of fun. But  
18 believe me, the hours and the implementation process of that is  
19 going to help our organization across the board throughout all  
20 divisions. And what that is, is it's a tracking system for all  
21 of our service and equipment. It's an engine maintenance needs  
22 and service completions program. He tracks all of our assets for  
23 our budget, our grant coordination and our firefighter personnel  
24 and public safety or excuse me, our firefighter personnel  
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1 protective equipment and replacement needs, which helps us keep  
2 our firefighters safe. He also coordinated our first annual  
3 pancake breakfast. And I want to speak to that for a second.  
4 Josh has a long tenured history of working with the Allison and  
5 Rouch Firefighters Burn Foundation. And in a five-year period,  
6 he was a part of an organization that collected over \$100,000 in  
7 donations from fire departments throughout Los Angeles County.  
8 And they donated that to allow for sending kids to the burn  
9 camp. And that's important because in 2023, he took on the  
10 pancake breakfast, also was able to raise funds. And at the  
11 request of Josh and the association, they were able to take  
12 those funds and donate it to officers Swanson's family. Josh can  
13 frequently be found with new firefighters are all hours of the  
14 day. And I do mean all hours. And then finally, in 2023, Josh  
15 was promoted to the rank of fire engineer. So, with that, thank  
16 you for your service. Thank you for what you do. Thank you for  
17 setting the standards and congratulations.

21  
22           MAYOR FRANKLIN: So, Josh, I'm very proud and pleased  
23 to present you with the Certificate of commendation is the 2023  
24 Firefighter of the Year. And I'm going to read this as well,  
25 because we heard such wonderful accomplishments. But we want to  
26 add ours to that as well. So, whereas the Manhattan Beach Fire  
27 Department implemented a program whereby department would  
28

1 recognize outstanding efforts of firefighters and encourage  
2 motivation and morale by naming a Firefighter of the Year. And,  
3 whereas, nominees must be safety employees of any rate rank  
4 and must have demonstrated a commitment to the mission statement  
5 of the department on outstanding and professional attitude and  
6 demeanor and made a significant contribution to the department  
7 and the community. And, whereas, the distinction and honor of  
8 being named 2023 Firefighter of the Year recently, engineer  
9 paramedic Joshua Kueng, who has shown the professional qualities  
10 of a team player expertise, certainly on the grill right on the  
11 making pancakes. Okay, maple syrup.  
12  
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14  
15 ENGINEER PARAMEDIC JOSH KUENG: Second one coming up  
16 this year.  
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18  
19 MAYOR FRANKLIN: Okay, great. We'll keep an eye out for  
20 that. And the ability to perform his duties at an exceptionally  
21 high level. And Joshua's performance stands out among his peers  
22 and within the department. And, whereas, the City Council wishes  
23 to recognize Engineer Paramedic Joshua Kueng for being  
24 designated Firefighter of the Year and for doing such an  
25 outstanding job. Now, therefore, be it resolved that I, Joe  
26 Franklin, Mayor of the City of Manhattan Beach, on behalf of the  
27 City Council and the residents of Manhattan Beach to hereby  
28

1 commend Engineer Paramedic Joshua Kueng for his outstanding  
2 contribution to the Manhattan Beach fire department and to the  
3 community. Thank you so much.  
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6 COUNCILMEMBER MONTGOMERY: We can Photoshop Steve and  
7 don't worry.  
8

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10 MAYOR FRANKLIN: And moving on to agenda item number  
11 two. Oh, yes. Oh, I'm so sorry. How are you doing?  
12

13 MAYOR PRO TEM HOWORTH: Yeah, let's go behind them.  
14

15  
16 MAYOR FRANKLIN: Great. Thank you so much. What do we  
17 have something about a City Manager? So, it's agenda item number  
18 two is presentation accommodation to City Manager, Bruce Moe, on  
19 the occasion of his retirement. After 35 years of services to  
20 the City of Manhattan Beach. So, council. Well, I think it's our  
21 opportunity to say something about Mr. Moe and also, do we have,  
22 well, I guess we can wait a little bit later for the  
23 presentation of other certificates. So, Mayor Pro Tem? Why don't  
24 you start off?  
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1           MAYOR PRO TEM HOWORTH: Thank you. I really do. I  
2 really do. Is Bruce going to come up here? I think we should  
3 bring this guy up here.  
4

5           MAYOR FRANKLIN: You kept looking at me, so I thought  
6 you were coming up.  
7

8           CITY MANAGER MOE: I'm the kind of guy that needs an  
9 invitation.  
10

11           MAYOR PRO TEM HOWORTH: All right, Bruce. I know that  
12 you're not the kind of guy that wants to draw attention to  
13 yourself. Unlike, you know, all of us elected folks. So, I'm  
14 sorry that we've called you up here today. However, you deserve  
15 this recognition for 35 years of service to the city, and I  
16 really am in denial. And so, I really don't have the right words  
17 to say. But when I say dedication to the city, that means a lot  
18 of different things. For you, I think it means, you know, the  
19 city, the city, right? It's all of you. It's the people who work  
20 here to serve our residents, right? And it's also the residents.  
21 And Bruce is Mr. Manhattan Beach. We know without a doubt that  
22 every decision you've made, well, at least I mean, I don't go  
23 back 35 years. I just want to be clear on that. But I've known  
24 you since 2011, 13 years. There's no question why you are  
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1 recommending the choices that you're recommending to us. You are  
2 doing it for the good of Manhattan Beach. This is hard. This  
3 one's actually the hardest for me, you know? Because you're  
4 going to be hard to replace. And you have shown us all how to be  
5 and how to do this. And I really appreciate your grace, your  
6 friendship, your leadership, your humor. And I really thought I  
7 would write a poem. I thought, because if you know Bruce, you  
8 know that he writes poems for these special occasions. And then  
9 I thought, no, because it wouldn't be very good and he deserves  
10 better. So, you get no poems. But a limerick later, maybe after  
11 a beer. So, I just want to thank you. More thanks to come. And  
12 still kind of mad, I guess. So, now we wish you many, many, many  
13 years of red wine and Hawaiian shirts and whatever it is you  
14 desire. Somebody else say something. Are we going to let Steve  
15 speak from there?  
16  
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19  
20 COUNCILMEMBER LESSER: Bruce Moe, thanks, and swansongs  
21 to come. But you're not quite gone yet.  
22

23 CITY MANAGER MOE: Sorry.  
24

25  
26 COUNCILMEMBER LESSER: No, we're not. We're not. I  
27 think for so many of us as just residents, we appreciate our  
28 city for its management. And that starts with someone at the top

1 who gives of themselves because it was often said, you live and  
2 bleed or have lived and bleed Manhattan Beach. And all of us are  
3 the better for it. It's been big decisions, everything from  
4 building facilities, getting sufficient financing, because  
5 before he was City Manager, you were a Finance Director for only  
6 a few years. How many years?  
7

8  
9 CITY MANAGER MOE: Twenty.  
10

11 COUNCILMEMBER LESSER: Twenty. So, this is someone who  
12 really is familiar with our structure and is responsible for the  
13 smooth operation of our departments. And all of us, as  
14 residents, sort of take that for granted and don't always know  
15 who's behind it. This is a man who really has embodied what I  
16 think so many of our staff members represent, which is  
17 dedication to our residents and our community. And as the Mayor  
18 Pro Tem just indicated, it's really hard to see you go. Because  
19 again, we've just been able to rely on you for all that. So,  
20 without going on and muttering further, I'll just simply say,  
21 thank you. And I just so value our friendship, let alone the  
22 service that you embody. Thank you.  
23  
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27 COUNCILMEMBER MONTGOMERY: I'm going to defer to Steve.  
28

1           MAYOR FRANKLIN: Steve, you ready?

2  
3           COUNCILMEMBER NAPOLITANO: Always.

4  
5           MAYOR FRANKLIN: All right.

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8           COUNCILMEMBER NAPOLITANO: Thank you, Your Honor. Well,  
9 after a few terms on council, I've made hundreds, if not  
10 thousands of decisions, some of them big, some of them small.  
11 But the best decision that I've made my time on council is  
12 appointing Bruce with my colleagues as City Manager of the City  
13 of Manhattan Beach. For all the reasons that have already been  
14 said, the fact is this dedication, his calm under fire, his  
15 belief in local government, and what it can do for people, the  
16 difference it can make in their lives. And he has shown that  
17 every day that he showed up for work in our city, in our  
18 community, and we are the better for him. And I hope that he  
19 takes with him these memories, these relationships. And I hope  
20 that he looks back with as much pride in the job that he's done  
21 is that we look back on his time with us. So, Bruce, all my best  
22 to you. I know you're not done yet. There're more days up until  
23 August 18th, it sounds like. And that's all good. But I want to  
24 make this public acknowledgement that hiring you as City Manager  
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1 was the best decision that I've made. Congratulations for your  
2 retirement.

3  
4 COUNCILMEMBER MONTGOMERY: So those you don't know,  
5 when I was a new councilmember in 2005, Bruce was still in  
6 finance, right? Part of your 20 years. Well, do we know we would  
7 have the Great Recession in 2008, nine and thereafter? But Bruce  
8 is something else besides hold the fort down for all of us and  
9 make sure we survived that first big event. It's a succession  
10 planning. That's why he kind of groomed, seen right there. It's  
11 really right behind him to step right in. We didn't lose a beat.  
12 I think Steve had only had 25 years' experience by that time. He  
13 was ready to go. But as Bruce stepped in the City Manager role,  
14 we didn't miss anything. There's no big outside and no hiring  
15 somebody else for looking for a head hunter. We had Steve, he  
16 put right behind and backstopped him. So, when the next big  
17 event happened to us, which was what? COVID, 2020. We had an  
18 experienced team right behind us. We didn't have to worry about  
19 what was going on. Steve had been there during the Great  
20 Recession. Steve was right there with Bruce for COVID. And you  
21 wonder why we did as well as we did and our way to look at  
22 metrics is to say, how would we do as a city? How do we survive  
23 it? Some cities lost a lot of money and laid off staff. We did  
24 not. All because of the planning and putting those cash reserves  
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1 in the bank. So, one bad thing happens, which is COVID for us,  
2 for most cities, we didn't have to lose anything. So, that's  
3 what we're seeing today. That planning happened years in  
4 advance. You're seeing it down the road later on. So, I'll add  
5 the only person to this council, and I can say it clearly, to  
6 several warned this man's tie has been me. You show up at  
7 council, literally, I'd show up and forget my tie. I guess you  
8 had one. The secret is Bruce hides his ties behind the door in  
9 his office. You have like 15 ties to pick from. So, I did not  
10 wear that one. I want you to know that one. That one is still  
11 not worn. But other than that, just to let you guys know, losing  
12 somebody that Steve mentioned, not just the blue blood of  
13 Manhattan Beach, but left people behind these trained to protect  
14 the city going forward, all the way down the next time. We have  
15 a major event. We don't have to worry about it. We've got  
16 battle-tested veterans. They get us through that. So wherever  
17 Bruce goes, and we have guests, we're not going to give you our  
18 gifts yet, Bruce. You actually leave. But wherever you go until  
19 then, we're proud of you. Thank you for being here. All your  
20 time dedication to us has made us all better council. Thank you,  
21 my friend.

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27 MAYOR FRANKLIN: Thank you. Well, it's the rookie  
28 coming up to say goodbye and thank you. I rotated into Mayor. I

1 go around the city. And there's all these people that go, oh,  
2 well, I'm the Mayor of Pine Avenue. Oh, I'm the Mayor of El  
3 Porto. Well, I'm the Mayor. And I'm going, what are you talking  
4 about? I went and we all ran and became mayors. But there's only  
5 one City Manager. And what has really impressed me the most is  
6 we can go ahead and come in with ideas. And we work through them  
7 as a team. But it's up to you and our staff to implement them.  
8 But the directions come from you. And I just want to just say,  
9 I've been so impressed with your professionalism, your even-  
10 handedness, your calm at the helm of the ship. And it's just  
11 been a pleasure to get you to know even better. And just as I  
12 started, you're going to be going. But you will be missed.  
13 You're always loved. And you're always welcome back. So,  
14 congratulations. Now, we're not done yet. So, let's see. Are  
15 there any dignitaries visiting here who have something to  
16 present?  
17  
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20

21 TOM BAKALY: Good evening, Mayor and Council. Tom  
22 Bakaly, Beach City's health district. Bruce, I know how much you  
23 like this. So, I'm going to make this brief. I said to Bruce  
24 when I came in, it's always good to see someone make it to the  
25 other side. And he said, I got to August 19. So, we would go to  
26 conferences together. And I would see Bruce for a second. And  
27 then he'd go down to the front row and sit right up front. And I  
28

1 would be like, oh, I don't think I'm going to do that. So, but  
2 congratulations on behalf of the Beach Cities health district. I  
3 want to thank you, whether it was restorative justice or older  
4 adult services or the pandemic. We were able to partner with you  
5 and the city. And we really appreciate that help district. And  
6 so, on behalf of the board, we have this certificate for you and  
7 also as a friend. I appreciate our breakfast and sorry to see  
8 you go. But I'm sure I'll be seeing you around. So,  
9 congratulations.  
10  
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13 HERMOSA BEACH CITY MANAGER LOWENTHAL: So, Bruce, I'm  
14 here representing the City of Hermosa Beach. Excuse my voice. I  
15 did not wake up like this. I think it's a protest of your  
16 departure. So, you're not going to get the long version because  
17 I have a little bit of laryngitis. But I'm Suja Lowenthal from  
18 the city of Hermosa Beach. And I've been the City Manager there  
19 for six years. Bruce is the first person that called me. So,  
20 that probably doesn't surprise any of you. I barely got there.  
21 And he was the first person that called me to tell me that we  
22 have a tradition in the South Bay. Beach City's City Managers  
23 get together and take out the new City Manager to lunch. And I  
24 wanted to let you know that I appreciated that. But it didn't  
25 stop there. You continue to serve as a personal mentor to me, my  
26 kitchen cabinet member, and I hope that continues. And it means  
27  
28

1 a lot. So, the grace under fire you see here in Hermosa Beach  
2 is, Hermosa Beach, sorry, Manhattan Beach. I never utter any  
3 other city name but Hermosa Beach. But the grace under fire you  
4 see here is something that we have in our profession. So, all of  
5 you know him as the City Manager that serves this community. But  
6 he is the City Manager amongst great City Managers in our  
7 profession. It is, and Tom knows this, it's quite rare these  
8 days to have someone who has served for as long as he has and  
9 continue to mentor people that are coming up through the ranks  
10 here in public service and sometimes out of public service. But  
11 he has been a steady force in our profession. And prior to  
12 COVID, we were bemoaning all of the people that we would be  
13 losing to retirements and we called it the Silver Tsunami. And  
14 it was quite frightening. And because of COVID, a lot of these  
15 folks hung in there, and I'm grateful if you are one of them  
16 that hung in there because it has helped me personally in my own  
17 role. And I do just want to thank you for that. You are an  
18 amazing professional, but you're just a downright good human  
19 being. And I want to thank you for that. And I hope you stay in  
20 the City Manager's Association and help us train and bring up  
21 and guide and steward those of us that are still new and those  
22 of us that are hoping to serve our own communities in that way.  
23 It's challenging. No one wants your job. That's why no one says,  
24 I'm the City Manager of Pine Avenue or else nobody wants it. But  
25  
26  
27  
28

1 you make it look so easy. You make it look so easy. And I want  
2 to thank you for that. Thank you for everything. Best of luck to  
3 you. Absolutely deserve the best, best, best decades ahead of  
4 you.  
5

6  
7 CITY MANAGER MOE: Thank you Suja.  
8

9 MAYOR FRANKLIN: We've got a few things for you too.  
10

11 COUNCILMEMBER MONTGOMERY: Not yet.  
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13  
14 MAYOR FRANKLIN: Not yet.  
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16 COUNCILMEMBER MONTGOMERY: Not officially.  
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19 MAYOR FRANKLIN: Okay. Great. And then we have these  
20 others from other elected officials. We'll save those for the  
21 other night.  
22

23 CITY MANAGER MOE: Thank you so much.  
24

25  
26 MAYOR PRO TEM HOWORTH: Wait, can Bruce say something?  
27  
28

1           MAYOR FRANKLIN: Oh yes, of course. Well, that's your  
2 microphone. You paid for it.

3  
4           CITY MANAGER MOE: I'm not Ronald Reagan.

5  
6  
7           MAYOR FRANKLIN: That's retirement, right?

8  
9           CITY MANAGER MOE: I have one more tie upstairs for  
10 you, but then I'm done. You know, I really don't know what to  
11 say. I'm so appreciative of the recognition. I am beyond  
12 grateful for the 35 years I've spent here. I'm blessed and it's  
13 the community. It's certainly the council's past and present.  
14 They gave me the opportunity to be here. It's department heads  
15 that do the hard work day in, day out and the staff that we have  
16 that make us all look good. It's just a remarkable team effort.  
17 And I can't tell you how proud I am to be the City Manager here.  
18 It's really the best job. It's the hardest job, but it's the  
19 best job and most rewarding job that you can have because of the  
20 community and the appreciation that everybody has for our city  
21 services and everything that we do. And, so, it's a two-way love  
22 fest as far as I'm concerned. But again, I'm grateful and I'm so  
23 blessed that I just thank you all for the opportunity to do  
24 this. My dad once told me there was no greater, nothing greater  
25 than being a public employee. The honor of being a public  
26  
27  
28

1 employee is really special. And I don't think when I was 14  
2 years old, when my dad told me that, that I had any idea. And  
3 so, I have to tell him, this is true. This has been great. And  
4 again, I'm just blessed and thank you for all the support and  
5 look forward to still interacting with all of you in the future.  
6 So, thank you so much.

8  
9           MAYOR FRANKLIN: Okay. All right, so moving on to item  
10 E, approval of agenda and waiver of full reading of ordinances.  
11 We have a motion.

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14           MAYOR PRO TEM HOWORTH: So moved.

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16           MAYOR FRANKLIN: My screen has gone dark.

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18           COUNCILMEMBER NAPOLITANO: Your Honor.

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21           MAYOR FRANKLIN: Yes.

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23           COUNCILMEMBER NAPOLITANO: I'd like to pull number  
24 nine.

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26  
27           MAYOR FRANKLIN: Okay. Yes. Which one?  
28



1 COUNCILMEMBER MONTGOMERY: Nine.

2  
3 MAYOR FRANKLIN: Okay. So, with the exception, approval  
4 of agenda and waiver full reading of ordinances with the  
5 exception of item number nine, I, my screen is blank.  
6

7  
8 COUNCILMEMBER MONTGOMERY: You have a first by Mayor  
9 Pro Tem Howorth, and a second by myself.  
10

11  
12 MAYOR PRO TEM HOWORTH: And we'll have to do a roll  
13 call, right?  
14

15 CITY CLERK TAMURA: Correct. Councilmember Lesser?  
16

17 COUNCILMEMBER LESSER: Yes.  
18

19  
20 CITY CLERK TAMURA: Councilmember Napolitano?  
21

22 COUNCILMEMBER NAPOLITANO: Yes.  
23

24 CITY CLERK TAMURA: Councilmember Montgomery?  
25

26  
27 COUNCILMEMBER MONTGOMERY: Yes.  
28

1 CITY CLERK TAMURA: Mayor Pro Tem Howorth?

2  
3 MAYOR PRO TEM HOWORTH: Yes.

4  
5  
6 CITY CLERK TAMURA: Mayor Franklin?

7  
8 MAYOR FRANKLIN: Yes.

9  
10 CITY CLERK TAMURA: Motion passes, 5-0.

11  
12  
13 MAYOR FRANKLIN: So, moving on to item number F, City  
14 Council and community organization announcements of upcoming  
15 events. One minute per person, please. Yeah.

16  
17  
18 NINA TARNAY: Good evening, Mayor Franklin, esteemed  
19 Councilmembers. My name is Nina Tarnay, and I'm here on behalf  
20 of the Mira Costa population team. I'd like to invite all of you  
21 to attend our upcoming fundraiser on August 3rd. It's going to  
22 be a two-mile sand run. I'm going to call it the sand walk  
23 because I'll be participating in walking. So, if you can all  
24 join me and support our team, it would be great. All proceeds go  
25 directly to the Mira Costa cross country team, and you can sign  
26 up at mcxc.org. Thank you. Have a good night.

1           MAYOR PRO TEM HOWORTH: August 3rd, right?

2  
3           NINA TARNAY: August 3rd at 8 a.m. Sorry.

4  
5           MAYOR FRANKLIN: Thank you.

6  
7  
8           CULTURAL ARTS SUPERVISOR BRINKMAN: Good evening,  
9 honorable Mayor, esteemed members of the City Council, I'm  
10 Cultural Arts Supervisor Eric Brinkman, and I'd like to take  
11 this opportunity to invite the public to a couple of forthcoming  
12 cultural arts events. This Thursday and Friday we'll be  
13 welcoming back Shakespeare by the Sea to Polliwog Park.  
14 Shakespeare by the Sea is a non-profit organization based in the  
15 South Bay that provides outdoor theatrical performances free of  
16 charge. On Thursday, July 18th, the troop will be performing the  
17 comedy Cardenio, and the following night Friday, July 19th, they  
18 will perform Henry IV. Performances will start promptly at 7  
19 p.m. and run until 9 p.m. with a brief intermission. Seating is  
20 first come, first serve, so be sure to arrive early and reserve  
21 your spot. Also, be sure to bring some snacks and a blanket and  
22 make a night of it. Please also mark your calendars for Friday,  
23 July 26th from 5 to 7 p.m. for our opening reception of our  
24 Annual Community Exhibition at the Manhattan Beach Arts Center.  
25 This is our sixth Annual Community Exhibition, and it will

1 feature the diverse talents of local artists. Ninety-seven  
2 original artworks will be on display showcasing an array of  
3 mediums, including ceramics, painting, photography, fiber arts,  
4 and more. This is a great opportunity to explore the local  
5 artist community, enjoy light refreshments, and meet some of the  
6 artists. The Annual Community Exhibition will be on display from  
7 Friday, July 26th through Sunday, October 6th. I hope to see  
8 everybody at both events. Thank you.  
9

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12           MAYOR FRANKLIN: Thank you.  
13

14           ERIC: Hi, good afternoon, Mayor, City Council members.  
15 I want to start off today, really thank you, Bruce, for all the  
16 partnership that you have shown throughout the last few years.  
17 You're definitely probably the greatest asset the city has, and  
18 we just want to thank you prior to this community announcement.  
19 And I will say, before I shop anywhere, I always think about  
20 shopping at Manhattan Beach, so now I do all my services here at  
21 Toyota, Manhattan Beach, thanks to Bruce. In terms of our  
22 announcement today, we want to share some more information on  
23 our Hazardous Waste Disposal Program here in the City of  
24 Manhattan Beach. We please just want to remind everybody to  
25 never dispose of batteries, electronics, vapes, whatever type of  
26 electronic products inside of your trash, recycling, and organic  
27  
28

1 containers. Typically, those items are our largest cause of  
2 truck wires, so we definitely want to share, we avoid all that.  
3 We have actually made it pretty easy for everyone to schedule  
4 hazardous waste collection here in the city. You can either call  
5 our 800 number located on the screen, or you can also go to  
6 wmatyourdoor.com. You can schedule collection for other things  
7 like pool chemicals, garden chemicals, paints, other hazardous  
8 materials. So, again, just avoid putting any of those hazardous  
9 items in your containers to avoid any potential issues. Thank  
10 you so much.  
11  
12

13  
14 COUNCILMEMBER MONTGOMERY: Your honor, can you tell us  
15 your name and what company you're with?  
16

17 ERIC: Yeah, Eric of Waste Management, or W.M.  
18

19  
20 COUNCILMEMBER MONTGOMERY: Thank you.  
21

22 DENCY NELSON: Thank you, Mr. Mayor, Mayor Pro Tem,  
23 Council, staff of Manhattan Beach, and the residents of  
24 Manhattan Beach. Dency Nelson from your neighboring City of  
25 Hermosa Beach in my role tonight as board member for Shakespeare  
26 by the Sea. Thank you so much for the announcement. Yes, indeed,  
27 for the 27th year of Shakespeare by the Sea, all of those years,  
28

1 except for the COVID years, right here in Polliwog Park, as well  
2 as other parks all over Los Angeles. I'll use the rest of my one  
3 minute to say, you've probably never heard of Cardenio. Well,  
4 neither had any of us. It's considered a lost play of  
5 Shakespeare. The play was attributed to William Shakespeare and  
6 John Fletcher, or maybe Jane Fletcher, as you'll see when you  
7 come to see the performance. A stationary register entry of 1653  
8 shows that it was performed once in 1613. What we have done at  
9 Shakespeare by the Sea is the director, who's a company member,  
10 and another company member has adapted it, and it indeed is a  
11 comedy. And unlike all the Shakespeare you've seen, there's some  
12 contemporary language involved here. Everyone's enjoyed it so  
13 far, at every performance. So, think Shakespeare in love. You're  
14 going to have a good time. So, please come Thursday night for  
15 Cardenio, Friday night for Henry IV, Parts 1 and 2. Thanks so  
16 much.  
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21           MAYOR FRANKLIN: Great. Thank you. Well, light through  
22 yonder window breaks.  
23

24           COUNCILMEMBER MONTGOMERY: That's right.  
25

26           ARCHIE SHERMAN: Good evening, Mayor Franklin, and  
27 members of the City Council. My name's Archie Sherman with the  
28

1 Parks and Rec, and I'm here on behalf of our department to  
2 invite you and members of the community to attend or even  
3 participate in some of these events coming up, taking place in  
4 our city. First up, as you can see on the board, we have this  
5 weekend is the 56th annual Manhattan Beach Open Tennis  
6 Tournament. The tournament will take place Thursday through  
7 Sunday. There will be both doubles, pairings, singles, players,  
8 and recreation levels, as well as aspiring professional athletes  
9 in the USTA sanctioned open divisions. Matches will take place  
10 at Live Oak and Mira Costa, with the divisional finals being  
11 held at the Manhattan Beach Country Club on Sunday. Then the  
12 next event after that, we have is the 61st International Surf  
13 Festival. Events taking place in Manhattan will kick off on  
14 Friday, August 2nd, with the legendary Charlie Sakeley Six-Man  
15 Volleyball Tournament. Additional events throughout the festival  
16 will include the surfing and body surfing championships, both  
17 the peer-to-peer swim and paddleboard races. Then closing out  
18 that weekend will be the Junior Six-Man Volleyball Tournament on  
19 Sunday. For more information and a complete schedule, which you  
20 see up there, you can go to [surffestival.org](http://surffestival.org). And then lastly,  
21 just in time of our City Manager's final weekend here, he could  
22 celebrate at the AVP. We have...

27  
28 COUNCILMEMBER MONTGOMERY: Coincidence, right, Archie?

1  
2           ARCHIE SHERMAN: Exactly. They specifically planned it  
3 this way. It's their 63rd or our 63rd annual Manhattan Beach  
4 Open. And AVP will be coming back, and on Thursday they'll be  
5 holding the largest qualifier, and that'll be on August 15th.  
6 Largest qualifier in the nation, again, they'll have  
7 approximately 200 teams playing in that. Later that afternoon,  
8 we'll hold the Peer Plaque Ceremony, where we'll honor the last  
9 year's winners, Taylor Crabbe, Taylor Sander, Betsy Flint, and  
10 Julia Scholes. The main draw will begin on Friday in a double  
11 elimination tournament, and we'll end with finals on the 18th.  
12 For those of you, unlike Bruce, who can't be there on Sunday, or  
13 will be there in person, it will be televised through YouTube TV  
14 during the main draw, and then the men's and women's final will  
15 be broadcast on national TV that Sunday afternoon. And for more  
16 information on that, avp.com. So, hope to see everyone at one,  
17 two, or all three of the events. So, thank you.  
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22           MAYOR FRANKLIN: Great. Thank you, Archie. And that  
23 schedule that took up the screen, is that going to be advertised  
24 in the beach reporter and the like? And where can people find  
25 out?  
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27  
28           ARCHIE SHERMAN: For the surf festival, or AVP?



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MAYOR FRANKLIN: All of them. Yeah.

ARCHIE SHERMAN: Yes. They'll be, we'll post both of them online.

MAYOR FRANKLIN: And then on the website?

ARCHIE SHERMAN: Yes. On our website.

MAYOR FRANKLIN: Great. Thank you.

COMMUNICATIONS AND CIVIC ENGAGEMENT MANAGER LATRAGNA:  
Good evening. Alexandria Latragna, your Communications and Civic Engagement Manager. I'm just here to announce to the public again that we have a temporary park and ride shuttle service that will take you from Pacific Elementary where you can park for five hours. And it'll bring you to downtown, two locations. So, the locations are, can be found at [www.manhattanbeach.gov/mbshuttle](http://www.manhattanbeach.gov/mbshuttle). You can see a route map there. But just quickly, the locations are Manhattan Avenue at 10th Street and right here in front of City Hall. So, I saw the shuttle go by just a minute ago. But it will pick you up and drop you off every 20 minutes on the hours. And the service

1 times are Monday through Thursday, 1 p.m. to 9 p.m. And Friday  
2 through Sunday, 9 a.m. to 9 p.m. And this is just a temporary  
3 service that we're offering to the city because of the closure  
4 of the top floor of lot three. So, we're trying to mitigate the  
5 parking issues in downtown. So, hopefully this provides a free  
6 and green way to get around downtown. Thank you.  
7

8  
9 COUNCILMEMBER MONTGOMERY: Your honor, one question.  
10 Allie, are these our shuttles or outside shuttles?  
11

12  
13 COMMUNICATIONS AND CIVIC ENGAGEMENT MANAGER LATRAGNA:  
14 This is a contracted shuttle service from the city. So, it now  
15 has a magnet on there. It's visible. It's a big black shuttle  
16 with a really brightly colored MB shuttle on there. It looks  
17 just like this poster that's on the screen right now. So, it's  
18 really highly visible.  
19

20  
21 COUNCILMEMBER MONTGOMERY: Perfect. Thank you.  
22

23 MAYOR FRANKLIN: And then also to clarify, it's not  
24 just for people in the surrounding area by Pacific School. You  
25 can be on the east side, drive to Pacific School, park there,  
26 and then you'll be taken right into downtown.  
27  
28

1 COMMUNICATIONS AND CIVIC ENGAGEMENT MANAGER LATRAGNA:

2 Yeah, it's a really convenient way that's open for everyone and  
3 is free of charge. So, you can park at Pacific Elementary, ride  
4 down to the beach, stay for a few hours, and then ride back. And  
5 it's a really great way to get around downtown and utilize even  
6 going from the two locations from City Hall to 10th Street or,  
7 you know, City Hall to Pacific.  
8

9  
10 MAYOR FRANKLIN: Great. Thank you. Good idea. Okay.  
11

12  
13 LAUREN WUBBLES: Good evening. My name is Lauren  
14 Wubbles, and I am here on behalf of the Manhattan Beach Library.  
15 The One Book, One County program is running through July 27th.  
16 The author will visit the Manhattan Beach Library on Sunday,  
17 July 28th, for a writing workshop and reception. Thank you to  
18 the city for help sponsoring this event. The Ocean Adventure is  
19 bringing their Marine Science Assembly to the library on  
20 Wednesday, July 24th at 3 p.m. Kids will learn all about sharks  
21 and come face-to-face with a true-to-size model of a great white  
22 shark. On Thursday, July 25th at 3 p.m., teens are invited to  
23 learn about the art of Hana and get their own body designed by  
24 Karishma Beauty Salon. Tomorrow, there is a clay sculpture class  
25 for adults taught by artist Claudia Hindu at 5 p.m. We also have  
26  
27  
28

1 yoga with Petra Poshman every Saturday and July for adults  
2 starting at 10:30 a.m. Thank you for your time.

3  
4  
5 MAYOR FRANKLIN: Great. Thank you.

6  
7 MAYOR PRO TEM HOWORTH: Mr. Mayor, while you're up, so  
8 you said One Book, One County. What is the book?

9  
10 LAUREN WUBBLES: It's called L.A. Weather.

11  
12  
13 MAYOR PRO TEM HOWORTH: And the author, you said, is  
14 going to be here on July 28<sup>th</sup> for a writing workshop?

15  
16 LAUREN WUBBLES: Yes.

17  
18  
19 MAYOR PRO TEM HOWORTH: And what's their name?

20  
21 LAUREN WUBBLES: Maria Escandon. Maria Amparo Escandon.

22  
23 MAYOR PRO TEM HOWORTH: Okay. Great. Thank you.

24  
25  
26 LAUREN WUBBLES: Yeah, you do have to register for the  
27 workshop. It's at 1 p.m. It will end at 2:30, and then the  
28 reception will start at 2:45 to 3:30 p.m.

1  
2 MAYOR PRO TEM HOWORTH: Great.

3  
4 MAYOR FRANKLIN: Great. THANK YOU.

5  
6  
7 LAUREN WUBBLES: Thank you.

8  
9 MAYOR FRANKLIN: We expect a book report.

10  
11 RITA CRABTREE-KAMPE: Good evening, everyone. I just  
12 wanted to make announcement to our community that summer is a  
13 very busy time. People are out on the beach and they're on the  
14 strand and they're walking through our town. And a lot of those  
15 people are unhoused people. And if you see someone even if, and  
16 you think they might need some help, the city has a Reach  
17 Manhattan Beach app. Please make a notice on that so that we can  
18 get them the resources that they need. And, if you see somebody  
19 that needs help, maybe a well check, maybe there's an encampment  
20 on the beach, which is not allowed, camping on the beach, not  
21 allowed to be camping anywhere. No tents in Manhattan Beach.  
22 Again, please call the non-emergency police department and they  
23 can reach out to them and they have, we have lots of resources  
24 available to them. So, thanks for using, thanks for the city for  
25  
26  
27  
28

1 supporting it with the Reach Manhattan Beach app. And, thank you  
2 to everybody in the community for actually using it. Thanks.

3  
4           MAYOR FRANKLIN: Thank you, Rita, and we have special  
5 cards made up that are actually on the table back there, where  
6 you can download that app, Reach Manhattan Beach, for Android or  
7 for Apple. And on that, you can go ahead and make a notification  
8 and report homeless activity and really give them a hand off the  
9 streets. So, thank you.  
10

11  
12           MAYOR PRO TEM HOWORTH: You could do lots with the app.  
13

14  
15           MAYOR FRANKLIN: Potholes, graffiti, whole bunch of  
16 things. Okay. Next, anybody else here in council chambers? How  
17 about online?  
18

19  
20           ASSISTANT CITY CLERK ALVAREZ: There are no requests on  
21 zoom.  
22

23           MAYOR FRANKLIN: No requests. Okay. Colleagues? Steve?  
24

25  
26           COUNCILMEMBER NAPOLITANO: None, your Honor.  
27  
28

1           MAYOR FRANKLIN: Okay. So, I have two. One, I'm  
2 standing in for David Archer and talking about an event. That's  
3 an upcoming event. It's the Mayor's lunch. So, let's see. The  
4 chamber board installation, it's August 7<sup>th</sup>, 2024 from 11:30 to 1  
5 p.m. and it's at the Tin Roof Bistro in Manhattan Village. So,  
6 once again, it's the Mayor's lunch. You can get your tickets the  
7 normal way, whatever that is. So, that, I mean I have a QR code  
8 here, but you can go online and just look for Manhattan Beach  
9 Chamber of Commerce and, again, that's August 7, 2024. I should  
10 make a note of that, I think.  
11  
12

13  
14           MAYOR PRO TEM HOWORTH: I'm told we have a table. I was  
15 just, I was using your QR code but I'm told it's good.  
16

17           MAYOR FRANKLIN: Oh, you have it? For the QR code?  
18

19  
20           MAYOR PRO TEM HOWORTH: No, I got it.  
21

22           MAYOR FRANKLIN: You're set. Amazing technology. Okay.  
23 And then I have a community announcement as well. We are pleased  
24 to announce that the Manhattan Beach City Council has appointed  
25 our Community Development Director, Talyn Mirzakhianian, as the  
26 acting City Manager, effective August 19. You've seen her  
27 present here many times, and this decision comes as part of the  
28

1 city's commitment to ensuring continuous and effective  
2 leadership after retirement of City Manager Bruce Moe on August  
3 18, concluding 35 years of dedicated public service in Manhattan  
4 Beach. So, Talyn, thank you so much, and we're looking forward  
5 to working with you as the interim city manager. Thank you.  
6 Okay. And I think that.  
7

8  
9 CITY MANAGER MOE: Mayor, if I may. As the council's  
10 aware, the council chambers is going to be undergoing some  
11 remodeling here after tonight's meeting. And so, the next  
12 council meeting, on August 6, and until further notice, likely  
13 until September 3 or September 17, will be held at the police  
14 fire conference room across the Civic Center Plaza here. So,  
15 tonight is the last meeting in chambers until September 3 or the  
16 17th, depending on how long those renovations to the technology  
17 take.  
18  
19

20  
21  
22 MAYOR FRANKLIN: Okay, great. And, the long-awaited spa  
23 here, right? We're going to make this the hot tub for after the  
24 meetings. Okay, so that's great. Thank you.  
25

26  
27 MAYOR PRO TEM HOWORTH: Public comment.  
28



1           MAYOR FRANKLIN: Okay, great. So, now, we move on to  
2 item G, public comments. Speakers may provide public comments on  
3 any matter that is within the subject matter jurisdiction of the  
4 City Council, including items on the agenda. So, we have any  
5 public comments?  
6

7  
8           PUBLIC COMMENTER SCOTT YANOFSKY: Good evening. My name  
9 is Scott Yanofsky. Just a thought came to my head recently. I  
10 know we have to put an RFP out when we're doing work in the  
11 city, but has anyone concentrated on approaching people in the  
12 city, concrete contractors, attorneys, and dealing with them  
13 directly, and see what kind of assistance we can get for them  
14 for maybe a lesser charge or a donation? When I did the 911  
15 memorial, I paid only 25% of the contractors. Everything else  
16 was donated for the work that we did, the concrete, the grading.  
17 The landscape was done by the Neptune. Neptune society. So just  
18 a thought. Put it out there. When something is needed, maybe  
19 someone in the city does it. Like with the escalators. We only  
20 have three, four escalators in the whole city, so maybe someone  
21 owns an office building, has a lot more experience with that.  
22 Maybe that's the person we should go to help us with that. Thank  
23 you.  
24  
25  
26

27  
28           MAYOR FRANKLIN: Okay. Thank you, Scott. Next.

1  
2 PUBLIC COMMENTER GAYLE FORTIS: Hello, Mayor and  
3 Councilmembers. I'm here to talk about the High Rose Project,  
4 now under construction. I'm Gayle Fortis, a 37-year resident of  
5 El Porto. Yesterday at 11:30 a.m., I was driving home on  
6 Rosecrans from Sepulveda. As I came over the crest just before  
7 Highrose, I was startled by a huge, wide load truck that was  
8 totally blocking the left lane, requiring a quick lane change  
9 from me. I'm always one of the slower drivers coming over the  
10 crest. There were orange cones around the truck, but no lead  
11 time warning until I was almost upon the truck. On the other  
12 side of the street on Rosecrans near Highland, there was a  
13 fellow holding a sign, slow, giving warning. The need for the  
14 warning was on the high road side of the street where the truck  
15 was parked, blocking a lane of traffic. Had I been slightly  
16 distracted or driving any faster, I hate to think how close I  
17 came to being in a moving collision with a monstrous truck. I  
18 reported this today to Talyn. And congratulations on your new  
19 position for City Manager duties. Also, to Doug Atkinson, the  
20 City Senior Building Inspector, Bruce Moe, and now you. This is  
21 not the first time. Big dump trucks, huge cherry pickers,  
22 bulldozers and excavators have blocked the road without  
23 appropriate forewarning. At this point, it's enough and it needs  
24 to be addressed. Thank you for listening and for your service.  
25  
26  
27  
28

1  
2           MAYOR FRANKLIN: Great. Thank you, Gayle. Anybody else  
3 in chambers? Okay, how about online?  
4

5           ASSISTANT CITY CLERK ALVAREZ: There's no request on  
6 Zoom.  
7

8  
9           MAYOR FRANKLIN: Okay, thank you, Martha. So, we're  
10 going to close public comments and we're going to go on to the  
11 consent calendar, but I need to read something first, please.  
12 And that is prior to the approval of the consent calendar, I  
13 have an oral announcement related to item number six, which is  
14 staff's recommendation to appoint Onyx Jones as the Interim  
15 Finance Director. While a recruitment is conducted for a  
16 permanent replacement, Miss Jones will be paid an hourly rate of  
17 \$111 and will receive no additional benefits. This agenda item  
18 fulfills CalPERS' requirements for the interim appointment of a  
19 CalPERS retiree to a vacant position. Thank you. So, item number  
20 H, consent calendar. So, do we have a motion with the exception  
21 of item number nine?  
22  
23  
24

25  
26           MAYOR PRO TEM HOWORTH: We do. So moved items one  
27 through eight, exception of nine.  
28

1           MAYOR FRANKLIN: And so, we have. It's moved by Mayor  
2 Pro Tem Amy Howorth. Seconded by Councilmember Richard  
3 Montgomery. Oral vote.  
4

5  
6           CITY CLERK TAMURA: Mayor Franklin.  
7

8           MAYOR FRANKLIN: Yes.  
9

10          CITY CLERK TAMURA: Mayor Pro Tem Howorth.  
11

12  
13          MAYOR PRO TEM HOWORTH: Yes.  
14

15          CITY CLERK TAMURA: Councilmember Montgomery.  
16

17  
18          COUNCILMEMBER MONTGOMERY: Yes.  
19

20          CITY CLERK TAMURA: Councilmember Napolitano.  
21

22          COUNCILMEMBER NAPOLITANO: Yes.  
23

24  
25          CITY CLERK TAMURA: Councilmember Lesser?  
26

27          COUNCILMEMBER LESSER: Yes.  
28

1 CITY CLERK TAMURA: Motion passes, 5-0.

2  
3 MAYOR FRANKLIN: Okay, great. So, we move on to Items  
4 removed from the consent calendar. That would be number nine.  
5  
6 Councilmember Napolitano.

7  
8  
9 COUNCILMEMBER NAPOLITANO: Thank you, your honor. I  
10 pulled this item because we've gone back and forth over the  
11 proposed, new proposed signage, what the colors will be, what  
12 the font is, and before we go forward on a \$250,000 contract to  
13 print these things, I want to make sure that we're absolutely in  
14 favor of what was proposed before. If we have any changes, let's  
15 do them now. Let's look at it again. But we've gone back and  
16 forth. I've heard input from different community members, input  
17 from council over the months since we last approved this as to  
18 whether or not they're the right color, the right anything. So,  
19 I want to put that out to my colleagues to make sure that this  
20 is the direction we want to go. And if there are any changes to  
21 make, let's make them now before we go down this path of  
22 spending \$250,000. Thank you, your Honor.  
23  
24  
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26  
27 MAYOR FRANKLIN: Okay. Thank you, colleagues. Any  
28 comments? Oh, I'm sorry, Mayor Pro Tem Howorth.

1  
2           MAYOR PRO TEM HOWORTH: Yeah, thank you, Mr. Mayor. I  
3 appreciate you bringing it up, Councilmember Napolitano. This is  
4 for the phase one project, and I want to confirm or clarify, it  
5 does not include the installation of any street identification  
6 signs, which those are the, I think right now they're, I know  
7 they're blue, the little ones in the neighborhoods that say  
8 Fifth street or Pine Avenue or whatnot. And I guess I'm asking  
9 for verification on that. We're not approving that as part of  
10 this. Director Lee, is that correct?  
11  
12

13  
14           PUBLIC WORKS DIRECTOR LEE: Good evening, honorable  
15 Mayor, members of City Council. Eric Lee, your Public Works  
16 Director. Mayor Pro Tem is correct. The item before you tonight  
17 is really dealing with parking directional signage. Understand  
18 that the council has provided us additional feedback and wants  
19 to have further discussion about the street identification signs  
20 specifically as it relates to color and the, you know, what  
21 we've heard is the shoe logo on the existing street signs. We're  
22 planning to come back for that discussion with the council in  
23 August.  
24  
25

26  
27           MAYOR PRO TEM HOWORTH: Great, because that was what I  
28 had brought up when I asked to reconsider those neighborhood

1 signs. I'm, you know, still think there's room for discussion  
2 because we don't have to make those decisions tonight.

3  
4 PUBLIC WORKS DIRECTOR LEE: Correct. So, what we're  
5 doing is only the parking directional signage that's outlined in  
6 the report. And this was an item that we brought to you back on  
7 March 19, getting permission to bid that limited portion of the  
8 whole way finding program.

9  
10  
11 MAYOR PRO TEM HOWORTH: And so, the discussion about  
12 the street identification signs, will that come back as a  
13 regular business item and not as consent?

14  
15  
16 PUBLIC WORKS DIRECTOR LEE: Correct. We're going to be  
17 looking for direction from the council.

18  
19  
20 MAYOR PRO TEM HOWORTH: Great. Thank you.

21  
22 MAYOR FRANKLIN: Thank you, Councilmember Montgomery.

23  
24  
25 COUNCILMEMBER MONTGOMERY: Thank you, your Honor. Those  
26 of you wondering why we're seeing this again, we started this in  
27 2017. Those of you that watched council back in those days. So  
28 since then, seven years later and three different councils

1 later, we're almost agreement on everything, but we're almost  
2 there. This is mainly, like you said, parking issues, signage,  
3 as you've seen, especially downtown we have different signs of  
4 different colors and different locations, trying to, I guess,  
5 get consistency and also a little bit of visibility. So this is  
6 the first step. And as Director Lee said, we're not talking  
7 about color signage act, we're talking about parking and issues  
8 that we have consistently have been inconsistent. So here we  
9 are. And good point, Steve, to bring it back out to make sure  
10 we're all clear. But that's where our focus should be. It's now  
11 we're moving forward, hopefully, and then we'll see the rest of  
12 it later in the year. Thank you. Nothing else. Your honor.  
13  
14

15  
16 MAYOR FRANKLIN: Any more questions, Council? So, we  
17 open this up to public comment. Anybody here in chambers? No?  
18 How about online?  
19

20  
21 ASSISTANT CITY CLERK ALVAREZ: No request on zoom.  
22

23 MAYOR FRANKLIN: Okay, so we'll close public comments  
24 on item number nine. And last discussion?  
25

26  
27 MAYOR PRO TEM HOWORTH: I make a motion to accept item  
28 number nine. Recommendations?



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COUNCILMEMBER MONTGOMERY: I'll second.

MAYOR FRANKLIN: So, we have a motion by Mayor Pro Tem Amy Howorth and seconded by Councilmember Richard Montgomery. So, can we have a verbal vote, please?

CITY CLERK TAMURA: Councilmember Montgomery?

COUNCILMEMBER MONTGOMERY: Yes.

CITY CLERK TAMURA: Mayor Pro Tem Howorth?

MAYOR PRO TEM HOWORTH: Yes.

CITY CLERK TAMURA: Councilmember Napolitano?

COUNCILMEMBER NAPOLITANO: Yes.

CITY CLERK TAMURA: Councilmember Lesser?

COUNCILMEMBER LESSER: Yes.

CITY CLERK TAMURA: Mayor Franklin?

1 MAYOR FRANKLIN: Yes.

2  
3 CITY CLERK TAMURA: Motion passes, 5-0.

4  
5  
6 MAYOR FRANKLIN: Okay. All right, so we move on to item  
7 number J, public hearings. Let's see. So, item number ten,  
8 conduct public hearing for consideration of adopting resolutions  
9 regarding renewal of downtown business Improvement District bid  
10 for fiscal year 2024-2025, and Finance Director Charelian.

11  
12  
13 FINANCE DIRECTOR CHARELIAN: Good evening, honorable  
14 Mayor, members of the City Council. My last public hearing, my  
15 last City Council Meeting. Pleasure to be here tonight on an  
16 annual conducting a public hearing for our downtown BID as well  
17 as the collecting assessment. Ratification goes on tonight, I'm  
18 going to hand it over to Libby Bretthauer, our Financial  
19 Services Manager. Thank you.

20  
21  
22 MAYOR PRO TEM HOWORTH: I like the tie, Steve.

23  
24  
25 MAYOR FRANKLIN: You're a trendsetter. What can I say?

26  
27 FINANCIAL SERVICES MANAGER BRETTHAUER: Good evening,  
28 Mayor and members of the City Council. My name is Libby

1 Bretthauer, Financial Services Manager. And tonight, we are  
2 pleased to present for your consideration the renewal of the  
3 Downtown Business Improvement District for fiscal year 24-25.  
4 This annual renewal is a process required by state law. The  
5 process for renewal began during the June 18 City Council  
6 meeting with approval of a resolution of intention to renew and  
7 levy the assessment. The next step is to hold a public hearing  
8 tonight to accept testimony for or against the proposed  
9 assessment. Approval is based on whether there is a weighted  
10 majority protest by businesses paying 50% or more of the total  
11 assessment this year. Assessments again remain unchanged for the  
12 district. The Downtown Business Improvement District is funded  
13 through an 80% surcharge on the annual business license tax for  
14 its members up to a maximum of \$600 per business. All legal  
15 requirements for tonight's public hearing have been met,  
16 including mailing copies of the resolution to all bid members  
17 and a notice was published in the beach Reporter. To renew the  
18 bid, several steps need to be taken by City Council tonight,  
19 including one, hold a public hearing to receive any testimony  
20 assuming insufficient protests are received. Please adopt  
21 resolution number 24-82, authorizing the collection of  
22 assessments. Two, ratify the Business Improvement District  
23 Advisory board members three, adopt resolution number 24-83,  
24 approving the signed agreement by the city manager and business  
25  
26  
27  
28

1 Improvement District advisory board chairperson for services  
2 outlined in the attached activity plan and budget, which starts  
3 on page 162 of your agenda packet and four, authorize the  
4 disbursement of bid funds collected during the fiscal year 2023-  
5 24. So, Jill Lamkin, Executive Director of the Downtown Business  
6 and Professional association, is here in attendance tonight, and  
7 I just want to thank her for her ongoing collaboration and  
8 support. We are all here to answer any questions you may have.  
9 If none, we recommend the public hearing is opened at this time.  
10 Thank you.  
11  
12  
13

14 MAYOR FRANKLIN: Thank you, colleagues. Any questions?  
15 Councilmember Lesser.  
16

17 COUNCILMEMBER LESSER: I have one for Libby. Can you  
18 simply walk through the budget? Because I've had an exchange  
19 with Director Charelian and just how it appears on this  
20 attachment on page 168 of the staff report that the expenditures  
21 exceed the income and thus there's a deficit shown on the  
22 proposed budget of net operating income. But I understand that  
23 that interpretation is maybe not accurate. Can you just explain  
24 the budget at a high level, please?  
25  
26  
27  
28

1 FINANCIAL SERVICES MANAGER BRETTHAUER: Sure, I'd be  
2 happy to try. This is prepared by the Downtown Association. So  
3 happy if Jill wants to also step in, but my understanding is  
4 that there is. This is done intentionally since they do have  
5 almost \$300,000 in reserves that they are intending to draw down  
6 on some one-time capital projects and initiatives. But I'll turn  
7 it over to Jill if she wants to add more.  
8

9  
10 COUNCILMEMBER LESSER: That's fine. I do see a  
11 reference to a large forecasted expenditures to reduce reserves,  
12 but there is a negative \$125,703 operating income and I think, I  
13 presume that that is what the explanation is as to why.  
14

15  
16 FINANCIAL SERVICES MANAGER BRETTHAUER: Yes.  
17

18  
19 COUNCILMEMBER LESSER: Okay. Thank you.  
20

21 MAYOR FRANKLIN: Anybody else?  
22

23 MAYOR PRO TEM HOWORTH: Well, I'll wait to speak after  
24 the public.  
25

26  
27 MAYOR FRANKLIN: Oh, okay. Well, I'm going to, I've got  
28 a question as well for the business improvement and activity

1 plan on page 157 of the report. It talks about work with the  
2 City Traffic Engineer to determine effective ride share drop off  
3 zone, and I'd like, that's a particular pet peeve of mine,  
4 because they do drop off in traffic and in a traffic lane so if  
5 you could just maybe give us an idea of the progress of that or  
6 what some ideas are.  
7

8  
9 EXECUTIVE DIRECTOR JILL LAMKIN: Good evening, City  
10 Council. Jill Lamkin, Executive Director for the Downtown  
11 Business and Professional Association. Thank you for the  
12 question. It's something that I think bothers all of us as  
13 residents and people who are in Manhattan beach. The  
14 requirements of Uber and Lyft, the ability to geofence  
15 particular areas right now are limited to special events. But I  
16 keep bringing it up. It's kind of one of those things that stays  
17 on there. It's just so that I keep on top of Erik going, has  
18 anything changed? Has anything changed this year where we can  
19 actually limit that? One of the things that it's on there about,  
20 too, is should we be able to introduce some sort of shared ride  
21 service within town, that that would be a requirement that we  
22 could do. And so that's, as we've been talking to circuit, you  
23 guys know that that is something that we have required that they  
24 would have to put in their proposal that we could delineate  
25  
26  
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1 where exactly they would be dropped off to keep people from  
2 walking lanes of traffic.

3  
4           MAYOR FRANKLIN: Okay. Thank you. Appreciate that.  
5  
6 Yeah, I was just trying to figure out my other question here is  
7 one of them, too, as far as a goal is to develop ongoing  
8 relationship between the Downtown Business Professional  
9 Association and Los Angeles Chargers and Rams to provide  
10 mutually beneficial events. Because I know we tried once, but I  
11 think it came too quickly or something.  
12

13  
14           EXECUTIVE DIRECTOR JILL LAMKIN: Yeah. Thank you again  
15 for the question. That is just an ongoing relationship that we  
16 have. I, about four months ago, went on an advocacy trip to DC  
17 with the chamber and was able to do some advocacy work with  
18 those two organizations. And we are constantly back and forth  
19 going, well, what do you think about this possibility? Is there  
20 a way that we could do a shuttle? I mean, we're just constantly  
21 looking for ways instead of just a major big event. What other  
22 things can we do to loop Manhattan beach into those bigger  
23 events?  
24  
25

26  
27           MAYOR FRANKLIN: Okay, great. Thank you. Any other  
28 questions? Councilmember Montgomery?

1  
2 EXECUTIVE DIRECTOR JILL LAMKIN: Usually there are no  
3 questions.

4  
5  
6 COUNCILMEMBER MONTGOMERY: I know it's that time of the  
7 year earlier comment, you know, you're aware that the homeless  
8 count in 2017 was 41 and the last count we have was four. So,  
9 the comment made earlier was that we're seeing a lot more, or  
10 there may be more unhoused downtown. I'm curious, have you seen  
11 that? Is it every day? And what number are we talking? Is it  
12 two? Is it ten? Is it 20? What are you seeing down there that  
13 we're not seeing but we're not hearing about? Is ballpark, just  
14 an idea.

15  
16  
17 EXECUTIVE DIRECTOR JILL LAMKIN: No, I was just. I was  
18 going to say, I'm shocked to hear that you've not been hearing  
19 about it. Because we talk about it. Amy hears about it all the  
20 time because she attends our monthly meeting. She's our  
21 representative. We actually have been working very closely with  
22 MB Safe and we have given out instructions for how everyone  
23 should be handling it. But if you were to ask me, I mean, I  
24 would say at least once a day, we encounter a homeless  
25 individual downtown, and I would say on average, it would be  
26 probably two every day. It's a very, very regular day.



1  
2 COUNCILMEMBER MONTGOMERY: We're not talking large  
3 numbers, but we're still one or two a day.  
4

5  
6 EXECUTIVE DIRECTOR JILL LAMKIN: Well, yes. It's just  
7 that I might see, I mean, I could, off the top of my head, say  
8 there are at least ten regulars that we know of that we often  
9 refer to by name, so there are at least ten regularly. And then  
10 I would say beyond that, probably another one or two a day. I'm  
11 sorry, I guess I should have explained that upfront. So, yeah, I  
12 mean, there. I don't disregard the 41 as an accurate number.  
13

14  
15 COUNCILMEMBER MONTGOMERY: In the past, 41?  
16

17 EXECUTIVE DIRECTOR JILL LAMKIN: Correct.  
18

19  
20 COUNCILMEMBER MONTGOMERY: That was citywide in 2017.  
21 Now, we're counting the last count as four, but we're still  
22 seeing more downtown, the training ones that are coming through.  
23

24 EXECUTIVE DIRECTOR JILL LAMKIN: Yeah. Oh, I'm sorry, I  
25 misunderstood what you said. The current count was two. Yes.  
26 Then I would absolutely say that that number is inaccurate.  
27  
28 Right.

1  
2 COUNCILMEMBER MONTGOMERY: Thank you very much.

3  
4 MAYOR FRANKLIN: And just to clarify, that point in  
5 time, it was taken in January.  
6

7  
8 EXECUTIVE DIRECTOR JILL LAMKIN: Yeah. And it's hard  
9 because it is. I mean, I've done that the homeless count before,  
10 too. I mean, it's a fixed period of time. It's, you know, you're  
11 walking up and down streets and not necessarily, you know,  
12 looking under stairwells and, you know, all of those kinds of  
13 things.  
14

15  
16 COUNCILMEMBER MONTGOMERY: The reason why I asked your  
17 honor is that I'm making sure we're not hearing different people  
18 give different numbers and that we actually want to ask in Jill,  
19 she's downtown. What exactly she's seeing. That way we get a  
20 better idea. Thank you.  
21

22  
23 MAYOR FRANKLIN: Good. Thank you.  
24

25  
26 EXECUTIVE DIRECTOR JILL LAMKIN: Anything else? I won't  
27 sit down and come back. I get my steps in.  
28

1           MAYOR FRANKLIN: No, that's fine. For now, we're going  
2 to ask for public comments. So, nobody in chambers. How about  
3 online?  
4

5           ASSISTANT CITY CLERK ALVAREZ: Jim Burton.  
6  
7

8           PUBLIC COMMENTER JIM BURTON: Good evening, Council.  
9 Jim Burton, longtime resident. I'm also a business owner and  
10 have had a business in downtown since, like, 2009. I get no  
11 issues with the \$600, the Downtown Business Professional  
12 Association charges. I appreciate Jill's comments on the  
13 homeless and Councilmember Montgomery. Appreciate the question.  
14 Certainly, in the summer months there are more homeless in town  
15 and I'm not sure exactly what resources can be used to assist  
16 those. But did just want to make a comment regarding the  
17 Chargers and the Rams. And I think Councilmember Franklin, you  
18 pointed out that there was an attempt to do something during the  
19 week. It was late at night. Whatever we can do to encourage the  
20 relationship with these organizations, I think in downtown is  
21 absolutely fantastic to the extent that it doesn't interrupt  
22 residents or BNB. During the week, it was late at night. But  
23 there certainly appreciate Jill's efforts and others to continue  
24 to build that. That relationship I think is healthy for the  
25 community and healthy for downtown. And on a final note,  
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1 Director Charelian, I apologize. I am not in chamber tonight. I  
2 appreciate your service to the community. You've been here for a  
3 long time. Steve, you and I have had a great relationship. And I  
4 appreciate your service not only financially, but just as an  
5 individual to this community. I think it's been fantastic. Thank  
6 you for your time.  
7

8  
9           MAYOR FRANKLIN: All right. Thank you, Jim. Okay, any  
10 more comments?  
11

12  
13           ASSISTANT CITY CLERK ALVAREZ: Yes. Heather Kim.  
14

15           MAYOR FRANKLIN: Okay, online.  
16

17           PUBLIC COMMENTER HEATHER KIM: Hi. I just wanted to  
18 make the comment about the homeless in downtown. But right now,  
19 we do see several homeless come through in our business and  
20 sometimes it's okay and sometimes they are very, you know, they  
21 act very erratically and there's, you know, there are problems.  
22 So, it is something that we see daily. It is not to be, I hope  
23 that the problem isn't, doesn't feel like it's downsized just  
24 because our official count was low this year. I don't know why.  
25 Even though the official number is low, it feels like there's a  
26 lot more people passing through and a lot more negative  
27  
28

1 encounters that we're having. I want to just thank Jill Lamkin.  
2 She's just amazing for everything that she does to keep us  
3 informed in terms of how to deal with any issues that arise. And  
4 she listens to all the business owners and she's just amazing.  
5 So, thank you, Jill, for all you do. But yes, with that, I think  
6 that we're in the clear with the homeless issue because in my  
7 view, it's actually getting worse and they're more aggressive.  
8 Thank you.

11 MAYOR FRANKLIN: Great. Thank you, Heather.

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

18 MAYOR FRANKLIN: Okay. So, we'll close public comments  
19 and colleagues, comments. Mayor Pro Tem.

21 MAYOR PRO TEM HOWORTH: Thank you, your honor. Yeah, I  
22 just, I wanted to a couple of like little comments than in  
23 general with the homeless question and the answer you heard, I  
24 think one thing to keep in mind is that the downtown area is a  
25 small, condensed area. So, when you see the unhoused or people  
26 who might have some mental illness, you know, the same business  
27 owners are seeing those people. So, they might go from, you  
28

1 know, the Manhattan grocery store, and then they might go into  
2 Paiges or they might go over to the restaurant. So, they're  
3 seeing them a lot. So, it's not just one little encounter and  
4 they walk through. I will say that Jill, I know she works with  
5 MB Safe, she works with the police department. And, you know,  
6 it's just, and it, maybe it is something for us to be aware. I  
7 am aware of it because I do go to those meetings and maybe, you  
8 know, maybe we can have an update, a homeless update from  
9 George. Right. That's not, you know, the LA county number and  
10 blah, blah, blah. But here's how we're experiencing it here.  
11 Here's what we're noticing. I think that could be useful, if my  
12 colleagues want. Thrilled that you're working on relationships  
13 with Chargers and Rams, I'd like to bring up, you know, there is  
14 the Los Angeles Football Club. Several of management lives in  
15 our town, and it's very close by. And let's go. And also, of  
16 course, the Olympics are coming, and I'm sure that that's going  
17 to be a huge deal for our community, both business wise and  
18 perhaps opportunity to share some of our facilities with  
19 practicing and the athletes, and just really hope we all  
20 coordinate on that with the final. My final bigger comment is,  
21 Jill has been such an incredible partner. She represents her  
22 businesses incredibly well. She also comes mostly, mostly with a  
23 lot of solutions and collaboration and creativity, and  
24 especially with lot three. When the parking garage had to, when  
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1 we had to close the top floor, all of a sudden, I was really  
2 afraid of what Jill was going to say. But man she's like, okay,  
3 this is an opportunity. Here's what we're going to do. And we  
4 could do this, and I'll call this person. It was incredible. We  
5 are so lucky, and all of the downtown business owners are so  
6 lucky to have you. And my last comment would be, this hasn't  
7 happened in a while, and I hope it doesn't, because I used to  
8 hear things like, well, the downtown business owners as if they  
9 were some other group of people. They were just these business  
10 owners. And somehow that was bad. And I got to tell you, 90% of  
11 them are residents, too, and long, long time residents. So, I  
12 would always defend them because they're our neighbors and  
13 they're having their small businesses and contributing to this  
14 in so many ways. So, thank you, Jill. I'll be seconding the  
15 Mayor's motion.  
16  
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19  
20           MAYOR FRANKLIN: So, thank you. Councilmember  
21 Montgomery.  
22

23           COUNCILMEMBER MONTGOMERY: Thank you, your honor. I  
24 didn't want to push us off. I'll start with the fact that Mayor  
25 Pro Tem is right. But first, for Olympics, we have FIFA, the  
26 World Cup in 2026. She mentioned football. Sorry, soccer first.  
27 And did you know that we hosted the Mexico, Mexican national  
28

1 team here for five days? No one knew about it. They were kept on  
2 the radar, but they were here. And then we had team Messi. I  
3 mean, inner Miami was here as well. So, we're not on the radar  
4 when it comes to, you know, soccer or Olympics or FIFA. They  
5 know where to find us. They know we offer great hotels and  
6 downtown. So, guys wearing pink shirts, you'll wonder exactly  
7 what's going on. It's not Amy's birthday. It's inner Miami,  
8 where it's pink. And the downtown comments I brought earlier  
9 about homeless, because I want to make sure when different  
10 source, different things. We know Amy is a downtown rep. She has  
11 her ear to the ground on what they're hearing, what they're  
12 seeing, but we don't always hear the same numbers. So, we want  
13 to make sure consistency is one thing. So here, Jill, say it's  
14 ten regulars that they see. Okay. We have a reporting line set  
15 up with PD. Anytime something goes on, they have a number to  
16 call. There's a process in place. We're making sure those  
17 numbers are the same numbers. We hear 10 one day, 30 the next  
18 day. It's not downplaying it. It's consistency. We need to know  
19 what you're constantly seeing every day, every week. So that's  
20 why I'm asking the questions, because I want to make sure we,  
21 the council, hear the same things. And I think Mayor Pro Tem is  
22 right. I think that we need, based on the US Supreme Court  
23 decision, what we, the city, now that we have different powers,  
24 we didn't have a month ago, what we want to do, moving that



1 homeless issue forward. So, timing's right. It needs to be  
2 discussed. Can't sweep it under the rug. You got to talk about  
3 it, have a game plan, and then go forward. That's it your honor.  
4 Thank you.

5  
6  
7           MAYOR FRANKLIN: Great. Thank you. So, we have a motion  
8 by Mayor Franklin to adopt resolution numbers 24-0082 and 24-  
9 0083, and also, I guess, to ratify the board and authorize the  
10 disbursement of assessments collected through June 30, 2024.  
11 It's seconded by Mayor Pro Tem Howorth. Can we have a vote,  
12 please?  
13

14  
15           CITY CLERK TAMURA: Mayor Pro Tem Howorth?  
16

17           MAYOR PRO TEM HOWORTH: Yes.  
18

19  
20           CITY CLERK TAMURA: Mayor Franklin?  
21

22           MAYOR FRANKLIN: Yes.  
23

24           CITY CLERK TAMURA: Councilmember lesser?  
25

26  
27           COUNCILMEMBER LESSER: Yes.  
28

1 CITY CLERK TAMURA: Councilmember Napolitano?

2  
3 COUNCILMEMBER NAPOLITANO: Yes.

4  
5  
6 CITY CLERK TAMURA: Councilmember Montgomery?

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8 COUNCILMEMBER MONTGOMERY: Yes.

9  
10 CITY CLERK TAMURA: Motion passes, 5-0.

11  
12  
13 MAYOR FRANKLIN: Thank you. So, we're going to move on  
14 to item number eleven, which is to consider an adoption of an  
15 urgency ordinance number 24-007. An introduction of ordinance  
16 number 24. Oh, U. I'm sorry, you. And then 24-007 to extend an  
17 existing franchise agreement with Zenith Energy. We have public  
18 works Director Lee.

19  
20  
21 PUBLIC WORKS DIRECTOR LEE: Good evening again. Pleased  
22 to present this proposed franchise agreement for the council's  
23 consideration. A little bit of background. This is something  
24 that normally only comes back to the council every 25 years, so  
25 I think everyone, at least in front of me right now, has not  
26 seen this one. Well, I guess on the screen has seen it, but a  
27 little bit of background. Zenith Energy West Coast Terminals  
28

1 LLC, which I'll refer to as Zenith. They operate a pipeline  
2 carrying petroleum products between Southern California Edison  
3 facilities through our city. And this franchise agreement has  
4 been in place between the city and Zenith or its predecessors  
5 since 1967. The current agreement is set to expire in August.  
6 And under the franchise, Zenith may conduct transport, convey or  
7 carry gas, oil, petroleum products, water and wastewater through  
8 the city within its pipeline. And its pipeline is a little over  
9 8000ft long, comes off of Rosecrans onto Elm, over to Marine and  
10 then to the east city limits. So, as I mentioned, city  
11 originally entered into this franchise agreement with Southern  
12 California Edison in 1967. New agreement was granted to Edison  
13 in 1999 for 25 years. A few years later, Edison assigned rights  
14 to Pacific Terminals. In 2009, the name change was to Plains  
15 West Coast Terminals, then ultimately a name changed to Zenith  
16 Energy West Coast Terminals LLC. And right now, Zenith is the  
17 entity that is requesting the extension of this franchise. So as  
18 indicated in the title, we do have two ordinances for your  
19 consideration tonight. One is an urgency ordinance that, if  
20 adopted, becomes effective immediately and that requires a four  
21 fifth vote of the council to enact. And also, we're looking for  
22 an introduction of a regular ordinance and that will require a  
23 second reading and become effective 30 days after that second  
24 reading. So general terms of this franchise, the grantee, in  
25  
26  
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28

1 this case Zenith, must adhere to the Missile Code, the Franchise  
2 act of 1937, and ordinance terms, they also must pay the city  
3 amount a little more than \$7,000 per year, and that amount is  
4 determined by the Public Utilities Code. So, we don't have  
5 regulatory authority over that amount. They're also required to  
6 post a performance bond and insure us and provide legal  
7 protections for the city. Identification against any claims  
8 related to their franchise and they have to accept our terms in  
9 writing. So, staff's recommendation is that the council conduct  
10 a public hearing on this item, find the proposed action  
11 categorically exempt from environmental review pursuant to CEQA,  
12 adopt the urgency ordinance that I mentioned and then introduce  
13 the regular ordinance. And I'm available for any questions that  
14 you may have.  
15  
16  
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18  
19 MAYOR FRANKLIN: Great. So, Councilmember Lesser.

20  
21 COUNCILMEMBER LESSER: Director Lee, I just want to  
22 confirm a communication that you and I have had, and that is,  
23 this is a long term agreement of 25 years. Pipes have a tendency  
24 over time to deteriorate, so I want to confirm for the public,  
25 on the record, the responsibility for maintaining, obviously,  
26 but more importantly, capitally improving, making capital  
27  
28

1 improvements to these pipes is on then zenith, the current and  
2 then proposed successor franchisee, correct?

3  
4 PUBLIC WORKS DIRECTOR LEE: Yes, that's correct. And it  
5 goes even farther. If there's adverse impacts from the  
6 infrastructure on our community, they would have to identify us.  
7

8  
9 COUNCILMEMBER LESSER: I asked because under some  
10 franchises, the capital improvement costs are shared with  
11 franchisor as well as the franchisee. But this is part of the  
12 agreement, correct?  
13

14  
15 PUBLIC WORKS DIRECTOR LEE: That is correct.  
16

17  
18 COUNCILMEMBER LESSER: Thank you.  
19

20  
21 MAYOR FRANKLIN: Great. Councilmember Montgomery.  
22

23 COUNCILMEMBER MONTGOMERY: Thank you, your honor. I  
24 want a question. Director Lee, can I put that map up that shows  
25 where the pipeline location is? Everybody sees where this  
26 starts. It's not down PCH, it's down goes Elm and it cuts east  
27 west, down Marine. We saw the construction last time, down  
28

1 Marine. Was it tied to the work on zenith pipelines that we saw  
2 in Marine last year?

3  
4 PUBLIC WORKS DIRECTOR LEE: About two or three weeks  
5 ago? No, that's different. That's a SoCal gas main issue, so  
6 they weren't tied.  
7

8  
9 COUNCILMEMBER MONTGOMERY: They don't do much  
10 maintenance. Once it's in the ground. They're pretty much.  
11 They're good with it.  
12

13  
14 PUBLIC WORKS DIRECTOR LEE: I'm not sure what the  
15 frequency of maintenance is on this pipeline, I'll tell you  
16 that. In the three years I've been with the city, we've never  
17 had an incident that's been risen to my level of note.  
18

19  
20 COUNCILMEMBER MONTGOMERY: Do you know how big that  
21 pipeline is? I know SoCal gas pipeline. Just don't know how big  
22 Zenith pipeline is.  
23

24  
25 PUBLIC WORKS DIRECTOR LEE: We do have Zenith available  
26 on Zoom and they can probably answer that question.  
27

28

1 COUNCILMEMBER MONTGOMERY: They can answer one  
2 question. I'd be happy with that.

3  
4 MAYOR PRO TEM HOWORTH: You're talking about the  
5 diameter of the pipe itself.  
6

7  
8 COUNCILMEMBER MONTGOMERY: We know what SoCal gas is.  
9

10 PUBLIC WORKS DIRECTOR LEE: There's a representative  
11 from Zenith on the Zoom. If you could please use the raise your  
12 hand feature.  
13

14  
15 BECKY SITTON: Hi, this is Becky Sitton. I'm our Right  
16 of Way Manager, and it's a 16-inch diameter pipeline.  
17

18  
19 COUNCILMEMBER MONTGOMERY: Good. Any big one last  
20 question. How often do you do maintenance on that line?  
21

22 BECKY FITTON: John Rifilato, I think, is in the  
23 audience, so he can correct me if I'm wrong, but we're required  
24 by Finza to do inline inspections on our line, and I believe we  
25 do it every three years. Correct, John?  
26

27  
28 JOHN RIFILATO: Yes, ma'am.

1  
2 COUNCILMEMBER MONTGOMERY: That's great. That's good  
3 news. Thank you very much. Nothing further, your honor.  
4

5  
6 MAYOR FRANKLIN: Thank you. Any other questions?  
7 Comments? Questions? Okay, public comment? Anybody here?  
8 Chambers? No. Online?  
9

10 ASSISTANT CITY CLERK ALVAREZ: We have Craig  
11 Cadwallader.  
12  
13

14 PUBLIC COMMENTER CRAIG CADWALLADER: Good evening, Mr.  
15 Mayor, City Council and staff. My name is Craig Cadwallader, and  
16 I'm speaking on behalf of the Surf Rider Foundation, South Bank  
17 chapter. And, I do appreciate that a lot of the maintenance  
18 questions have already been brought up by our various council  
19 members. And as we know, there's been a history of maintenance  
20 issues with certain pipelines and oil spills that have resulted  
21 from that which have impacted the city. And while that is  
22 included in agreements that and requirements to doing  
23 maintenance, does anybody follow up to see that maintenance and  
24 inspections are actually happening on a timely basis? And I  
25 realize that transport of these materials needs to happen yet  
26 again. As we know up in the Santa Barbara area, there was a very  
27  
28



1 serious problem that did impact us. I just am asking the  
2 question if the city does anything to ensure that maintenance  
3 and inspections are carried out on this facility. So, thank you  
4 for allowing me to speak.  
5

6  
7 MAYOR FRANKLIN: Okay. Thank you for your comment.  
8

9 ASSISTANT CITY CLERK ALVAREZ: Next is Jim Burton.  
10

11 PUBLIC COMMENTER JIM BURTON: Mr. Mayor, members of  
12 Council, I just had a question about the pressure that the  
13 pipeline is under. I appreciate Craig's concern. I'm actually up  
14 in Santa Barbara now on a very similar issue, but just the  
15 pressure that the pipeline is under. And if for some reason  
16 there was an issue, what kind of pressures we're talking about,  
17 and that's it. Thank you for the time.  
18  
19

20  
21 MAYOR FRANKLIN: Okay, thank you, Mr. Burton.  
22

23 ASSISTANT CITY CLERK ALVAREZ: Next is Alita Rethmeyer.  
24

25 PUBLIC COMMENTER ALITA RETHMEYER: Hello, Alita  
26 Rethmeyer, 751 Marine. Seeing that I live on Marine, this really  
27 concerns me. My street is crumbling, and I did have a person  
28

1 from the public works department who is in charge of the new  
2 resurfacing project for Marine Avenue. He was quite the nice  
3 gentleman that came to the house today. However, you have a  
4 little LLC that's taking over this pipeline. So, what does our  
5 city attorney talk about when we have an LLC taking over a  
6 pipeline and pushing something through the city on this  
7 emergency ordinance? Answer, please.  
8

9  
10 COUNCILMEMBER MONTGOMERY: Oh, okay. Well, at the end,  
11 we don't want to answer till they're all done?  
12

13  
14 MAYOR FRANKLIN: Yeah, yeah, yeah. We don't answer  
15 until it's all finished, so.  
16

17 PUBLIC COMMENTER ALITHA RETHMEYER: Okay. I would  
18 really like to know before you start tearing up the street  
19 already and it's crumbling and we know that there's a huge  
20 pipeline under there.  
21

22  
23 MAYOR FRANKLIN: Okay, thank you, thank you.  
24

25  
26 ASSISTANT CITY CLERK ALVAREZ: There's no additional  
27 request.  
28

1           MAYOR FRANKLIN: No request. Okay, so we'll close  
2 public comments. Did you have a question?

3  
4           COUNCILMEMBER MONTGOMERY: I was going to pull them up,  
5 your honor, and ask if he would answer a couple of questions for  
6 us.

7  
8  
9           MAYOR FRANKLIN: Oh, I'm sorry. So, you're the rep from  
10 Zenith. Okay, so can you answer some of those?

11  
12  
13           JOHN RIFILATO: Hello, mayor and City Council. My name  
14 is John Rifilato. I'm the commercial manager for Zenith  
15 terminals. I've been associated with pipeline since planes owned  
16 the pipeline back in 2010. Up until now. So, the operating  
17 pressure. The maximum allowable operating pressure on the line  
18 is 800 psi. But the normal operating pressure on the line in  
19 this section is relatively low since it serves a customer at the  
20 refinery, at Chevron's refinery. So, the average pressure is  
21 probably 2300 PSI.

22  
23  
24  
25           COUNCILMEMBER MONTGOMERY: Second question. I'm sorry.  
26 And then how about the maintenance issues? How is it?

1           MAYOR PRO TEM HOWORTH: That would be a staff question,  
2 right?

3  
4           JOHN RIFILATO: Our maintenance is regulated by 49 CFR  
5 part 195. The state fire marshal performs inspections on our  
6 pipelines and audits on our maintenance, on our pigging and  
7 operational capacity of the pipeline.  
8

9  
10           MAYOR PRO TEM HOWORTH: But can I ask a question? Could  
11 I follow up with that?  
12

13  
14           JOHN RIFILATO: Sure.  
15

16           MAYOR PRO TEM HOWORTH: Because how do we, I think if I  
17 could have Director Lee. I don't think you should leave. But if  
18 I could have Director Lee, so, state Marshall regulated to  
19 inspect, et cetera, do we get some sort of verification that  
20 these things have happened? Are we overseen that. That the  
21 inspections and maintenance are happening?  
22  
23

24           PUBLIC WORKS DIRECTOR LEE: We're not the regulatory  
25 agency on that. So, we don't. We don't do that. We might get  
26 reports that summarize work like this, but we're not the active  
27 regulator.  
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MAYOR PRO TEM HOWORTH: That makes sense. Thank you.

COUNCILMEMBER MONTGOMERY: Okay, I have one more question, John, one more time, if you don't mind. So, my question. Two of them. The mayor asked. My other question is, are you doing any work that's tearing up the street anywhere between PCH going west? I'm sorry, eastbound?

JOHN RIFILATO: No, sir.

COUNCILMEMBER MONTGOMERY: So, you're not doing any work on marine going eastbound? That's not them. There's something else that's not these guys. There's 16inch pipe buried. How deep is your pipe under the ground?

JOHN RIFILATO: Four to five, four to 6ft depending on crossing street crossings, things like that.

COUNCILMEMBER MONTGOMERY: So, do you plan to add any more pipe or a new pipe replace the pipe anytime soon?

JOHN RIFILATO: Sir, no, sir, there was a project years and years ago and every. Whenever we do our pigging, you know,

1 we inspect, inspect the integrity of the pipeline and then that  
2 sometimes makes us. Has us, you know, do some digs on the  
3 pipeline, so none are projected in this area for this line.  
4

5  
6 COUNCILMEMBER MONTGOMERY: So, that's good news. Thank  
7 you, John, very much. Appreciate it. Nothing further for me.  
8

9  
10 MAYOR FRANKLIN: Right, and I just have a question for  
11 Director Lee. So, Director Lee, if there is any maintenance work  
12 and things like that that need to be done, they coordinate. Do  
13 they coordinate with the city through the Public Works  
14 Department?  
15

16  
17 PUBLIC WORKS DIRECTOR LEE: Correct. They need to  
18 obtain a right of way permit and they were responsible for all  
19 those costs and they'd be responsible for restoring our right of  
20 way back to its original condition.  
21

22  
23 MAYOR FRANKLIN: Okay, great, thank you. Yes.  
24

25  
26 COUNCILMEMBER LESSER: May I ask the Zenith  
27 representative a follow up question? As long as you're here. I'm  
28 pleased that you're here. Thank you. To follow up on the

1 questions of councilmember Montgomery, what is the average  
2 useful life of this type of pipes?

3  
4 JOHN RIFILATO: You know, steel and pipeline has  
5 different mechanisms in there that's called cathodic protection.  
6 So, you know, you can cut normal pipelines out that are like, in  
7 pristine condition. You know, they put a charge in it, they have  
8 coatings on them and that's what we routinely inspect based on  
9 49 CFR 195. We pig and run a mechanical device down there that  
10 tells us if there's any, you know, dents or dings in the  
11 pipeline. And then if they find them, they go ahead and they  
12 call them anomalies and they'll go down, they'll dig as big that  
13 section of line and they'll, you know, replace that section.  
14 They'll inspect it, inspect it and replace it. So, this is done  
15 with the gas lines, water lines, you know, so if.

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20 COUNCILMEMBER LESSER: You can give me a range and I  
21 recognize it depends on pressure, depends on the type of crew  
22 that might be running through it. What is the useful life range?

23  
24  
25 JOHN RIFILATO: Boy, it's hard to say. These lines were  
26 installed in the sixties. I operated government jet fuel line  
27 for the Navy up until 2010, and those lines were installed in  
28

1 the fifties. So, there's still lines in the ground today that  
2 were installed in the twenties.

3  
4 COUNCILMEMBER LESSER: I feel like we have a duty to  
5 ask these questions because this is a 25-year franchise  
6 agreement.  
7

8  
9 JOHN RIFILATO: Yes, sir.  
10

11 COUNCILMEMBER LESSER: And as was just indicated by our  
12 director, we don't have oversight jurisdiction, let alone the  
13 expertise to be able to double check the work that you're doing.  
14 So that's why I'm asking, you indicate there has not been recent  
15 improvements, correct?  
16

17  
18 JOHN RIFILATO: Yeah, correct. I, and so with these  
19 recent inspections, with inspections that are done on a three to  
20 five-year inspection interval based on the state fire marshal,  
21 they review, they have engineers reviewing the data and as I  
22 said, they're actually checking every inch of the pipeline  
23 across. So that helps keep it and maintain it in its pristine  
24 condition to allow for these operating conditions even though  
25 they may fall off in the certain years as far as pressure or  
26 operating capacity of the lines, you know, they still are  
27  
28



1 maintained at the higher 800 psi pipeline pressure. So your  
2 question is like if there's a section that doesn't seem to be,  
3 you know, properly detected or maintained, it's cut out and we  
4 install a new section of pipe that's, you know, so. And this  
5 pipeline probably has, you know, maybe 100 of those cutouts  
6 throughout its length of 37 miles or so.  
7

8  
9 COUNCILMEMBER LESSER: Thank you.

10  
11 MAYOR FRANKLIN: Councilmember, I'm sorry, Mayor Pro  
12 Tem Howorth.  
13

14  
15 MAYOR PRO TEM HOWORTH: Yes. And I'm going to try to  
16 ask the question that our resident Alita Rethmeyer asked or  
17 clarify because she was, I think, concerned because what she was  
18 saying is, oh, this is now Zenith LLC and that's Southern  
19 California Edison. But my understanding is this is the rights  
20 have been assigned to Zenith, but prior to that it was Plains  
21 West Coast Terminals LLC and prior to that was Pacific Terminals  
22 LLC. So, there's nothing really different. And I'm looking to  
23 our city attorney in terms of indemnification, you know,  
24 liability for the city, there's zero difference.  
25  
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1 CITY ATTORNEY BARROW: That's correct. When it went  
2 from Edison to the first, the predecessor, that was 2003.

3  
4 MAYOR PRO TEM HOWORTH: Right.

5  
6  
7 CITY ATTORNEY BARROW: And that was an LLC in 2003. And  
8 now its name changes.

9  
10 MAYOR PRO TEM HOWORTH: It's just the name change from  
11 different companies.

12  
13  
14 MAYOR PRO TEM HOWORTH: Okay, thank you.

15  
16 CITY ATTORNEY BARROW: Owned and operated by an LLC  
17 since 2003. Thank you.

18  
19  
20 COUNCILMEMBER MONTGOMERY: Your honor, one last one.  
21 John, for the non-engineers and everybody else in public,  
22 explain what a pig is and what it does with a line for.

23  
24  
25 JOHN RIFILATO: So, you know, to inspect the pipeline,  
26 a metal pipeline, they run a pipeline inspection device. They  
27 call it inline inspection device and it's about a 14-foot piece  
28 of, you know, different, has different mechanisms on it, has a

1 little magnetic field that it runs and it checks the thickness,  
2 wall thickness of the pipe all the way down the pipeline. It has  
3 a little wheel on the back where it also tells you exactly where  
4 it is. It has GPS. So at the end when they're going through this  
5 log, that's, you know, just bunches of data. It'll tell you  
6 that, hey, there could be anomaly at 06:00 on the pipeline, you  
7 know, 10ft from the corner of Marine and, you know, wherever  
8 else, it's an Elm or something, you know, so very accurate, you  
9 know, and, you know, it's used throughout our industry, so.  
10  
11

12  
13 COUNCILMEMBER MONTGOMERY: Perfect. Thank you. Nothing  
14 further.  
15

16 MAYOR FRANKLIN: I think that'll be the last time for  
17 you to sit down and greet up. No, no, no. Just saying that'll be  
18 the last time you got your exercise today. Okay, so we have a  
19 motion to accept by Mayor Pro Tem Howorth.  
20  
21

22 MAYOR PRO TEM HOWORTH: Yeah, we have to do two.  
23

24 COUNCILMEMBER LESSER: Three steps.  
25

26  
27 MAYOR PRO TEM HOWORTH: Three steps. Okay.  
28

1 CITY ATTORNEY BARROW: Item number two is the CEQA  
2 finding. To make that finding, you see item number two?  
3

4 MAYOR PRO TEM HOWORTH: I see. Item B, I'll conduct a  
5 public, I see. I'll put recommendation. Okay. Yes. So, item  
6 number two. So, we find the proposed action categorically exempt  
7 from environmental review pursuant to the California  
8 Environmental Quality Act.  
9

10  
11 CITY ATTORNEY BARROW: Yes. Is that your motion?  
12

13  
14 MAYOR PRO TEM HOWORTH: That would be my first motion.  
15

16 CITY ATTORNEY BARROW: Okay.  
17

18  
19 COUNCILMEMBER MONTGOMERY: I'm a second.  
20

21 MAYOR FRANKLIN: Seconded by Councilmember Montgomery.  
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23 CITY CLERK TAMURA: Mayor Franklin?  
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26 MAYOR FRANKLIN: Yes.  
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28 CITY CLERK TAMURA: Councilmember Montgomery?

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COUNCILMEMBER MONTGOMERY: Yes.

CITY CLERK TAMURA: Councilmember Lesser?

COUNCILMEMBER LESSER: Yes.

CITY CLERK TAMURA: Councilmember Napolitano?

COUNCILMEMBER NAPOLITANO: Yes.

CITY CLERK TAMURA: Mayor Pro Tem Howorth?

MAYOR PRO TEM HOWORTH: Yes.

CITY CLERK TAMURA: Motion passes, 5-0.

MAYOR FRANKLIN: Okay. And the second motion by Councilmember Montgomery.

COUNCILMEMBER MONTGOMERY: Just adopt urgency ordinance. My motion is to adopt urgency ordinance number 24-007U.

1 CITY ATTORNEY BARROW: There's a second. I'll read the  
2 title.

3  
4 MAYOR FRANKLIN: Seconded by Mayor Pro Tem.

5  
6  
7 CITY ATTORNEY BARROW: Okay. Urgency ordinance number  
8 24-007U. An urgency ordinance of the City Council of the City of  
9 Manhattan Beach, California, extending the term of a pipeline  
10 franchise previously granted to Zenith Energy West Coast  
11 Terminals, LLC, its successors and assigns for an additional  
12 term of 25 years to operate, test, maintain, use, renew, repair,  
13 replace, and remove or abandon in place a system of pipelines  
14 and appurtenances for the purpose of conducting, transporting,  
15 conveying, and carrying gas, oil, petroleum products, water,  
16 wastewater and other substances on, along, in, under, and across  
17 certain specified public streets, ways, alleys and places within  
18 Manhattan beach, superseding ordinance number 2002 and adopting  
19 a finding of exemption, which you've already done from CEQA  
20 under CEQA guidelines, section 15301, and declaring the urgency  
21 thereof.  
22  
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26 COUNCILMEMBER MONTGOMERY: Your honor, as the maker of  
27 the motion, want a clarification that the name change LLC, the  
28 same protections we've had, LLC 2003, continue?

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CITY ATTORNEY BARROW: Correct.

COUNCILMEMBER MONTGOMERY: Thank you.

MAYOR FRANKLIN: Thank you. Appreciate that. Vote,  
please.

CITY CLERK TAMURA: Councilmember Napolitano.

COUNCILMEMBER NAPOLITANO: Yes.

CITY CLERK TAMURA: Councilmember Lesser?

COUNCILMEMBER LESSER: Yes.

CITY CLERK TAMURA: Mayor Franklin?

MAYOR FRANKLIN: Yes.

CITY CLERK TAMURA: Councilmember Montgomery?

COUNCILMEMBER MONTGOMERY: Yes.

1 CITY CLERK TAMURA: Mayor Pro Tem Howorth?

2  
3 MAYOR PRO TEM HOWORTH: Yes.

4  
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6 CITY CLERK TAMURA: Motion passes, 5-0.

7  
8 MAYOR FRANKLIN: I'm going to propose that we take one  
9 more motion.

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11  
12 CITY ATTORNEY BARROW: Just to inform the public, the  
13 reason we had an urgency ordinance is this franchise will expire  
14 on August 14. And so, now that you've adopted it by more than a  
15 forfeit vote, that ordinance is into effect. As you know, the  
16 council knows, we often do first and second reading as well.

17  
18  
19 COUNCILMEMBER MONTGOMERY: So, I'll introduce ordinance  
20 number 24-007.

21  
22 CITY ATTORNEY BARROW: And if there's a second, I'll  
23 read the title again.

24  
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26 MAYOR FRANKLIN: Motion by Councilmember Montgomery and  
27 seconded by Mayor Pro Tem Howorth.



1 CITY ATTORNEY BARROW: I do need a break after this. In  
2 ordinance of the City Council, the City of Manhattan Beach,  
3 California, extending the term of a pipeline franchise  
4 previously granted to Zenith Energy West Coast Terminals, LLC,  
5 its successors and assigns, for an additional term of 25 years  
6 to operate, test, maintain, use, renew, repair, replace, and  
7 remove or abandon in place a system of pipelines and  
8 appurtenances for the purpose of conducting, transporting,  
9 conveying and carrying gas, oil, petroleum products, water,  
10 wastewater and other substances on, along and under, and across  
11 certain specified public streets, ways, alleys and places within  
12 Manhattan beach, superseding ordinance number 2002 and adopting  
13 a finding of exemption from CEQA under CEQA guidelines section  
14 15301.  
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19 MAYOR PRO TEM HOWORTH: I've changed my mind.

20  
21 COUNCILMEMBER LESSER: Can you read that again?  
22

23 CITY CLERK TAMURA: Mayor Pro Tem Howorth?  
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26 MAYOR PRO TEM HOWORTH: Yes.  
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28 CITY CLERK TAMURA: Councilmember Montgomery?

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COUNCILMEMBER MONTGOMERY: Yes.

CITY CLERK TAMURA: Councilmember Napolitano?

COUNCILMEMBER NAPOLITANO: Yes.

CITY CLERK TAMURA: Mayor Franklin?

MAYOR FRANKLIN: Yes.

CITY CLERK TAMURA: Councilmember Lesser?

COUNCILMEMBER LESSER: Yes.

CITY CLERK TAMURA: Motion passes, 5-0.

CITY ATTORNEY BARROW: And so, that ordinance will be back for second reading on the consent calendar and I won't have to read the title.

MAYOR FRANKLIN: Okay, sounds good. Well, we're going to take a break. We say till 8:15.

1 ASSISTANT CITY CLERK ALVAREZ: We are live, Mr. Mayor.

2  
3 MAYOR FRANKLIN: Item K, general business number  
4 twelve. Discussion. Discussion of whether to consider scheduling  
5 for the August 6, 2024, City Council meeting resolutions to  
6 present to the voters a ballot measure establishing a one-half  
7 cent sales tax. We have assistant to the city manager or city  
8 manager Mo.  
9

10  
11 CITY MANAGER MOE: Actually, George Gabriel, assistant  
12 to the city manager, will make the presentation. Thank you.  
13

14  
15 ASSISTANT TO THE CITY MANAGER GABRIEL: Honorable Mayor  
16 Franklin, members of the City Council, George Gabriel, assistant  
17 to the city manager for you. Tonight, we'll be discussing the  
18 consideration of a sales tax ballot measure, and particularly  
19 the council will receive a presentation on polling results from  
20 Tim McClarney from true North Research Council may be aware of  
21 Tim, but I just wanted to highlight for the community's sake  
22 that Tim is very familiar with the City of Manhattan beach and  
23 has conducted polling for the city for many years. Most  
24 recently, Tim conducted polling for the city's ToT measure in  
25 2019, multiple citizen satisfaction surveys and polling for the  
26 Prop 218 survey storm drain measure that was recently completed.  
27  
28

1 So, with that being said, I will pass along to Tim, and Tim will  
2 walk through his presentation results.

3  
4 MAYOR FRANKLIN: Great.

5  
6  
7 TRUE NORTH RESEARCH PRESIDENT MCLARNEY: Thank you,  
8 George, and good evening, Mayor and members of council. Tim  
9 McLarney, President of True North Research. We're affirmed that  
10 for the past 22 years specialized in working with cities and  
11 other types of public agencies around the state and using  
12 surveys to help them develop a statistically reliable  
13 understanding of the communities and the customers that they  
14 serve. To date, my business partner and I have worked on over  
15 1500 research studies for public agencies, and probably about  
16 two thirds of the work we've been doing for the last few years  
17 is what we call revenue measure feasibility studies, like what  
18 we're going to be talking about here tonight, where the goal is  
19 to understand if it's feasible, to move forward with some type  
20 of revenue measure. And if it is feasible, how might you go  
21 about structuring that measure in a way that is well aligned  
22 with the type of measure your community's interest in  
23 supporting? Tonight's presentation covers the highlights of the  
24 research, and I welcome questions from council along the way, or  
25 at the end, whichever is your preference. Next slide, please.  
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1 So, before we dive into the results, helpful to take a quick  
2 moment to review the purpose of the study as well as the  
3 methodology. As a revenue measure feasibility study, we're  
4 really trying to address the three bullets you see here on this  
5 slide. The first is to answer that basic question of is it  
6 feasible? And what I mean by that is, if you as a counsel were  
7 to choose to move forward with a general sales tax measure this  
8 November, does it have a reasonable chance of success? Right  
9 answer that question isn't always yes. Sometimes we do this  
10 research about how you look at the data. There's really not a  
11 clear path to get you from where you are today to where you  
12 would need to be to have a good chance of success on election  
13 day. And if that's the case, I'll be the first person to tell  
14 you that when we do see that as feasible, that next bullet kicks  
15 in gear, which is to identify how might you go about structuring  
16 a measure in a way that it's consistent with the type of measure  
17 that your community is interested in supporting. There's lots of  
18 components to a revenue measure package. There's the price tag,  
19 there's what you're planning to fund with it, what sort of  
20 accountability provisions can be built into the measure. These  
21 are kind of decisions that you as a council would have to make  
22 if you ultimately choose to move forward with a measure this  
23 November, and the survey can help guide those decisions. And  
24 then thirdly, the survey is an opportunity for us to understand  
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1 the role that information plays in shaping voters' opinions  
2 about this proposal. I'm a big believer that if a public agency  
3 is going to take the step of putting a measure on the ballot and  
4 asking voters to make that important decision, it's really  
5 incumbent upon that agency to inform voters about the decision  
6 you're asking to make. So as a public agency, you're not using  
7 public resources to say vote yes or vote no, right? You're not  
8 advocating, but it's good governance to make sure that the  
9 voters have the basic facts and figures behind why this measure  
10 is up there. And that way they can come to their own well-  
11 informed decision. Next slide, please. In terms of the  
12 methodology, we use the same methodology here that we always use  
13 when we're looking at revenue measure feasibility studies. And  
14 the first question we ask ourselves is what election is this  
15 measure going to be on? Right. As you know, elections have  
16 different turnouts. And as you expand or shrink turnout, you'll  
17 often get a somewhat different profile to the participating  
18 voters in that election. And it's really important that you  
19 match that. And so here we're looking at this upcoming  
20 presidential general election in November. It is the highest  
21 turnout of any election in a four-year cycle. And what we did is  
22 for all voters that are registered in the City of Manhattan  
23 beach, we looked at what their, when they registered, what  
24 elections they participated in. This point, some other  
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1 demographics, and you would identify those that you would  
2 anticipate are actually going to cast a ballot this November.  
3 So, we call those likely November voters. We then use a process  
4 called stratified and clustered random sampling to create a  
5 sample that is representative of that likely November universe  
6 on all the dimensions that we know tend to be related to how  
7 people vote on tax measures. So, things like age, gender,  
8 partisanship, household party types. So not just the  
9 partisanship of the respondent we're speaking with, or what's  
10 the partisanship of the person they live with, as well as where  
11 your voters are located around the city. The profile of our  
12 sample matches on all those dimensions, the profile of that  
13 likely November universe. Once we have pulled our sample, we use  
14 three different recruiting methods, email, text and telephone.  
15 Everything is pin protected so that only those individuals that  
16 were randomly selected as part of our survey and we had sent an  
17 invite access the site. They can complete one survey per person.  
18 And that's how we protect the integrity of the underlying data.  
19 And folks have the option of participating either online or by  
20 telephone whichever was their preference. We completed 409  
21 interviews as part of the study, which allows us to meet that  
22 academic standard for statistical reliability, which is a margin  
23 of error less than 5%. In this case, it's plus or minus 4.8% at  
24 the 95% confidence level. What that means is we can be 95%

1 confident that the results I'll talk about tonight are within  
2 4.8% of what we would have found had we spoken with all of your  
3 approximately 24,406 likely November voters. Next slide, please.  
4 So on to the results. We like to open up these surveys with a  
5 few warm up questions, the first of which was just overall, how  
6 would you rate the overall quality of life in Manhattan Beach?  
7 Would you say it's excellent, good, fair, poor, or very poor?  
8 You can see here that 91% of the respondents we spoke with rated  
9 the quality of life as excellent or good. About 8% said fair,  
10 and less than 1% said poor. Very poor. This is obviously, it  
11 shows that people choose to live in Manhattan beach for a  
12 reason. They have a very high opinion of the quality of life in  
13 the community. It also tends to have relationship to support for  
14 measures that are really about, you know, protecting the quality  
15 of life in the community. And oftentimes these general tax  
16 measures are about the things that sort of roll up to quality of  
17 life. So, it's streets and roads, it's public safety, it's Parks  
18 and Rec, it's quality of facilities that are available to  
19 residents. And so, the fact that residents have a high opinion  
20 of the quality of life in Manhattan beach is generally one of  
21 those things that is a long term with having a feasible measure.  
22 Next slide, please. So, after that question about how they rate  
23 the overall quality of life, we also asked them in an open-ended  
24 manner, the city could change one thing to make Manhattan Beach  
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1 a better place to live now and in the future. What change would  
2 you like to see? By open-ended, I mean that we didn't present to  
3 them this list of issues you see here on the slide. We got. They  
4 just got to tell us in their own words what was top of mind for  
5 them. We went back and review those verbatim responses and group  
6 them in the categories you see here. So, at the top of the list,  
7 this is the first time I've actually seen this one. At the top  
8 of the list is addressing e-bike issues at 13%. That would have  
9 been my vote, by the way, if I lived in Man beach. Since we have  
10 that problem here. I'm down in Encinitas. We have the same  
11 issues, I think so 13% addressing e bike issues, 11% addressing  
12 parking issues and then I on specifics you have improving public  
13 safety, more police presence at 9%, and then preserving and  
14 supporting outdoor dining at about 8%. About 15% of respondents  
15 either said, I can't think of anything that I changed about  
16 Manhattan beach, or said specifically that there are no changes  
17 that they'd like to see. They like it just the way it is. So,  
18 this just sort of gives you an idea of what's top of mind for  
19 your respondents. Next slide, please. So, one of the, these  
20 presidential elections, when it comes to ballot measures, are  
21 kind of a double-edged sword. On the one hand, you have this  
22 really high turnout, and a lot of times that high turnout  
23 usually corresponds with having an electorate that's a little  
24 more friendly towards ballot measures. And there's a reason why  
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1 when you see these presidential elections, a lot of agencies are  
2 targeting their measures for these particular election cycles  
3 and for certain types of revenue measures. As you look over  
4 time, every time you hit a presidential general election, the  
5 passage rate actually blips up, right? So, it has a higher  
6 passage rate. The challenge the other side of the sword is that  
7 they tend to be crowded ballots for that reason. Right. You have  
8 a lot of agencies that are thinking about putting measures on  
9 the ballot, and so yours is going to be nestled in among a  
10 variety of state and local measures, some of which are also tax  
11 measures. And so, one of the things we want to get a handle on  
12 is we don't just want to look at your measure in isolation, in a  
13 vacuum. We want to see how it performs in the context of some of  
14 the other measures that will be on the ballot. And so that's  
15 where we get this crowded ballot simulation. So, before we  
16 mention anything about the city's local sales tax, we tell  
17 voters that, or respondents that this November, voters are going  
18 to be asked to vote on several ballot propositions at the state  
19 and local level. And I'm going to read you a couple of these  
20 measures and just understand how you would vote yes or no. And  
21 so, we introduced both the school district's \$200 million bond  
22 measure as well as the beach city's healthcare district's \$30  
23 million bond measures. The point of this, and I want to  
24 emphasize this, these were not designed, these questions were

1 not designed to get an accurate, agreed on voter support for the  
2 school district's bond measure or the Beach City Health  
3 district's bond measure. We didn't ask the full 75 words. We  
4 didn't provide any context. And so, in all likelihood, we are  
5 underestimating support for those two measures here, the point  
6 was not to get an accurate read. The point was to make it clear  
7 to the voter and plant the seed that, okay, sort of simulate  
8 that experience of going down the ballot and having to consider  
9 other tax measures before they get to your measure. Right. So,  
10 it serves that purpose very well. It's not designed to give an  
11 accurate read on those two ballot propositions, again, because  
12 we aren't testing the full 75-word ballot statement. So, after  
13 the crowded ballot simulation, next slide, please. That is when  
14 we get to your proposed general sales tax measure, and we get to  
15 what we call the initial ballot test. And the idea here is, now  
16 that we've done the crowded ballot simulation, but before we've  
17 talked in any more detail about what this measure could  
18 accomplish and arguments pro and con, we want to present to  
19 respondents a mock-up of what we think that 75-word ballot  
20 statement could look like and get their correction. The initial  
21 ballot test is a really good gauge of where your voters are at  
22 on the natural with respect to this proposal, because they  
23 haven't heard anything more about this measure beyond the ballot  
24 statement that you see here. This is structured as a general  
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1 tax, meaning that the funds are going to backfill the general  
2 fund. They can do the things that you see here in the bullet,  
3 but it's not earmarking these funds for any specific one of  
4 these items. That's one of the qualifying conditions for being a  
5 general tax. So that's the 75-ballot statement that we tested,  
6 and on the next slide are the results. So, at the initial ballot  
7 test, we had 64% of respondents tell us they would support this  
8 proposal. We had 28% opposed, and we had about 8% who were  
9 unsure. So, for a general sales tax measure in the state of  
10 California, you need a simple majority. So, we're sitting about  
11 14 points north of that simple majority here at the initial  
12 ballot test. I would also say that when you dig behind these  
13 numbers and you look at the support levels by various subgroups  
14 of voters, your support level is widespread. Certain types of  
15 measures that we do for other entities, you're going to see big  
16 differences based on age in terms of support, certainly  
17 partisanship. You see big differences there. It's telling that  
18 every single identified demographic subgroup, when you look at  
19 this measure, supported this above a simple majority. So, there  
20 wasn't a single demographic group that was below a simple  
21 majority. And obviously, some groups supported, you know, well  
22 into the seventies. So next slide, please. So, after the initial  
23 ballot test, we get into the projects and services section, and  
24 the idea here is really twofold one is we are now going to start

1 to educate this respondent more about what this measure could  
2 accomplish. Up to this point, they'd only seen that 75-word  
3 ballot statement. About half of the words in the 75-word ballot  
4 statement could describe projects or services and can receive  
5 funding. So here we have to unpack it and provide more detail on  
6 how the funds could, could be spent. And in that way, they're  
7 getting a better idea about what this proposal is about. The  
8 other thing it allows us to do is to look at of all the ways you  
9 can consider spending the money, how do your voters feel about  
10 each of those uses and which of these rise to the top of the  
11 list in terms of priorities? As you can see here, there's sort  
12 of two tiers. At the top here, we've got about five projects  
13 that are what I would call sort of the top tier. They've got 75%  
14 plus of voters saying that they would favor spending some of the  
15 money on that item with fixing potholes and maintaining city  
16 streets and keeping local street sidewalks, infrastructure and  
17 parks safe, clean and well maintained. At the top of that list  
18 here we have number three, improving e-bike traffic enforcement  
19 safety. We saw that in that open-ended question. It's kind of a  
20 hot topic and you see it rise up here, too, when you get down to  
21 the bottom. Here are some of the more facility-oriented items,  
22 and they don't test quite as well. Interestingly enough, though,  
23 in a couple slides, things are going to change a little bit. And  
24 so, I think what's happening here is when you talk about sort of  
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1 refurbishing and preparing older facilities, and there's no more  
2 real detail beyond that. It's kind of a meh project, right. When  
3 we can sort of describe more about why there's a need for that,  
4 as we do in some of the arguments, you're going to see that that  
5 shifts things a little bit. Next slide, please. So, if you, as a  
6 council, decide to move forward with a November measure, there's  
7 going to be an election cycle. And during that election cycle,  
8 there's going to be a lot of discussion, debate in the community  
9 about this proposal. You'll undoubtedly have some folks who will  
10 go out and advocate on behalf of this measure and talk to their  
11 friends and neighbors about why this is needed and why they  
12 should vote yes. And you could get some opposition, right.  
13  
14 Folks, step up, say this is a terrible idea, we shouldn't be  
15 doing it, and here's why. For this survey to be a reliable gauge  
16 of the feasibility of a general tax measure, we need to simulate  
17 that discussion and debate in the space of the poll. So, we know  
18 not only where your voters are at on the natural, which was that  
19 initial ballot test, but what happens to their opinions about  
20 this proposal once they're exposed to positive arguments, as  
21 well as once they're exposed to negative arguments. So, we do  
22 that by first testing here, positive arguments. And the nature  
23 of the question is, supporters of the measure stay blank. You  
24 insert a positive argument. Do you think this is a very  
25 convincing, somewhat convincing, or not at all convincing reason  
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1 to support the measure? And you can see here that the number one  
2 argument at the top here is the city maintains 100 miles of  
3 streets, nine community facilities, and 122 acres of parks and  
4 playfields. This measure provides the funding we need to keep  
5 our streets, parks and community facilities in good condition.  
6 This is an argument that I've seen rise at the top of the list  
7 in a lot of cities that we work with on these types of measures.  
8 And I think it's so compelling because what it does is it kind  
9 of helps voters understand the scale of your obligations as a  
10 city in terms of what you're taking care of. Right. I'll make  
11 you a bet. If you polled 100 people in the community and asked  
12 them how many miles of streets are in Manhattan beach, very few  
13 would say 100. Right. They'd probably say 20. And so, this, by  
14 adding some specificity, some numbers to the number of parks,  
15 the number of miles of streets, the number of acres of parkland,  
16 that really helps kind of orient them to. Okay, yeah, I can see  
17 why this is needed. The second one there was due to their age,  
18 some of Manhattan Beach's community, community facilities have  
19 structural problems, earthquake safety issues, asbestos,  
20 outdated electrical, plumbing, and roof leaks that can cause  
21 water damage and mold. This will fix this problem. So, here's  
22 what I'm saying before, when you just talk about upgrading the  
23 facilities by themselves, you get kind of a, more of a lukewarm  
24 response. When you can kind of describe the need in greater  
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1 detail, like this argument does, you get a different reaction.  
2 At this point in the survey, voters have heard more about this  
3 proposal than they did at the initial ballot test. Right. We had  
4 a chance to talk in more detail about how funds could be spent.  
5 We were able to convey positive arguments on behalf of the  
6 measure. We've yet to get to the negatives. So, we circle back  
7 to that same 75-word ballot statement in the interim ballot  
8 test, and we say, now that you've heard a bit more, where do you  
9 stand? Next slide, please. And as you can see here, support  
10 ticks up a bit of we're now sitting at two, three support at the  
11 interim ballot test with 25% opposed, and we still have about 8%  
12 unsure. So here we're now sitting about 17 points north of that  
13 simple majority that's required for passage. Next slide, please.  
14 And then we get to the negatives. And the idea behind the  
15 negatives here is I want to pressure test respondent support for  
16 this proposal by peppering them with a series of negative  
17 arguments, the kind of arguments you would expect to hear from  
18 an opponent so that we're getting a realistic understanding of  
19 should you get opposition, should they be effective at getting  
20 their message out, how might that ultimately impact support for  
21 this proposal? And so, you see the five arguments we tested,  
22 they all get some degree of traction. The number one up there  
23 being this idea that, look, we're already paying a lot of taxes  
24 for the state, county, school bonds and other things, and



1 there's going to be a lot of tax proposals on the November  
2 ballot, and we just can't afford to keep doing this to  
3 ourselves. So, you see they get some traction. The real  
4 question, though, is what happens afterwards on the next slide?  
5 And you see that the negatives do take a bite. They drop support  
6 for this proposal about nine points from where we were sitting  
7 at the interim ballot test, but we still land at 58% support,  
8 which is a full eight points north of that simple majority  
9 that's required for passage of a general tax. Next slide,  
10 please. So, what does all this mean? I've just got two more  
11 slides here. I'm going to circle back first to that overarching  
12 question I mentioned at the outset as the main motivator for why  
13 we do this kind of research, which is to answer that question of  
14 is it feasible if you as a council were to choose to move  
15 forward with a November measure, does it have a reasonable  
16 chance success answer that is clearly yes, based on these  
17 results, for all the reasons that you see listed under the  
18 positive signs, voters have a high opinion of the quality of  
19 life in the community. They also value the services they're  
20 receiving from the city, but they do see some room for  
21 improvements here and there. And those sentiments sort of  
22 combined to create a solid base of support. At the initial  
23 ballot test of 64%, we're 14 points north of that simple  
24 majority required for passage. All of the sort of projects and  
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1 services that you're thinking about spending funds on are either  
2 very popular or reasonably popular. The arguments on behalf of  
3 the measure resonated. And importantly, at each point in the  
4 survey where we circled back that same 75-word ballot state, we  
5 said, now that you've heard a bit more, where do you stand all  
6 of those ballot tests? Well north of the simple majority  
7 required for passage, and that was even after we tested negative  
8 arguments. So, when we see that kind of pattern in place, that  
9 aligns with having a good shot at being successful if you move  
10 forward with a measure. There are also some challenges, though,  
11 that we need to be aware of. I don't think these are  
12 insurmountable, but they're things that, you know, anytime  
13 you're thinking about putting a measure on the ballot, you want  
14 to be very aware of what kind of headwinds we might be facing.  
15 Moving towards election day. We saw that the negative arguments  
16 get some traction. So, should you get some organized opposition?  
17 They certainly have the ability to put a dent in support for the  
18 proposal. There's also this new ruling or new rule called AB  
19 1416 for the November ballot, where below the 75 words is an  
20 opportunity to have such supporters listed by name and title and  
21 organization, as well as opponents. This is brand new territory.  
22 This is the first election cycle where this is in place. Most  
23 counties have opted out of this. La county is one of those that  
24 has stayed in it. And so that creates a little bit of a wild

1 card moving forward. So, we want to pay attention to that. And  
2 the big one, I think, is really the electoral climate. There are  
3 those kind of elections that are what I call "feel good  
4 elections" right there. Things are going great, economy is going  
5 great. Not a lot of controversy out there. This is not going to  
6 be one of those elections. As you might imagine. We have a hyper  
7 partisan presidential contest that's going to set the tone. We  
8 have some statewide initiatives that are probably going to  
9 create some headwinds for local measures, and you're going to  
10 have some overlapping measures that we already talked about. So  
11 again, I don't think these things are insurmountable, but I  
12 always believe that you should walk into an election cycle eyes  
13 wide and open right about what your potential challenges are.  
14 That's the best way to make sure that you're able to navigate  
15 through that successfully. So last slide on the next one. So,  
16 with this in mind, I think as promising as these results are,  
17 and they're very promising, it's important to keep in mind that  
18 a survey like this is a snapshot of time, right. It's not a  
19 crystal ball looking forward to November saying you're going to  
20 get 64% on November, it gives you a good idea of where you are  
21 today with your voters, gives you a good idea of how they would  
22 react to the types of information that they may encounter during  
23 election cycle. But ultimately, what dictates what happens on  
24 November is not what your poll says today. It's everything that  
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1 happens from this point forward. And so that's really kind of my  
2 way of sort of reminding us that, number one, we got to make  
3 smart decisions about what this measure looks like and that  
4 you're putting in front of your voters so it's well aligned with  
5 how they'd like to see these funds spent. And you got to put the  
6 work in, in terms of communications and outreach under the  
7 funding priorities there. This is what your voters said that  
8 they were most interested in using the funds for. And so, you  
9 know, these types of items should be prominently featured within  
10 the 75-word ballot statement. Obviously, as a general tax, you  
11 can't make official promises on this, but it's a generally good  
12 idea to be have a measure that is outlining how you would intend  
13 as a council to spend these funds. And then from a  
14 communications perspective, there's really two opportunities  
15 here, the city itself, just to provide the basic non-advocacy  
16 communications so that voters are aware of the need, understand  
17 why this measure is being considered. They understand there's  
18 going to be a measure on the ballot, and then there would need  
19 to be an independent campaign that could step up and advocate  
20 for this measure during the election cycle. So, with that, I end  
21 my slides and I welcome questions from council, if you have any.  
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26  
27 ASSISTANT TO THE CITY MANAGER GABRIEL: Council, if I  
28 may interject, we do have some additional slides that I can

1 provide, some ancillary information, proceed with asking  
2 questions to Tim, or we can proceed with the ancillary slides  
3 that I can provide. Your choice.  
4

5  
6           MAYOR FRANKLIN: I think ask some questions on this  
7 because...

8  
9           MAYOR PRO TEM HOWORTH: No, we should go because, maybe  
10 these will answer the questions before we... There's just a few  
11 slides, but that's what I would do.  
12

13  
14           COUNCILMEMBER LESSER: I think we would go forward and  
15 hear the rest of the presentation, and then we ask questions at  
16 the end of the... That was very good presentation, though. Thank  
17 you.  
18

19  
20           ASSISTANT TO THE CITY MANAGER GABRIEL: So, I just want  
21 to provide some quick background on this as to where we're at  
22 with sales tax. Right now, sales tax accounts for approximately  
23 12% of our operating budget that was just approved by the City  
24 Council, or \$11.4 million. It should be noted, based on an  
25 analysis provided by the city sales tax consultant HDL, 61.3% of  
26 the city's 2023 actual sales tax is generated by non-residents  
27 or visitors. How does this compare? So, HDL has done this  
28

1 analysis for 67 other cities in the past four or so years. And  
2 only four cities, Malibu, Pacific Rose, Monterey, and El Monte,  
3 have a larger non-resident percentage of revenue than Manhattan  
4 beach is 61.3%. So, where are we at regionally? How does the  
5 sales tax compare? So, I picked out a couple cities that are  
6 nearby to us, most notably city of LA, El Segundo, Hermosa, and.  
7 Oops, we're in a vortex. Okay.

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9  
10 MAYOR PRO TEM HOWORTH: It's a coyote.

11  
12  
13 ASSISTANT TO THE CITY MANAGER GABRIEL: So, the current  
14 regional sales tax in terms of the beach cities hovers at about  
15 9.5%. And if you go a little more inland, you're at about ten to  
16 10.25. And the highest you'll see is 10.25 in the region. That  
17 being said, there is another countywide sales tax measure that's  
18 going to be on the ballot, and it's what I refer to as measure H  
19 2.0. That's not the official name, but it is a measure that is  
20 sponsored by a nonprofit group called United Way. And United Way  
21 wants to increase the quarter cent sales tax to a full half cent  
22 sales tax. And so that would have implications on every city's  
23 sales tax. And so, I put a projection here of the same sales tax  
24 percentages. That would be if measure h 2.0 passes. And I should  
25 indicate that currently, polling projections indicate that they  
26 are comfortable with passage over that 51% threshold. So,  
27  
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1 obviously, elections, anything can happen. But as of right now,  
2 polling indicates that it will pass. So therefore, I provided  
3 regional sales tax with measure h 2.0. You'll see, though, that  
4 there are some ranges, particularly at El Segundo and Hermosa  
5 beach, and that's because they may have some changes in their  
6 sales tax. Hermosa is proposing a three quarters of a cent sales  
7 tax that's going to be on the November ballot. El Segundo has an  
8 interesting clause in their municipal code that is almost a  
9 trigger of once a qualified ballot measure of a sales tax  
10 increase goes on the ballot, then they have the ability to  
11 impose a sales tax increase. They have. There's no clarity yet,  
12 or 100% clarity, I should say, as to whether they will move  
13 forward with that. But that's currently in their municipal code,  
14 so that's why you're seeing those ranges on those particular  
15 cities. But if measure H 2.0 did pass in November, it would  
16 automatically increase the city's sales tax to 9.75, as well as  
17 the same Redondo, and have reciprocal changes around the other  
18 regional cities. So ,what does a half cent, quarter cent, or  
19 even a three quarters of a cent do in terms of our sales tax  
20 revenue? As I mentioned earlier, our sales tax revenue is 11.4  
21 million in this current year operating budget. If the city  
22 proposes a half cent sales tax increase of 0.50% increase, that  
23 would equal about \$5 million annually in revenue, that would go  
24 to the city's general fund. And so, wanted to also discuss about  
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1 sales tax measures in California. So, since 2020, there's been  
2 an average pass rate of sales tax measures at about 76%. So,  
3 you're seeing a general climate recently that these sales tax  
4 measures are getting approved in California in general. And  
5  
6 lastly, this is my last slide for the evening staff recommends  
7 that the City Council, if City Council would like us to proceed  
8 with this, we would return at the August 6 meeting, three days  
9 before the required deadline from the county, and provide the  
10 required resolutions for the City Council to consider and place  
11 a ballot measure establishing a one half cent sales tax at the  
12 November 5, 2024, general municipal election, likely, obviously,  
13 under council direction, but utilizing the language that was  
14 pulled by Tim McLarney from True North Research. And the second  
15 recommendation is to establish a subcommittee and assign members  
16 to assist with developing a community led public outreach  
17 campaign. As indicated by Tim, this is going to be a big lift on  
18 our communications efforts, and it's going to need some council  
19 involvement in order to spearhead some of the support for this.  
20  
21 And so, our current recommendation is to establish that  
22 subcommittee and assign members. With that being said, that  
23 concludes my presentation. We have Finance Director Charelian  
24 here, and obviously City Manager Moe and Tim McLarney still on  
25 the line.  
26  
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1           MAYOR FRANKLIN: Thank you. Colleagues?

2  
3           COUNCILMEMBER LESSER: Well, if no one's going to ask  
4 questions at this point, I have a question that goes to the why,  
5 not could we, but why? And I'd like to direct that to our  
6 Finance Director Charelian, because this is, I guess, his last  
7 public meeting. He will not be here August 6 if council directs  
8 staff to bring this measure back. And you and I have had an  
9 exchange with regard to the extent that the city wants to  
10 finance with these general funds, certain capital improvement  
11 projects, why doesn't it just go out for a bond? And we talked  
12 about the comparative costs of that and also the limitations  
13 because of revenue stream. And I think it's really important to  
14 get that into the public discussion. Why would we look to a  
15 sales tax and when, in theory, we could bond for some of these  
16 projects?  
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20  
21           FINANCE DIRECTOR CHARELIAN: Yeah. Thank you for the  
22 question. Steve Charelian, Finance Director for the city. You  
23 know, it's just balancing the operational needs of the city. You  
24 know, we have personnel costs, there's challenges due to  
25 inflation. So, this type of general tax will help generate  
26 revenues for those type of costs, larger capital improvement  
27 projects. The reason we can't go out and bond is we don't have  
28

1 enough in reserves. And they're recurring. They're usually  
2 amortized over 20 to 30 years, particularly 30 years if it's a  
3 larger project. So, if you needed to do something for \$20  
4 million, you would need about \$1.2 million in debt service for  
5 the duration of that. And we just don't have the capacity.  
6 There's no new revenues coming in, but costs are going up.  
7 Vendors, consultants, inflation, personnel costs, all these  
8 things are going up. And we have enough revenues for a balanced  
9 budget. But at the end of the year, you have some surplus funds  
10 and you do have reserves. But those reserves, again, looking at  
11 five years, ten years, 20 years, these large infrastructure  
12 costs over 30 years, we can't go bond them because we just don't  
13 have enough money to pay them over a 30-year period because of  
14 certain revenue growth that we cannot kind of foresee unless  
15 it's something like a general sales tax.  
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20 COUNCILMEMBER LESSER: Thank you.

21  
22 FINANCE DIRECTOR CHARELIAN: Is that helpful?  
23

24  
25 MAYOR FRANKLIN: Okay, so on slide, this is regarding  
26 the polling. So, on page 301 in our report, or slide number  
27 five, we show that the quality of life. I'm just doing an  
28 addition here. When you add up all that, it's 91% think we're

1 doing a good or excellent job. Okay. So then when you go to the  
2 next slide, slide six, it talks about changes to improve the  
3 city. So, my question is this, is this, are these  
4 recommendations or things they need, they want to see improved?  
5 Is that just of the 9% who don't think we're doing an excellent  
6 job, or is this?  
7

8  
9 TRUE NORTH RESEARCH PRESIDENT MCLARNEY: No, it's of  
10 everybody.  
11

12  
13 MAYOR FRANKLIN: It's of everybody.  
14

15 TRUE NORTH RESEARCH PRESIDENT MCLARNEY: Yeah.  
16 Everybody gets the chance to say, you know, I can say the  
17 quality of life in the community is excellent, but I may also  
18 have an idea about if there was something I could change, what  
19 would that be? Right. I may have a few thoughts on that as well.  
20 So, it's not just the 90% who are something less than excellent  
21 or good in terms of quality life.  
22  
23

24  
25 MAYOR FRANKLIN: Okay, great. And we discussed that  
26 there's a 50% threshold. We just. I don't quite know how it got  
27 off the ballot, but we had the Taxpayer Protection act, which  
28 was going to sponsor by the Howard Jarvis association, who was

1 going to say that any taxation had to be approved by two thirds  
2 majority, and it was going to be retroactive. So, what is your  
3 feeling about something like that coming back? I mean, and why  
4 did it not make it so?  
5

6  
7 TRUE NORTH RESEARCH PRESIDENT MCLARNEY: I'm not an  
8 attorney. So, I haven't read that front to back, but I do a lot  
9 of this work, and my understanding is that that applied to  
10 certain types of measures. When it comes to general sales tax  
11 measures, the impact of that proposed Taxpayer Protection act  
12 was going to be really modest. If you go forward a couple  
13 slides, I think it might be slide eight there. One of the,  
14 basically the only impact it was going to have on general taxes,  
15 if you look down at that language where it says providing \$5  
16 million annually until ended by voters for general government  
17 use, they wanted, that act was going to require that statement  
18 for general government use. So, you couldn't say for city  
19 services or any like that had to say for general government use.  
20 That was kind of the limits of what that measure was going to do  
21 for general tax measures. So, there wasn't really this concern  
22 that if you don't pass this now, it's going to go to two thirds.  
23 The general sales taxes for cities were still going to be  
24 available. They just had a little tweak to it.  
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1           MAYOR FRANKLIN: Okay, let's see. So, did your polling  
2 project the impact of a committee that was going to be promoting  
3 this, that was apart from the city? I mean, what kind of  
4 activity did you see? Would that entail newspaper ads going door  
5 to door?  
6

7  
8           TRUE NORTH RESEARCH PRESIDENT MCLARNEY: Yeah, I mean,  
9 there's, the independent campaigns would decide on their own  
10 strategies for communication. You often have direct mail, you  
11 have digital, et cetera, privately funded volunteer led. From a  
12 polling perspective, there's what your polling shows. And then  
13 what you want to do, if you're good at doing this, is you want  
14 to step, you want to take that data and then you want to step  
15 back and think about the things that are outside the polling  
16 that can impact the support for a proposal down the line. So  
17 what else is on the ballot that you're sharing? What's the  
18 status of this independent campaign? Are they going to be able  
19 to raise funds? How effective could they be? These are the types  
20 of things, any sort of expected upturn or downturn in major sort  
21 of economic factors, et cetera. What I'm doing here in this  
22 poll, you can see that when we test positive messages, we  
23 actually increase support. And those positive messages are in  
24 voters' heads when they also encounter those opposition  
25 arguments. And so, we saw that the opposition arguments take a  
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1 toll. Right? They drop about nine points. We still land well  
2 above the simple majority. But had you not had the positive  
3 arguments, had we not sort of simulated a positive campaign and  
4 all you had was negatives, right? We wouldn't be landing in 58.  
5 So, you know, baked into these results here is the idea that  
6 there would be some sort of advocacy campaign out there during  
7 the election cycle.  
8

9  
10           MAYOR FRANKLIN: Okay. Gotcha. Good. All right, and  
11 this United Way, George, I believe you had mentioned that The  
12 United Way was promoting the county.  
13

14  
15           ASSISTANT TO THE CITY MANAGER GABRIEL: So, the United  
16 Way of Los Angeles is a nonprofit group that sponsored a citizen  
17 initiative to place a ballot measure countywide on measure H.  
18

19  
20           MAYOR FRANKLIN: Is that the United Way we know because  
21 I know there was one that was a different, no, it's, I Mean,  
22 it's not the United Way that we all kind of knew were, you know,  
23 that overall nonprofit organization?  
24

25  
26           ASSISTANT TO THE CITY MANAGER GABRIEL: From my  
27 understanding, United Way is a nonprofit organization that's  
28 geared towards affordable housing and homelessness.

1  
2           MAYOR FRANKLIN: Okay, so it's not the United Way I  
3 mean, what am I trying to say? There's a United Way that we've  
4 known, yeah. So, it's not that or are they just intentionally  
5 confusing the name or?  
6

7  
8           ASSISTANT TO THE CITY MANAGER GABRIEL: Do not know. I  
9 can look into the organization's information on their website  
10 and send it to you.  
11

12  
13           MAYOR FRANKLIN: Thank you. No more questions. Anybody  
14 else have questions?  
15

16           COUNCILMEMBER LESSER: See, I'll do a follow-up for Mr.  
17 Mayor.  
18

19  
20           MAYOR FRANKLIN: Thank you. Sure.  
21

22           COUNCILMEMBER LESSER: Yeah, and that is just can you  
23 repeat again? What your data shows with regard to having all of  
24 these measures on the ballot at one time? In terms of the  
25 potential negative impacts on our measure even recognizing this  
26 question that the Mayor was asking about the sort of efforts  
27 that an independent organization would need to do to provide the  
28

1 positive messaging about them our local measure. What's the  
2 impact of all these other revenue raising measures on the ballot  
3 at the same time?  
4

5  
6 TRUE NORTH RESEARCH PRESIDENT MCLARNEY: Yeah, so  
7 that's why we tested the crowded ballot simulation. We want to  
8 have some handle on that and what we're seeing is that You know  
9 when we're seeing this not only at Manhattan Beach. I've seen it  
10 a lot of other communities where we have overlapping measures So  
11 we've been doing polling to kind of figure out is there going to  
12 be a conflict here or not? We just aren't seeing big impacts on  
13 voters' opinions about proposals based on what else is going to  
14 be on the ballot, right? It's sort of a minor effect and  
15 whatever effect is here takes place before we get to the initial  
16 ballot test two slides ahead where we hit 64%. So, we purposely  
17 kind of pained voters with this idea that there's going to be  
18 these other tax measures on the ballot and how they feel about  
19 them and we still come in 14 points north of the simple  
20 majority. The other thing I will say is my understanding of the  
21 school districts bond measure is it is what's called a bond  
22 extension, meaning there are bonds that were put in place in the  
23 past are going to come off the books. And that their proposed  
24 measure would essentially continue that tax rate out of the  
25 future but not increase it. So, it's what we call in the  
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1 industry a no tax increase bond extension. When voters  
2 understand that, those measures tend to get very high levels of  
3 support because you're not actually raising taxes. You're just  
4 continuing a rate out in the future right same thing here. Like  
5 if you were to do this measure that let's say down the line you  
6 want to renew it, at that point, you wouldn't be establishing a  
7 new tax, you're simply continuing a tax out in the future. That  
8 type of election or that type of measure tends to be, tends to  
9 fare pretty well, so...

11  
12  
13 COUNCILMEMBER LESSER: That's helpful. Thank you.

14  
15 MAYOR FRANKLIN: Any other questions? Steve?

16  
17 COUNCILMEMBER NAPOLITANO: No questions, your honor.

18 This has come back as expected. Thank you.

19  
20  
21 MAYOR FRANKLIN: Okay. Seeing no more questions, we'll  
22 take it to public comment.

23  
24  
25 PUBLIC COMMENTER SCOTT YANOFISKY: So, the last couple  
26 of council meetings. I've been at you talk about surveys and  
27 polls, I never see anyone. They never, I never get questions. I  
28

1 never get anything in the mail. So, how are they developing all  
2 these questions and answers to the questions? That's all.

3  
4  
5 MAYOR FRANKLIN: Thank you.

6  
7 RITA CRABTREE-KAMPE: Good evening, Mayor,  
8 Councilmembers. A lot of my questions were actually answered  
9 with a lot of the debate and the questions that you guys asked,  
10 so I appreciate that. I just one thing that came to my mind was  
11 rumors, people talking, like, what this was. Question came up  
12 was, if we don't do this, will the county do this anyway? And  
13 so, then the money would go for county services as opposed to if  
14 we impose this half cent, those services come to Manhattan Beach  
15 directly. And could the city, the county change that in the  
16 future for in any way? Let's say, we pass this and say, yes. We  
17 want the half cent for us. Would the county come back later and  
18 change it in any way, or could they? That was just a question  
19 that came up in speaking with other people. So, if maybe that  
20 question could get answered, appreciate it. Thanks.

21  
22  
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24  
25 MAYOR FRANKLIN: Okay. Thank you. Any other questions  
26 in chambers? No? Online?

1 ASSISTANT CITY CLERK ALVAREZ: Heather Kim. Heather  
2 Kim, can you accept the prompt?

3  
4 PUBLIC COMMENTER HEATHER KIM: Can you hear me? Yes. I  
5 may have misunderstood, but if this is a simple majority versus  
6 a two-thirds, there will be a lot of unhappy people. And I just  
7 like to end with taxation is theft. Thank you.  
8

9  
10 MAYOR FRANKLIN: Okay. Thank you.  
11

12  
13 ASSISTANT CITY CLERK ALVAREZ: Next is Jim Burton.  
14

15 PUBLIC COMMENTER JIM BURTON: Mr. Mayor, members of  
16 council, first of all, Mr. McLarney, very much appreciate his  
17 analysis, everything he's done. I mean, I've listened to  
18 multiple presentations from him over the years. I appreciate  
19 his, just unbiased nature directing counsel, giving or making  
20 suggestions to council. My question is this. It seemed to be  
21 very simple that we had 12%, which is the 2nd highest, income  
22 revenue to the general fund seem to be very simple. We have been  
23 trying to understand how much of that tax revenue comes from  
24 downtown, and this has been an ongoing discussion for a number  
25 of years, and there there's a lot of discussion during the  
26 outdoor dining, how much sales tax is coming from downtown. And  
27  
28

1 it seems to be a very simple answer. And right now, we have a  
2 consultant trying to come up with this, and yet very simply,  
3 somebody can say, hey. We've got 12% is the sales tax revenue  
4 coming from the city, is part of the general fund. I do not  
5 understand why this is such a difficult question to answer. How  
6 much sales tax comes from the downtown district as part of the  
7 general fund? And, I think these numbers are readily available.  
8 Director Charelian, before you leave, can you give us this  
9 information? And it was just something that came up in the  
10 presentation that I just would like to bring back to council.  
11 Can you please direct someone to give us those numbers? I think  
12 it is extremely important, particularly if we're looking at  
13 these numbers going for, sidewalk improvements or widening of  
14 sidewalk, etcetera. I'd like to know that. I know that many  
15 people who live downtown would like to know that. Thank you for  
16 your time.  
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20  
21 MAYOR FRANKLIN: Great. Thank you.

22  
23 ASSISTANT CITY CLERK ALVAREZ: There's no additional  
24 request.  
25

26  
27 MAYOR FRANKLIN: Okay. So, close public comments. And  
28 Councilmembers, we have Mayor Pro Tem Howorth.

1  
2           MAYOR PRO TEM HOWORTH: Thank you, Mr. Mayor. You know,  
3 I think it's pretty, it's not a coincidence that we have Steve  
4 Charelian with, was it 35 years experience as Bruce Moe,  
5 retiring, 35 years experience. We have Richard Montgomery. This  
6 will be your 16th year when you have to step off. And, Steve, I  
7 don't want to even, how many how many are somewhere between 35  
8 and 16. No. I don't know. I just I what my council colleagues  
9 are going to do, but I do think that I am feeling like these  
10 folks with incredible experience, understand the need and  
11 perhaps have the political will, because I'm hoping the  
12 political will, to do something that further stabilizes, as our  
13 revenue sources for major, infrastructure projects or deferred  
14 maintenance. You know, it is hard to raise taxes. It's not  
15 something I like to do. It's, but it's actually, it's smart  
16 because this to answer, Rita's question, this it they do these  
17 funds will stay local, right? This and I that that they have to  
18 stay local. But if we don't rate if we don't take advantage you  
19 know, there's a cap, how much the county can raise the property  
20 tax to. So, if we don't take do this, they could do it. So,  
21 that's where the danger comes in. They can't if we decide to  
22 raise it by a quarter percent, a half percent, they can't then  
23 come in and take that. But if we don't determine that, well,  
24 this is what we think we should do for the good of our  
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1 community, then they could go ahead and do it. So, this is  
2 another form of local control. And I just think that, you know,  
3 so many times so, for instance, our former councils have created  
4 the economic reserve fund. Former councils have created a  
5 pension, reserve fund, and infrastructure has been, you know,  
6 kind of left by the wayside. And infrastructure is expensive,  
7 whether it's roads, whether it's buildings, whether it's major  
8 projects. And to have a dedicated fund or not a dedicated, but a  
9 revenue it could go to facilities that can work, you know, help  
10 for our parks, help for infrastructure. This is something that  
11 will benefit our community. And as, the data shows, 61% of the  
12 sales tax comes from visitors. That's not answering Jim Burton's  
13 question about downtown, who shops in downtown, but it's  
14 overall. So, this is the a smart way to benefit our residents  
15 by, you know, these visitors are using our facilities and using  
16 our roads, etc. So, obviously, I'm for it. I did there was  
17 something Mr. Yanofsky asked. You know, I haven't been asked  
18 these questions, right? And I, is our consultant still  
19 available? I mean, I would assume that the, was it over, it was  
20 slightly over 400 residents. And it's got to be a random  
21 sampling. Right? So sorry, Scott. Your number just hasn't come  
22 up. So, I also think it was funny that of that that, the chart  
23 that said what people wanted us to address, which I did think  
24 was hilarious. It was e-bikes. It was number 1. A total of 19%

1 say change nothing or I can't think of anything. That's pretty  
2 cool. But, anyway, so I'll be supporting this because I think it  
3 makes sense. I think it takes, you have a lot of wisdom and guts  
4 behind us saying this what we got to do, and this is going to  
5 right the ship for a long time.  
6

7  
8           MAYOR FRANKLIN: Great. Thank you. Councilmember  
9 Montgomery.  
10

11           COUNCILMEMBER MONTGOMERY: Thank you, your honor. My  
12 colleague, Mayor Pro Tem Howorth, pretty much took half my  
13 speech. So, other half, I would say is two main points to jump  
14 out all of you. And, yes, Steve and I have been here for a  
15 while. Steve beat you by a few, I think 8 years. But I point out  
16 three basic points. This is not a property tax. It's not going  
17 to be a property tax bill. It's not a gas tax. You go to  
18 gasoline. Those old drive cars are gasoline. It's not a gasoline  
19 tax, nor is the utility tax. You will not see that anywhere  
20 there. As Amy pointed out, 61% of it is people sales tax by  
21 nonresidents. That's a stick in your head. Think about that for  
22 a second. 61%, 61.3%, based on Steve's and George's numbers are  
23 non-residents. So, you're not going to pay for it in your tax  
24 bill, on your property tax bill, not utility bill, not gasoline.  
25  
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27  
28 So where are you going to buy it? Where is it going to hit you?

1 You go shop at a store, at a restaurant, CVS, Ralphs. Okay.  
2 Fair. But look what you get. What's the rule, George? 100 miles  
3 of roads, nine community centers that we all know, Joslyn's  
4 termites are holding up their hands right now. It's a matter of  
5 time. A 120 acres of parts. Who pays for that? If you don't pay  
6 for it now, you're going to pay for it later. And you're going  
7 to say the question came up. Amy's right. If you do not vote for  
8 this and don't want to see our improvement or maintained, 91% of  
9 you said the city is excellent or very good. 9% of you say the  
10 city needs to do work well. Here's your way to show it. They do  
11 not do it. LA County in 2017 passed measure H. Now, if you  
12 believe the county has managed LAHSA and all that money they  
13 raised well, you should vote for that. You should tell them  
14 right away, great. Mismanage all the money you want and keep  
15 spending it and get the half cent tax that we will never get. If  
16 we don't pass it, they will grab it and spend it their own way.  
17 I don't think that's the right, that's not the right thing to  
18 do. Keep your money local. Keep, you control it yourself. And  
19 look at where it goes to. That's the main thing I would tell  
20 everybody, that a half cent would make a huge difference for us  
21 to keep it here. So, I'd rather not look back at the time and  
22 say you should have raised the tax rate before the county. Look  
23 at what happened to us. And this way, keep the money here, take  
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1 care of our own backyard, and under our control. And that, your  
2 honor, is my motion.

3  
4 MAYOR PRO TEM HOWORTH: So, half Cent.

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7 MAYOR FRANKLIN: Councilmember Napolitano.

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9 COUNCILMEMBER NAPOLITANO: Thank you, your honor. I  
10 brought this back to the council a few weeks ago after  
11 discussions with our Finance Director and really just  
12 culmination of my years of service with the city because this is  
13 not about now. We stabilized our budget with the storm drain,  
14 funding, the increase that we passed back in in, January. In  
15 fact, we didn't pass, the voters passed it. And that's the same  
16 thing that's happening here. This is for the future. It's not  
17 the city raising taxes. It's the city asking the residents, the  
18 voters of this city, whether or not they see the value in  
19 raising the sales tax on themselves and on themselves 40%, which  
20 is paid for by themselves. And then the 60% that's paid for by  
21 visitors because we need money to do things. It's the bombing.  
22 Nobody likes tax age. Everybody hates taxes. Everyone wants to  
23 pay less taxes. But if we want things, we need the money to pay  
24 for them. We want more public safety. We want more firefighters.  
25 We want more police officers. It costs money. You want to  
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1 improve roads. You want a pool. We want wider sidewalks. It  
2 costs money. We can't do with money we have. We've been going  
3 that route for many, many years, and we use the budget cost on  
4 yearly basis to try and backfill our needs with an ever aging  
5 infrastructure. We need new community centers. Our community  
6 centers are decades old. We need more. We people want a pool.  
7 They want wider sidewalks. They want to improve parks. They want  
8 to improve infrastructure. They want to fill those potholes.  
9 Well, all those things cost money. And, you know, wishes and  
10 dreams don't fund things. Bake sales don't fund things. We need  
11 an ongoing revenue stream to pay for those things, to bond  
12 against those things if we want to accelerate those things in  
13 building them, but we can't do it with what we have. We need  
14 more. We're not saying we're going to force anyone to pay more.  
15 We're asking that if they want to tax themselves and visitors  
16 who come here to the city and use those same amenities that they  
17 do and actually at a greater amount than our residents do to pay  
18 that additional sales. So, there are so many reasons for this  
19 that outweigh the reasons against reasons against it, I get it.  
20 Don't like taxes. But if it's the cost as we saw explained, it's  
21 \$50 or 10,000 spent. Well, that's money well spent. We can get  
22 all those things that we want in the future. This is a  
23 downpayment on the future. This is about the projects that the  
24 city wants to do in the future. We're state wise. Our budget's

1 not about not making payroll. This is about doing all those  
2 things that we haven't been able the \$200,000,000 wish list we  
3 have right now, capital proven funds, because we don't have the  
4 money set aside. Now, if you want to do a drip, drip, drip of  
5 project and improvements in the city where we scrape together a  
6 few dollars, do this, and we scrape together a few dollars to do  
7 that. We do one project every 10 years. Okay. But if we want to  
8 do more than that, and I think the expectation of our community  
9 says that we want to be more than that and the point shows that,  
10 then we need to do this. And what we need to do now is put that  
11 question out to the voters and let them decide. Thank you, your  
12 honor. I will second the motion. If it hasn't been second.  
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16           MAYOR PRO TEM HOWORTH: I withdraw my second so you can  
17 do it.  
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20           MAYOR FRANKLIN: Thank you. Councilmember Lesser.  
21

22           COUNCILMEMBER LESSER: I will be brief because the  
23 comments that I would make are consistent with what my  
24 colleagues have already said. We have a high expectation in our  
25 community for services and our infrastructure for our buildings,  
26 which many of which we can see the end of their useful life, and  
27 we do not have the revenue streams to pay for them. We just  
28

1 heard from our finance director talking about why we can't just  
2 go out for a bond. We don't have the revenue stream to be able  
3 to provide the services that all of us expect and believe that  
4 our community, a community of our type, of our size, and our,  
5 means should be able to afford. This is the best way to move  
6 forward. No one wants to raise taxes of any kind, but this is a  
7 way to share the revenue stream with those visiting our  
8 communities as well as those that live here. We seek sufficient  
9 funds for our future, for future councils, for general purposes  
10 to be able to apply to what our residents have come to expect.  
11 So, I will be supporting the motion.  
12  
13

14  
15           MAYOR FRANKLIN: Thank you. I'm a little bit old  
16 fashioned, and I always like tax measures that, you know,  
17 required a two-thirds majority because that way you didn't have  
18 an untoward influence, of a particular group, particular  
19 demographic, imposing what they want upon others. And the two-  
20 thirds, I thought, was a wise way to make sure he's got buy in  
21 from, majority of the people. So, I looked at these numbers very  
22 you know, with great interest to see with all the mitigating  
23 factors, it never broke 60%. It never broke, less than two-  
24 thirds. We have, I just did, you know, some research. We've got  
25 approximately 17% of our population are over 65. I don't know if  
26 I'm the only one here on the fixed income, but a lot of people  
27  
28

1 are. And a lot of people, you know, we've been going through  
2 some ravaging inflation. There has been an increase in Social  
3 Security payments, but still, that's not helping to pay, you  
4 know, the majority of the expenses that a household faces. The  
5 thing I like about this is it's a consumption tax. So, if you  
6 don't go out to eat, if you don't buy expensive things, you're  
7 not going to be hurt by it as much. I'd asked really early on,  
8 you know, what was that percentage of visitors that are coming  
9 here and paying for the taxes? And pleased to see it's, you  
10 know, 61%. And they're getting good value for their money.  
11 They're getting parking structures, we hope. They're getting  
12 nice roads. They're getting security. They're getting, you know,  
13 great police force, great fire department protection, when they  
14 come and visit here. So, I don't think they would have much to  
15 really object to. I think I saw in here it's, you know, for a  
16 \$100, it's 50¢. You know, \$100 of consumption is 50¢. We barely,  
17 you know, we barely notice that. We do need help. Someone asked  
18 me the other day, what's my greatest concern? It's the budget,  
19 you know? It's the needs. The needs are outweighing, you know,  
20 the budget to pay. And, in the world of taxation, not that I  
21 want to elbow out the county, but, you know, you know, to take  
22 homelessness. I mean, the county has had how many decades, you  
23 know, to get a handle on this problem with billions of dollars  
24 over that time, and it and it's and it's getting worse. So, I

1 heard, you know, Mayor Pro Tem say local control and, you know,  
2 let's control our money. Let's control our destiny. And it  
3 really is looking like this is the way to do it. So, I'll be  
4 supporting this as well.  
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6  
7 COUNCILMEMBER MONTGOMERY: I'll call the question, and  
8 I'll make the motion. And that is, I'll direct, my motion is to  
9 direct staff to return to the August 6, 2024, meeting with the  
10 required resolutions to place a ballot measure establishing a  
11 one half cent sales tax at November 5, 2024, general election  
12 and establish a subcommittee and assign members, Mayor Pro Tem  
13 and Councilmember Lesser, to assist with developing the  
14 community and public outreach campaign. That's my motion.  
15

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17  
18 COUNCILMEMBER LESSER: Well, I may not vote for it. We  
19 probably should talk about the subcommittee separately.  
20

21 MAYOR PRO TEM HOWORTH: I take back every nice thing I  
22 said.  
23

24  
25 COUNCILMEMBER LESSER: Friendly amendment.  
26

27 MAYOR FRANKLIN: Hey. You can still do a friendly  
28 amendment.

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COUNCILMEMBER MONTGOMERY: Removing Councilmember Lesser and Pro Tem from the assignment. That's the mayor's discretion, but everything else about it remains.

MAYOR FRANKLIN: Okay. Have a vote, please.

CITY CLERK TAMURA: Councilmember Napolitano?

COUNCILMEMBER NAPOLITANO: Yes.

CITY CLERK TAMURA: Councilmember Lesser?

COUNCILMEMBER LESSER: I'm thinking about this now.  
Yes.

CITY CLERK TAMURA: Councilmember Montgomery?

COUNCILMEMBER MONTGOMERY: Yes.

CITY CLERK TAMURA: Mayor Pro Tem Howorth?

MAYOR PRO TEM HOWORTH: You bet.

1 CITY CLERK TAMURA: Mayor Franklin?

2  
3 MAYOR FRANKLIN: Yes.

4  
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6 CITY CLERK TAMURA: Motion passes, 5-0.

7  
8 CITY ATTORNEY BARROW: So, it's typically the Mayor's  
9 prerogative to appoint the subcommittee. And so, if you're  
10 comfortable with that motion.  
11

12  
13 MAYOR FRANKLIN: Oh, you mean that's stuck?

14  
15 MAYOR PRO TEM HOWORTH: No. They took those off, but  
16 you could appoint us. I'm sure you'd want to be on it because I  
17 don't think you have anything else going on, right?  
18

19  
20 MAYOR FRANKLIN: Okay. Alright. Well, as you  
21 mentioned, Mayor Pro Tem Howorth, I mean, the greatest amount of  
22 experience that we have on this current council..  
23

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25 MAYOR PRO TEM HOWORTH: It's Steve Napolitano.  
26  
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1           MAYOR FRANKLIN: Lies with, Councilmember Montgomery  
2 and Councilmember Napolitano. Now, he also might be a little  
3 busy. So, if I may if I may recommend that, Mayor Pro Tem.  
4

5           MAYOR PRO TEM HOWORTH: I'll serve. That's a pleasure.  
6 Yes.  
7

8           MAYOR FRANKLIN: And, Councilmember Montgomery. Let's  
9 do it.  
10

11           COUNCILMEMBER MONTGOMERY: Sure.  
12

13           MAYOR FRANKLIN: And we can always pitch in.  
14

15           MAYOR PRO TEM HOWORTH: Well, you have to.  
16

17           MAYOR FRANKLIN: So, we're set. Okay. Perfect. Thank  
18 you.  
19

20           COUNCILMEMBER MONTGOMERY: No, good comment. You know,  
21 can I ask one question while Director Charelian's here? If he's  
22 still here. Director Charelian, do you have one question asked  
23 about do you happen to know what the total revenue is of  
24 downtown of the last HDL report? Just curiosity.  
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1  
2 FINANCE DIRECTOR CHARELIAN: Not off the report, but  
3 there's probably more information that's being gathered right  
4 now. But there is about 25% is nonresidents of restaurants in  
5 the downtown in Metlox. I can give you that information, as a  
6 percentage. Citywide at 61%, is out of town.  
7

8  
9 MAYOR PRO TEM HOWORTH: But downtown is only 25%?  
10

11 FINANCE DIRECTOR CHARELIAN: Restaurants for downtown  
12 and Metlox only.  
13

14  
15 MAYOR FRANKLIN: Out of city.  
16

17 MAYOR PRO TEM HOWORTH: But only for restaurants, not  
18 retail.  
19

20  
21 FINANCE DIRECTOR CHARELIAN: We can get you more  
22 details on that.  
23

24  
25 MAYOR PRO TEM HOWORTH: Okay. Great. Okay. I think,  
26 yeah, that's that'd be helpful.  
27

28 MAYOR FRANKLIN: The subcommittee could use that.

1  
2 FINANCE DIRECTOR CHARELIAN: Thank you.  
3

4  
5 MAYOR FRANKLIN: Okay. Moving on. Number 13, discussion  
6 of options for replacement of the existing elevators at the  
7 Metlox parking structure. Public Works Director Lee.  
8

9 PUBLIC WORKS DIRECTOR LEE: Alright. Good evening  
10 again. Erick Lee, Public Works Director. This evening, we have  
11 a, discussion for you about the options to replace the existing  
12 escalators at the Metlox parking structure. A little bit of  
13 background, the Metlox retail and parking structure was  
14 dedicated in 2005. It's, the parking structure has two levels,  
15 below street grade. Vert vertical access is provided by an  
16 elevator, a staircase, and two escalators. And, as we know that  
17 escalators have been, maintenance and repair issues for quite  
18 some time and have impacted, the public significantly as it  
19 relates to accessing, that part of our city. We've, contracted  
20 with HKA Elevator Consulting, for a lot of our, maintenance  
21 consultation work, and they estimate that the lifespan of the  
22 type of escalators we use, are 20 to 25 years. So, essentially,  
23 they are, approaching end of useful life or at that point now.  
24 And here's some photos for you, with the elevator, the  
25 staircase, or the stairwell entrance, and escalators at the top  
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1 level of Metlox. And, also, here's, the mid and low level of  
2 those escalators. As it relates to maintenance, we've had  
3 significant issues in the past few years, keeping these  
4 escalators running. We've been spending, approximately 50 to  
5 \$100,000 per year, on that maintenance, and that that downtime  
6 of the escalators, is a concern for the public. And, you know,  
7 really, we are at the point where we need to start planning for  
8 the future as it relates to escalators there. Our current CIP  
9 budget adopted by the council, includes, 1.125 million dollars  
10 in the parking fund, to replace these escalators or do a project  
11 to, address them. And also, it projects \$375,000 of cost sharing  
12 that we're, anticipating that our private partner, the Tolkin  
13 group at the Metlox property would be contributing. And so, I  
14 would caveat that as, that's an assumption or a plan that we've  
15 got, but it's, we have to negotiate that with the Tolkin group.  
16 So that 375 is, is not guaranteed. As it relates to the options  
17 that the city has for these escalators, we could, reconstruct  
18 them in kind. That'd be essentially replacing the, the parts and  
19 the mechanics. We can replace them with brand new escalators. We  
20 could replace them with an elevator or elevator doors. We could  
21 replace the escalators with a grand staircase, or we could,  
22 simply abandon escalators in some fashion. And so, there's rough  
23 order of magnitude estimates on the right column here. I would  
24 point to the fact that, originally, we thought the

1 reconstruction of the escalators in kind would be the most cost  
2 effective way to do this. And it turns out, based on everything  
3 we know today, replacing them is actually cheaper than trying to  
4 reconstruct them.

5  
6  
7 MAYOR FRANKLIN: Replacing the escalators.

8  
9 PUBLIC WORKS DIRECTOR LEE: Correct. So, to be clear,  
10 the difference between number one and number two here would be,  
11 replacing, essentially, the parts associated, the movable parts  
12 and, wholesale refurbishment, if you will. Where number two  
13 would be, buying new escalators from a factory and installing  
14 them. Okay. As it relates to disposition, of, the Metlox parking  
15 structure escalators, they're integrated feature of, the retail  
16 environment there and the hotel. They provide, both airspace and  
17 natural light into the structure and really enhance the area.  
18 And so, any disposition of these escalators should take into  
19 account the integration of this access into both the retail area  
20 and the ventilation light functions of that area. As it relates  
21 to planning, we're looking at an 18 to 24-month period for  
22 planning, designing, and going out to bid, and then construction  
23 would follow after that. We definitely want to do outreach with  
24 our stakeholders, not only the merchants in the area and in  
25 downtown in general, but also the patrons that are using the  
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1 area. And, you know, one of the things that we really need to  
2 start doing is communicating to the public that we're not  
3 sitting on our hands and that we're actually trying to develop a  
4 solution and that one's coming. And, yeah, another point of  
5 input that we're looking from the council is, as I mentioned,  
6 we're spending, between 50 and a \$100,000 a year keeping  
7 escalators up and running. Is that something you, would want us  
8 to continue to continue to do, or, do we want to consider  
9 disusing or discontinue use of the escalators and saving those  
10 funds? And so, staff doesn't necessarily have a recommendation  
11 in that regard, but definitely want to make sure that the  
12 financial aspect of, cost of repairs are, being considered. So,  
13 you know, that concludes my presentation. Looking for direction  
14 from the council on what our staff should be focusing on going  
15 forward, and I think once we get some preliminary direction from  
16 the council, we'll do some due diligence and come back and let  
17 you know what we're finding and, hopefully, we can start  
18 refining this project and get it moving. And with that,  
19 available to any answer any questions you may have.

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25 MAYOR FRANKLIN: Great. Okay. Councilmember Lesser.

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27 COUNCILMEMBER LESSER: Erick, based on our prior  
28 communications, my concern is the elevator and whether we have

1 an opportunity perhaps to add a second elevator. Because people  
2 with special needs have contacted me about the elevator  
3 continually not working, where even if the escalators work, if  
4 they don't have a working elevator, it means they park  
5 downstairs and they have to go up the steep ramp with  
6 wheelchairs, with walkers, and there's traffic, and it's a steep  
7 grade. So, I wanted to confirm whether HKA, the outside  
8 consultant, looked at the option and what the rough order of  
9 magnitude would be to build a second elevator and perhaps do a  
10 fixed staircase. So, we eliminate the cost of new escalators,  
11 whether they're brand new or reconditioned, and we would add a  
12 new elevator, second elevator for backup redundancy, which would  
13 be more expensive at the outset but would provide at least  
14 greater, more reliable access for those that are, of special  
15 needs.  
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20 PUBLIC WORKS DIRECTOR LEE: So, your question is very  
21 well founded and understood. As it relates to what HKA did, they  
22 they've been helping us to understand generally, what our costs  
23 are for different options. They didn't look specifically into  
24 that combination of options an additional elevator, plus some  
25 type of staircase. But, you know, this slide here does show the  
26 rough order magnitude of these various solutions, and replacing  
27 with an elevator replacing the existing escalators with an  
28

1 elevator is on the more cost effective side with some of the  
2 options we're looking at. I would say that we'd really have to  
3 go get into the design work. I think that the design, the  
4 engineering, and the actual construction, because we'll be  
5 altering the physical space there, there's going to be a great  
6 deal of variance on what our cost could be, and we want to study  
7 that more. But looking at a second elevator, I think definitely  
8 addresses our accessibility issues there. I had our staff look  
9 into what the downtime of, elevators have been or the elevator  
10 has been. And this year, this calendar year, it's been  
11 significant. Where it's about, I want to say it's about three or  
12 four-week period that we were waiting for a widget to arrive  
13 from out of state that, kept us down, and then we had some  
14 pronounced accessibility issues, at that area. And so, you know,  
15 cumulatively, this year, we've had 33 days that the elevator at  
16 Metlox has been down either for a part or a full day, and  
17 that's, very different than what we had in prior years. In 2023,  
18 we had six occasions, and in 2022, we had eight occasions. But  
19 those that's those are all occasions where people are  
20 significantly inconvenienced, trying to access our downtown  
21 area. So, having a second elevator certainly enhances the  
22 accessibility of the area, and makes us more hospitable, I  
23 think, as a community. The elevators are certainly going to be  
24 easier to maintain for, our contract staff, because they're



1 enclosed and, not as exposed to the elements. And so, we see  
2 there's high advantage in from a maintenance perspective there.  
3 And then whether we, replace it with, or add another staircase  
4 or, have some other modification for, stairs, I think we could  
5 approach that in the design aspect of that if you wanted us to  
6 look at that. I mean, we do have a staircase now, stairwell that  
7 perhaps could be further enhanced to be more attractive. I think  
8 in fairness, the way the escalators are designed right now is  
9 very appealing from an aesthetic point of view. And I know that  
10 the Tolkin group really is looking for whatever solution the  
11 council wants to pursue, something that's going to, preserve  
12 that type of inviting atmosphere.  
13  
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15  
16 COUNCILMEMBER LESSER: Great. Thank you.

17  
18  
19 MAYOR FRANKLIN: Great. Thank you. Mayor Pro Tem  
20 Howorth.

21  
22 MAYOR PRO TEM HOWORTH: So, one of the options is to  
23 replace the escalators with a grand stairwell. And I think it's  
24 important that we delineate between what that grand stairwell is  
25 versus the stairwell that we have, right? So, it would be this,  
26 you know, so right now, you have the two escalators, so then you  
27 would have a staircase a staircase, not a stairwell, right, that  
28

1 could go up there so you could still have the light in the air.  
2 So, it could still be a pretty thing that utilizes that basic  
3 design. And then could you additionally put in a second elevator  
4 maybe where the current stairwell like, so because it so that  
5 you're kind of doing both things. You're not putting an elevator  
6 shaft there where the escalators are, so that kind of closes  
7 everything and makes it dark. So, you could have a stairwell,  
8 and then you could have 2 elevators too. Could you do that?  
9  
10

11 PUBLIC WORKS DIRECTOR LEE: Perhaps. I think we're  
12 going to have to hire a firm to really dive into this.  
13  
14

15 MAYOR PRO TEM HOWORTH: Yeah. So, I guess, another  
16 question, if and then comments later. The escalator, when you're  
17 talking about replacing the escalators with new units, are those  
18 units the ones that are made for outdoors or made for coastal  
19 areas? Is there such a thing in our, is that what we're talking  
20 about in that option?  
21  
22

23 PUBLIC WORKS DIRECTOR LEE: So, any escalators we  
24 purchased, to install there would be appropriate for the  
25 environment. We wouldn't want to buy something just not.  
26  
27  
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1           MAYOR PRO TEM HOWORTH: There's been some talk in the  
2 past due to no one's fault in this room, I'm sure, that the,  
3 escalators that we have maybe weren't kind of, climate or  
4 appropriate for the place?  
5

6  
7           PUBLIC WORKS DIRECTOR LEE: I've heard that as well.  
8 And we've had our elevator consultant, HKA, look into the truth  
9 or fiction of that claim, and, they've come back saying that  
10 they could be used indoor or outdoor, the units we have.  
11

12  
13           MAYOR PRO TEM HOWORTH: Okay.  
14

15           PUBLIC WORKS DIRECTOR LEE: But with the caveat that,  
16 the maintenance plan is different and, if you don't maintain it  
17 according to the specifications and the use, you're going to  
18 have deteriorated service.  
19

20  
21           MAYOR PRO TEM HOWORTH: Okay. And that's why, you know,  
22 the cost to do escalators, if we were just going to, whether  
23 it's replacing or reconstructing whatever, it's the maintenance  
24 is still going to be very high and much higher than elevator.  
25

26  
27           PUBLIC WORKS DIRECTOR LEE: Yes.  
28

1           MAYOR PRO TEM HOWORTH: Yeah. Fair to say.

2  
3           PUBLIC WORKS DIRECTOR LEE: Fair to say. I would say  
4 that we would put together a maintenance plan for the council to  
5 consider as part of all of that, and we want to budget for it  
6 and stick to it.  
7

8  
9           MAYOR PRO TEM HOWORTH: Great. That maybe that's what I  
10 should have asked out loud. Thank you.  
11

12  
13          PUBLIC WORKS DIRECTOR LEE: You're welcome.  
14

15          MAYOR FRANKLIN: Okay. Councilmember Montgomery.  
16

17          COUNCILMEMBER MONTGOMERY: Thank you, your honor. So,  
18 Director Lee, I'm glad you put that to rest of the, fallacy that  
19 we've heard that the elevators in 2005 were not constructed for  
20 outdoor use, which we know is not true. The second thing was, if  
21 you go with the staircase, I'm not supporting the staircase. But  
22 if you did go to staircase from the existing escalators up,  
23 what's the time frame? You said 18 to 24 months for design for a  
24 staircase if we did do a staircase and place it? And then what?  
25 How long to actually build it and put it in place? Two more  
26 years?  
27  
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1  
2 PUBLIC WORKS DIRECTOR LEE: I'm reluctant to give you  
3 an actual time, but I think logic would say if all we're doing  
4 is pulling out the, we're designing a staircase, pulling up  
5 escalators, and constructing a staircase, I would think that'd  
6 be less complicated than redesigning the space to include an  
7 elevator and another staircase or something like that.  
8

9  
10 COUNCILMEMBER MONTGOMERY: Okay. Thank you. Nothing  
11 further.  
12

13  
14 MAYOR FRANKLIN: Okay. So just to get clarity, a gurney  
15 compliant elevator, I assume that's one where an emergency  
16 gurney?  
17

18  
19 PUBLIC WORKS DIRECTOR LEE: Correct.  
20

21 MAYOR FRANKLIN: Great. I just didn't know if it was a  
22 different type. And, so, when you say an elevator, so let's say  
23 we take out the escalator and we put in an elevator or two  
24 elevators? Has that been looked at, like putting in 2?  
25

26  
27 PUBLIC WORKS DIRECTOR LEE: We have not. So, this is  
28 the first time we're talking to you and, really want to make

1 sure we're going down, you know, generally, the right road. And  
2 I think we're going to discover a lot of information along the  
3 way and want to want to come back to you. I think that, you  
4 know, one of the things as it relates to moving away from the  
5 current solution we have is if let's just say, for sake of  
6 argument, we replaced the escalators with one elevator. Do we  
7 create an immediate queuing problem in Metlox on special events  
8 or, you know, high traffic weekends or whatever. Part of our  
9 study is going to have to look into things like that. And so, I  
10 think that let's if the council said we want to get out of  
11 escalator business and let's consider somewhere between 1-3 more  
12 elevators, I think we would we would have to determine what the  
13 cost is going to be, how to fit that in, and then what the  
14 actual number of elevators would be necessary to not detract  
15 from the user experience there.  
16  
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19  
20 MAYOR FRANKLIN: Okay. Because you mentioned airspace  
21 and light. I mean, there's some terrific looking elevators we  
22 see in all these airports and, you know, not only here, but  
23 around the world.  
24

25  
26 PUBLIC WORKS DIRECTOR LEE: Especially if they're glass  
27 on three sides.  
28

1           MAYOR FRANKLIN: Right. All glass. You know, and  
2 they're fast. They could be aesthetically pleasing. That type of  
3 thing. Had we ever considered you know, you go there at 8  
4 o'clock at night, you just see the thing rolling and rolling.  
5 You know, the technology where it's activated by stepping into  
6 it and then it starts?  
7

8  
9           PUBLIC WORKS DIRECTOR LEE: We haven't done that yet  
10 because we have our nearly 20-year old escalators. We're just  
11 kind of keeping service right now.  
12

13  
14           MAYOR FRANKLIN: No. No. No. I mean, on replacement.  
15

16           PUBLIC WORKS DIRECTOR LEE: As it relates to  
17 replacement, I think we certainly need to, look under all the  
18 rocks and see what's the best solution for us. My understanding  
19 is what you're suggesting is maybe more commonplace in Europe.  
20 I'm not sure if that's true fact or if it's appropriate for  
21 where we're at, but, certainly, anything that's going to, help  
22 us maintain them well, reduce energy costs, those are things we  
23 should be considering.  
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27           MAYOR FRANKLIN: Yeah. It would just be great to find  
28 that out from our, HAK or whoever they are.

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PUBLIC WORKS DIRECTOR LEE: HKA.

MAYOR FRANKLIN: Okay. Yes. You can find out. You know? Just seems logical it would extend the use. And let's see. I think that's all I had. Yes. Thank you.

PUBLIC WORKS DIRECTOR LEE: I think I said true fact. I just meant fact. I think I said true fact. I just meant fact.

MAYOR FRANKLIN: Alright. Great. Anybody else, Councilmember Napolitano?

COUNCILMEMBER NAPOLITANO: No questions, your honor. Thank you.

MAYOR FRANKLIN: Okay. Thank you. I think it's getting past this bedtime. Yeah. Okay. Great. Thank you very much. And quite, public comments.

PUBLIC COMMENTER SCOTT YANOFISKY: Tell you a little story. I go Thursday mornings for breakfast at Metlox, and every Thursday morning, I see the guys working on the escalators. So, I said, well, I understand you're opening up an office here.



1 What are you talking about? I said, well, you're here all the  
2 time. Why don't you just have an office here? I said, why are  
3 you here so much? He said, this is what happens when you install  
4 interior, escalators for exterior. He said the parts aren't  
5 sealed properly. And if you think about the drought we had, and  
6 when the rain started, when the elevators the escalators started  
7 breaking down, it kind of makes sense. That's number one. Number  
8 two, every place you go, you see a staircase, an escalator, and  
9 an elevator for handicap. What we can do is you can keep all the  
10 handicapped people on the 1st floor, so they don't have to have  
11 another elevator going down to the lower floor, and do, like, a  
12 pneumatic, a vacuum elevator. All you have to do is cut a hole  
13 in the slab. You don't have to go down the wall, and it works  
14 strictly on air. So that's my experience there, and I think that  
15 Richard kind of had a good idea, but they were very clear to  
16 tell me that this is exactly what happens when you put the wrong  
17 type of escalators in. And it makes sense. Thank you.

21  
22 MAYOR FRANKLIN: Okay. Thank you. Where were they 25  
23 years ago?

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25  
26 COUNCILMEMBER MONTGOMERY: 20 years ago.

27  
28 MAYOR FRANKLIN: 20 years ago?

1  
2 COUNCILMEMBER MONTGOMERY: 20 years ago.

3  
4  
5 MAYOR FRANKLIN: Okay.

6  
7 EXECUTIVE DIRECTOR JILL LAMKIN: Hello, council. Jill  
8 Lamkin, Executive Director of the Downtown Manhattan Beach  
9 Business and Professional Association. I have met with Erick and  
10 with John Tolkin many times about all of this. You guys know as  
11 well as we do, but I do want to, throw weight behind what  
12 Councilmember Lesser said about a second elevator. And I will  
13 give you a secondary reason for that, not just for the baby  
14 strollers and for access issues. But a lot of the businesses  
15 that are within Metlox or nearby, require, and I'll give you an  
16 example, Beehive and, who is in if Jim Burton's still listening  
17 in the top 25 of sale sales tax revenue generating businesses in  
18 the city, They have a lot, yes, they are. We have actually, I  
19 think, eight of them downtown. So, anyway, not totally off the  
20 topic, but they have vendors that bring in racks and racks and  
21 racks of clothing. And when they have to carry them from their  
22 car up the stairs, it's not helping our businesses do what they  
23 need to do, which is sell things. And so that's just another  
24 reason to think about adding a second elevator. I also am in  
25 favor of the stairs just because of all of the maintenance  
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1 issues that we've experienced. And, but I also liked the idea of  
2 sending it out to, public comment too. I mean, getting, public  
3 feedback because I think that's important too. Maybe just  
4 because I like to use the stairs doesn't mean everyone likes to  
5 use the stairs. So, thank you very much.  
6

7  
8           MAYOR FRANKLIN: Great. Thank you. Anybody else?  
9 Online?

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11           ASSISTANT CITY CLERK ALVAREZ: Heather Kim.  
12

13  
14           PUBLIC COMMENTER HEATHER KIM: Yes. I'm really, my  
15 first choice would have been to have an escalator that actually  
16 works. I've been to Fashion Island, a number of times, semi  
17 recently because my daughter is down there. And I have never  
18 seen any issues. Maybe they only have issues when I'm not there,  
19 but her escalator is completely out of course. It's not even,  
20 like, semi-covered. It's just completely open. And I, they have  
21 a beautiful working functional outdoor escalator. Thing is that  
22 we can't really, we have so many problems. I do prefer to just  
23 have another elevator for all the reasons that were stated,  
24 Especially, what Jill was saying about vendors and bringing  
25 their stuff up. And then the big grand staircase. So that's  
26 another vote for that option. And I think a lot of people who  
27  
28

1 have visited, and who go to Metlox in that area, a lot will  
2 share in that frustration. I personally do not like walking up  
3 escalators that are broken because you never you feel like it  
4 it'll just start going at any moment too. You never know when  
5 it's going to turn on. I think it's just a dangerous feature at  
6 this point, and it's frankly embarrassing, you know, for our  
7 town to have it be such a problem all the time. Thank you.  
8

9  
10 MAYOR FRANKLIN: Okay. Thank you.  
11

12  
13 ASSISTANT CITY CLERK ALVAREZ: Jim Burton.  
14

15 PUBLIC COMMENTER JIM BURTON: Mr. Mayor, members of  
16 council, thank you. Jill, I'm still here. And to the members of  
17 council, absolutely support what Jill said. I do think that a  
18 second elevator would be absolutely wonderful. And, Jill, I do  
19 recognize that our retail, retailers provide significant  
20 contribution to downtown. It is way past my bedtime, by the way,  
21 but thank you for your time.  
22

23  
24 MAYOR FRANKLIN: Okay. Thank you, Jim.  
25

26  
27 ASSISTANT CITY CLERK ALVAREZ: There's no additional  
28 request.

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2           MAYOR FRANKLIN: Okay. So, closing public comments. And  
3 Councilmember Montgomery.  
4

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6           COUNCILMEMBER MONTGOMERY: Thank you, your honor. I  
7 think Steve and I speak in institutional knowledge. Steve and I  
8 are the only ones that were on Council on 2005 when these  
9 escalators were brand new. And, yes, they worked back in 2005  
10 very well actually. And they were outside elevators. We know  
11 that. Inside and outside. They work perfectly. In fact, they  
12 work today. So, like any, you don't maintain like your car. You  
13 don't maintain your car, guess what happens? It stops working,  
14 right? It's maintenance. 50 to a 100k a year maintenance tells  
15 you it's 20 years. It's time economic life. It's over. We know  
16 that already. Let's see what else I was going to say about this.  
17 We know about that part already. How about this? So, Allie's  
18 going to go shopping in downtown, and she goes to the stairways.  
19 Is she going to carry packages down stairways, two flights?  
20 You're not going to see them. She would. Maybe Jill would.  
21 Everybody else is going to carry packages, two flights. Not a  
22 chance. As good as part of the ambiance of design they designed  
23 it for, if they work correctly. And they're going to wait two  
24 more years for design study to come back in and say, hey, let's  
25 rip this all out and build four new elevators. Even though we  
26  
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1 just heard the story, elevators have a significant problems at  
2 that place already. So now you're going to add more elevators  
3 and hope that of the four, two work constantly year-round. And  
4 the high-tech one Jill is talking about was a neighbor that's  
5 built this elevator inside his house over here. The high-tech,  
6 all glass, as you walk in, closes the gate, goes up. He said  
7 repairman on the Maytag guy every two weeks, fixing an elevator,  
8 high-tech right there inside the house. So, the more high-tech  
9 you break it, the more it's going to break down on you. This is  
10 old school problem. If you want to talk about finding the best  
11 solution for both, fine. Find a place to build a stairwell, not  
12 just their staircase. That's there now, a stairwell that's your  
13 backup to the escalators that provide you function, replace them  
14 with outdoor escalators, get them in place, swap out what you  
15 have now, swap and go, plug and play, and then you worry about  
16 design. Give Erick and his team two years to find a better plan  
17 or 3 years for a good plan to add more elevator somewhere. That  
18 place, there's nowhere to build elevators now in the design.  
19 Steve and I remember the actual design plans. Steve was on the  
20 council that helped to design Metlox. Unless you rip those out  
21 and you offer no function for 2 years or design it, what are you  
22 going to do? Can't have elevators in there that fast. Where are  
23 you going to stick them? So, you have a design problem, you have  
24 a function problem, Packages down stairways. Doesn't answer the

1 ADA issues. Doesn't help you there. Elevators will, if they work  
2 correctly. And where are you going to put them? And the people  
3 that say, well, this has nothing to do with money. It's a  
4 1,000,000 and a half. Part of that comes from the Tolkin group.  
5 Right? Well, then they go back to Charrelian's issue, no money.  
6 There's your sales tax issue right there. You want to spend  
7 3,000,000, 4,000,000, \$5,000,000 on new stairways, ripping them  
8 out in studies and consultants? Here's your answer. I think we  
9 stay the course with it. While Erick and his team design options  
10 for elevator slash staircase, escalators need to go and replace  
11 them for the 2 or 3 years or 4 years, it will take to design and  
12 start building your stairwells. Other than that, you haven't  
13 solved the issue with that. Well, the escalator's as well. I  
14 don't know where you put them in Metlox. We had ripped something  
15 out to do it, and who, where would you put them? So, that's my  
16 comments. Thank you, your honor.  
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21 MAYOR FRANKLIN: Okay. Councilmember Lesser?

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23 COUNCILMEMBER LESSER: I'm meditating on council member  
24 Montgomery's comments, and I also want to hear from my  
25 colleagues. But what I I'd like to do tonight is perhaps to give  
26 staff direction to obtain more options for our council to  
27 consider with a greater level of knowledge about whether it's  
28

1 even feasible to add a second elevator, where I mean, it's I as  
2 on the planning commission at the dedication of Metlox, but I  
3 had not participated in the major decision making. But I'd like  
4 to at least explore what is feasible so that you ensure we're  
5 not throwing good money after bad. Another element is for staff  
6 to come up with a way that we can get public input and gets an,  
7 use this as an opportunity for outreach. This is a public  
8 facility that is utilized a great deal and cherished by many  
9 members of our community. But I really want to avoid throwing  
10 good money after bad, which is why I think we need to supplement  
11 the direction to staff and whether that's using, maybe I could  
12 clarify if I could, Director Lee, are you seeking direction to  
13 further engage the outside consultant or just general direction  
14 tonight?  
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19 PUBLIC WORKS DIRECTOR LEE: I think we're looking for  
20 general direction on what we should be pursuing, and, I mean, I  
21 think that we need to hire a firm to help us determine what is  
22 feasible and what is not. And if elevators are feasible or, and  
23 additional elevator is feasible, I think we need to return back  
24 to the council as soon as possible to get some further direction  
25 on how you want us to proceed with that information.  
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1 COUNCILMEMBER LESSER: So, my own position, subject to  
2 comments from my colleagues, is to go forward with that  
3 engagement. My own personal interest is whether or not it'd be  
4 feasible to add an elevator and moreover to turn the existing  
5 escalators into a fixed staircase that is aesthetically  
6 pleasing, that brings in the natural light and natural air and  
7 doesn't obligate us to have as many repair bills over the, the  
8 years to come. So, I made a motion to that effect.  
9

10  
11 PUBLIC WORKS DIRECTOR LEE: Can I clarify and add to  
12 that? So, turning the escalators off and using them as a  
13 staircase is not an option.  
14

15  
16 COUNCILMEMBER LESSER: No.  
17

18  
19 PUBLIC WORKS DIRECTOR LEE: So, we would be, you know,  
20 essentially pulling them out and trying to install some type of  
21 staircase in their place. Is that what I'm understanding?  
22

23 COUNCILMEMBER LESSER: I'm seeing in your options and  
24 forgive me, Mr. Mayor, I just want to clarify. In the  
25 presentation that you gave, you listed a price point for just  
26 installing a grand staircase. What I would be interested in is  
27 perhaps a more, I'd say narrower staircase that follows the  
28

1 pathways with railings of the existing escalator if there's  
2 another place for an elevator. So that, there still is that  
3 aesthetic component that's now there, but it's with a fixed  
4 staircase. That would be a thought.  
5

6  
7           MAYOR FRANKLIN: Yeah. We just did two staircases at  
8 the pier. You can model after the same one.  
9

10           MAYOR PRO TEM HOWORTH: Yeah. I actually agree with  
11 your motion. It's the direction I'm going, and I think that we  
12 get a little, the term grand stairwell, you know, conjures up  
13 some sort of, you know, Ritz Carlton kind of thing. And I don't  
14 think it's, that's what we're talking about. What we're talking  
15 about is not another little fire escape stairwell. You know,  
16 it's replacing those two escalators with a fixed stair staircase  
17 stairwell that still lets in light, but we do want to do a study  
18 and seek public, opinion as well. I think that's really  
19 critical. But a study to see, can we put an additional elevator  
20 in there? And I think, you know, there is, you know, I would I  
21 would consider Mr. Yanofky's, you know, do we have to go down to  
22 the 2nd floor? Probably. We probably do have to, by law, have  
23 to. But, anyway, let's, look at those options. But I really am  
24 not thinking unless the study tells me, you know, something else  
25 that replacing escalators with new escalators is the right  
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1 thing. I just don't have confidence that, I mean, it forever. It  
2 has never worked. I'm sorry. It maybe worked in the very  
3 beginning, but would very quickly stop. And I we just I don't  
4 see I wouldn't believe that it's going to work as escalators.  
5 So, I like your motion, but it because you're sort of giving  
6 direction, but you're saying study it. So, I'm with you.  
7

8  
9 COUNCILMEMBER MONTGOMERY: You know, I could do follow  
10 ups of questions while we got a break here. So, one, Erick, I  
11 only hope when you do so look at high quality escalators. I have  
12 the one at Fashion Island. It works perfectly. And I don't  
13 remember to 2010 or 11 here in Maine to complain about  
14 escalators not working. So either, a, they don't use it every  
15 day, or they only hear about it when it breaks down. Second  
16 question, City Attorney question, I don't know, Quinn, if we  
17 have the right to touch the improvements above ground that we  
18 don't own. The Tolkin Group is involved with the above ground  
19 improvements. I don't know if you can go to them and say, hey.  
20 We want to build five elevators. We're going to rip up your  
21 retail space 8 months or 12 months or 20 months. We have  
22 escalator elevators in there. But it's a question to you. We can  
23 get a chance to look at it. Both the oceans have you know, and  
24 the answers to, one, high quality escalators, like, South  
25  
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1 Fashion Island has one. And second, can we legally install look,  
2 it is ripping out existing space.

3  
4 CITY ATTORNEY BARROW: Well, so that's yeah. We can  
5 take an additional look at that, but that was identified in the  
6 staff report as, we'll have to do some negotiations with them.  
7 That could be part of it.

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9  
10 COUNCILMEMBER MONTGOMERY: That means rent concession.

11  
12  
13 CITY MANAGER MOE: If I can add to that, though,  
14 Tolkin's only own the building pads on top of the parking  
15 structure. They don't own any of the common areas, the parking  
16 lot, the escalators, any of that. That's all city.

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18  
19 COUNCILMEMBER MONTGOMERY: Right. But the structure  
20 itself besides the one on the pads, who controls the ones where  
21 the stores are? Not where not where shade is. Everything else.

22  
23 CITY MANAGER MOE: Yeah. Any of those buildings are on  
24 the pads that the Tolkin Group leases from us.

1 COUNCILMEMBER MONTGOMERY: Got it. So, we might we can  
2 bring tank control to put elevators where we want to, anywhere  
3 in there and rip out their space.  
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6 MAYOR PRO TEM HOWORTH: I'm not thinking of ripping out  
7 a lot of retail.  
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9 MAYOR FRANKLIN: Councilmember Napolitano.  
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11  
12 COUNCILMEMBER NAPOLITANO: Thank you, your honor. I'm  
13 interested in getting a report back from engineers as far as  
14 whether or not that how much it would be to install another  
15 elevator. To me, the issue there is accessibility, ADA  
16 accessibility. I think, you know, we can improve the  
17 accessibility for the disabled by designating more parking spots  
18 on the surface streets surrounding Metlox, which we don't have,  
19 a disabled spots like recall. I think the and even having  
20 loading zones too, which I think would help with some of the,  
21 the, Ubers and the Lyft drivers. I don't know why we have the  
22 parking spaces as we do along the, south side of Metlox there.  
23 Folks are trying to squeeze in and out of there. I would rather  
24 see some disabled spots or some Good point. Drop off spots and  
25 even to add some, bike park, which I know your honor is in favor  
26 of. But I think that needs to be looked at again or even on the  
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1 west side of Metlox to provide people with options. We're having  
2 going down and needing to use the elevator as their only means  
3 of, access to the upper levels. As far as, you know, escalators  
4 go, to me, you know, if we can do it with one as far as  
5 accessibility and helping folks with those packages or whatever  
6 else, I'd rather do elevators and escalators at this point. I  
7 think war tech just equals more problems. And the lower tech  
8 that we can go, the fewer problems, the less cost. I'm very  
9 concerned about the report that the elevator has been out. We do  
10 need to replace that. How soon? Why hasn't that been working  
11 well? What's the lifespan of that compared to the escalators?  
12 Why haven't we addressed that already? I don't want to see that  
13 broken down in a continuous basis either. But right now, I don't  
14 see adding escalators. I mean, and the elevators together would  
15 be nice, but it just hasn't worked out. And it's just going to  
16 be money for the future. If someone can show me that the  
17 escalators down in Newport Beach are so much better because of  
18 something they do or the escalators they have. I'm interested in  
19 that too, but, again, more tech is just going to equal more  
20 problems. I'd rather just have stairs. Thank you, your honor.

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26 MAYOR FRANKLIN: Thank you. And my comment is, you  
27 know, perhaps at this time, we can do a traffic study to see  
28 what's the demand going up, demand going down. Is there

1 crossover? Because that can help us determine, you know, and  
2 then, you know, how many handicap accessible trips are there.  
3 Just something to just get some sort of an idea, you know, of  
4 the and that can help guide us. Okay. So, is that enough?  
5

6  
7 PUBLIC WORKS DIRECTOR LEE: Yes. I think clarify the  
8 direction. We're going to not be pursuing, escalated replacement  
9 project at this point. We're going to be trying to determine  
10 feasibility on an additional elevator and also trying to get  
11 into some type of acceptable staircase as soon as possible.  
12

13  
14 COUNCILMEMBER LESSER: I think that's right. Are you  
15 looking for a motion, or are you looking for just direction  
16 tonight?  
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18  
19 PUBLIC WORKS DIRECTOR LEE: I think if that's the  
20 consensus of the council.  
21

22 COUNCILMEMBER LESSER: I had one other thought. There  
23 are other stairwells at Metlox and, obviously, there's certain  
24 fire requirements and building code requirements. But I'm  
25 curious if any of those stairwells in this study could be  
26 converted into a second elevator because as Councilmember  
27  
28

1 Montgomery mentions, there's spacial limits. But I just wonder  
2 if that might be a cost effective way to add another elevator.  
3

4 PUBLIC WORKS DIRECTOR LEE: We will certainly look at  
5 that. Thank you.  
6

7  
8 MAYOR FRANKLIN: And part of that study too, if you can  
9 explore what Councilmember Napolitano mentioned is putting more  
10 handicap spots already on the ground level. And then they could  
11 just get right into it through Nick's, through Metlox Plaza.  
12 There's some stairs there, right? You know, the northern Metlox  
13 Plaza, there's some steps.  
14

15  
16 MAYOR PRO TEM HOWORTH: There's a ramp, though, I  
17 think.  
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19  
20 PUBLIC WORKS DIRECTOR LEE: Are you like where the  
21 farmer's market?  
22

23 MAYOR FRANKLIN: Yeah.  
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25  
26 PUBLIC WORKS DIRECTOR LEE: Well, yeah, I think there's  
27 bridge status.  
28



1           MAYOR FRANKLIN: You go up and then, even convert some  
2 of those spaces that are directly across from the police  
3 department. You know, I don't know how many, if any, handicap  
4 spaces there are Okay.  
5

6  
7           PUBLIC WORKS DIRECTOR LEE: Thank you.  
8

9           MAYOR FRANKLIN: Great. Thank you. And that concludes.  
10 We're looking for item number L, AB1234 reports.  
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13          MAYOR PRO TEM HOWORTH: None for me.  
14

15          COUNCILMEMBER MONTGOMERY: I do, your honor. This past  
16 weekend was the Independent City Association ICA Conference down  
17 in Coronado. Those need a reminder, ICA independent cities are  
18 cities that have their own police and or fire departments, and  
19 we've been one of the founding members since 1960. Myself,  
20 Councilmember Napolitano attended. And I'll tell you the  
21 highlight of the whole thing, which I'll read a couple of items.  
22 SB9 is unconstitutional. So, Redondo Beach won the right to  
23 repeal the housing forced on it by Sacramento. They took it to  
24 court, and they won all the way through. So, we're not all  
25 charter law charter cities are exempt from what SB9 being forced  
26 down the throats in housing. That's a big win. Other cities are  
27  
28

1 talking about, hey. Maybe we should consider looking at that.  
2 That was a big one. And the second one was cities finding  
3 revenue in tough times talking about bus shelters. We sell the  
4 1980S bus shelters on PCH, which is an orange bench. No shade,  
5 no covers, no sides. So, Torrance is looking at those now,  
6 Bruce. We're looking at actually shelters of seats, not just a  
7 bench. And a sunshade, you sit down, it covers you, rain or  
8 shine, on it. The companies that install them, obviously, are  
9 will talk to you about it. Third one was, I want to talk about  
10 Larry Kosma. I want to talk to you about that. And the highlight  
11 was Jim McDonough, our former LA County Sheriff, and Stacy  
12 Armada, and doctor Julian Gold were talking about life after  
13 council. I thought that was, I thought that it was important for  
14 a few of us here today. Other than that, it was just ideas for  
15 cities, what they can do, and then training that we have to do.  
16 But I'm glad we attended it and got to see it, and it was down  
17 there. A place got to go. We have 43 cities down that are  
18 members. It's LA and Orange County, so I'm glad it's my last  
19 year as president of ICA. Thank god. So maybe Joe or Amy or  
20 David will do it next year. That's my report. Thank you, your  
21 honor.  
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27 MAYOR FRANKLIN: Okay. Thank you. Future agenda items.  
28

1 COUNCILMEMBER NAPOLITANO: Your honor, since I did  
2 attend ICA with Councilmember Montgomery as well and being  
3 modest, you put on a great presence. Responsibility is to put on  
4 the seminars as well as vice president, coming president. But it  
5 was a great conference, very well attended, very well received,  
6 good sessions. And, just again, a lot of this business depends  
7 on relationships and getting in front of folks and knowing who  
8 to call when the cities need something, and that's part of it  
9 too. And so, it was very rewarding in that respect. Thank you,  
10 your honor.  
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14 MAYOR FRANKLIN: Great. Sure. Thank you. Okay. Item M,  
15 future agenda items. I've got one, your honor.  
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18 COUNCILMEMBER MONTGOMERY: All the council has  
19 received, Bruce, you probably know, I think you might have got  
20 copied on it. Just clarification of the waste management issues  
21 that they claim one thing or about rate increase, what they're  
22 allowed to ask for, what they're not allowed to ask for. So, can  
23 we just schedule a future hearing so we can all hear exactly  
24 what they're asking for and why? So that that way, we're all  
25 clear going forward what's going on with them, and we all get to  
26 hear it live. Instead of going back and forth in emails, have  
27  
28

1 them come and talk to us at a meeting so we can all hear their  
2 side of it and our side of it.

3  
4 COUNCILMEMBER NAPOLITANO: I'll second that.

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6  
7 COUNCILMEMBER MONTGOMERY: Thank you. Wait.

8  
9 CITY ATTORNEY BARROW: We're just figuring out if this  
10 is two steps or three steps. Is this going to require...

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12  
13 CITY MANAGER MOE: I think we can do it in two.

14  
15 CITY ATTORNEY BARROW: But we'll try to do it in two.  
16 It depends on how much staff time is required.

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18  
19 COUNCILMEMBER MONTGOMERY: Got it. Steve was your  
20 second. Thank you. Nothing further.

21  
22 MAYOR FRANKLIN: And, anybody else? No? Okay. So, I  
23 have one. I'd like to see a discussion of the hometown fair 10k  
24 fees that the city is charging them. I know that they get some  
25 allowance and the like, but there's some discussion about how  
26 the extra city costs are being, passed on to the hometown fair.

1 Hometown fair, as we know, has been an institution that donates  
2 all of its, money to charities and scholarships and the like.  
3

4 COUNCILMEMBER MONTGOMERY: I'll be your second, so you  
5 don't have to go into detail.  
6

7  
8 COUNCILMEMBER NAPOLITANO: Your honor, could you  
9 clarify, though? Because you've said both 10k and the hometown  
10 fair.  
11

12  
13 MAYOR PRO TEM HOWORTH: Yeah. Which one is it?  
14

15 MAYOR FRANKLIN: Oh, I'm sorry. The Hometown Fair 10k.  
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18 MAYOR PRO TEM HOWORTH: Well, it's just a 10k. It's not  
19 10k.  
20

21 COUNCILMEMBER LESSER: Yeah. One or the other? It's  
22 just different.  
23

24  
25 MAYOR FRANKLIN: I'm sorry. So, what is it called?  
26

27  
28 MAYOR PRO TEM HOWORTH: 10k.

1           MAYOR FRANKLIN: 10k. Okay. The 10k during the Hometown  
2 Fair. Okay.

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4           COUNCILMEMBER MONTGOMERY: I'm still a second.

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7           MAYOR FRANKLIN: And, I want us all to run it. Can we  
8 do that?

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10           MAYOR PRO TEM HOWORTH: Yes. I can. Okay. City Manager  
11 report?

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14           CITY MANAGER MOE: No report tonight. Thank you.

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16           MAYOR FRANKLIN: Okay. Informational items.

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19           CITY MANAGER MOE: City Attorney?

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21           CITY ATTORNEY BARROW: He skipped me. Nothing tonight.

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23           MAYOR FRANKLIN: Oh, I'm sorry.

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25           MAYOR PRO TEM HOWORTH: He's devastated.

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28           MAYOR FRANKLIN: City Attorney. I'm sorry.

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CITY ATTORNEY BARROW: Yes. No reports tonight.

MAYOR FRANKLIN: Oh, well, informational items, seeing none. It says something that says closed session, but we're not closed session.

MAYOR PRO TEM HOWORTH: Oh, we did that.

CITY ATTORNEY BARROW: That was just in case

MAYOR FRANKLIN: Okay. I see. Thank you. So, we're adjourned until Tuesday, August 6 at 4:30 for a closed session.