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MANHATTAN BEACH CITY COUNCIL
REGULAR MEETING
REMOTE BROADCAST CAPTIONING
TUESDAY, SEPTEMBER 3, 2024

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CITY OF MANHATTAN BEACH
CITY COUNCIL REGULAR MEETING
TUESDAY, SEPTEMBER 3, 2024

MAYOR FRANKLIN: Okay, so we are going to reconvene into open session, and there's going to be a closed session announcement from City Attorney Quinn barrow.

CITY ATTORNEY BARROW: Thank you, Mayor. Pursuant to the Brown Act. The City Council went into closed session earlier to discuss three separate items. The council gave direction and there was no other reportable action taken.

MAYOR FRANKLIN: Great. Thank you. So, we're going to adjourn from closed session. And welcome to the City Council regular meeting for Tuesday, September 3, 2024. And thank you for understanding the inconvenience to having to come over here to Joslyn Center. We're still getting the Council Chambers ready. So next week, or, I'm sorry, the next meeting on the 17th. We'll be there. So, can we call the meeting to order? I'm sorry. The Pledge to the Flag. So, we have Presley and Cash Montgomery. If you would come up. How about that, huh? And you want to just say your name for everybody.

PRESLEY SEILER: Hi, I'm Presley Seiler.

MAYOR FRANKLIN: Okay, great. So, we're going to have you lead the pledge. I'll hold the microphone, and there's the

flag, so you can go ahead and start. Put your hand over your heart.

PRESLEY SEILER: I pledge allegiance to the Flag of the United States of America and to the Republic for which it stands, one Nation under God, indivisible, with liberty and justice for all.

MAYOR FRANKLIN: Well, that was terrific. And I'm sure it's hard to do it after the long summer, right? Not doing it every day. Well, Presley is a, and the Montgomery Family are neighbors of ours on Pine Avenue. And I always have to go slow when I go by because Presley's out there shooting a basketball on a basketball hoop. And you're doing really really well. So, you want to introduce your brother?

PRESLEY SEILER: This is my brother, Cash. And, yeah.

MAYOR FRANKLIN: Okay. And, mom, why don't you come up here and tell us a little bit about Presley and Cash, and yourselves?

UNIDENTIFIED SPEAKER: I didn't know we were going to have to speak, so. That's good. This is Presley and Cash. They go to Pacific Elementary. She's nine. Cash is seven. Yeah, we're neighbors, so he always uses outside playing. Playing pickleball, playing basketball. They're super active and, yeah, we just, we love where we live. We were always outside, so,

yeah, we're just happy to, we're happy to be here. And thanks for asking us to do this. It's great. Yeah, she was so excited.

MAYOR FRANKLIN: And are you happy that they're back in school?

UNIDENTIFIED SPEAKER: Oh, yeah. Summer was really good, but it was really long, so we're good. Yeah.

MAYOR FRANKLIN: Well, great. Thank you. Well, we've got some certificates for Presley. There you go. And that's a city pin. And then Cash, we got one for you, too. And what grade is Presley? Cash. Oh, yeah. Well, here, why don't you turn right around. Okay. Actually, why don't you come up here and we'll join our fellow Councilmembers, and you'll get the whole crew. You were part of it. You were there. All right. Thank you for coming by. Appreciate it.

COUNCILMEMBER NAPOLITANO: Every kid lives on Pine in Manhattan Beach.

MAYOR FRANKLIN: Well, you know, that the water is pretty good there, and could we please have a roll call, Martha?

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. Thank you. I think I turned it off. There we go. Okay. So, we move on to item D, the Ceremonial Calendar. So, today we had a planned, a presentation of a proclamation declaring September 2024 as National Service Dog Month. And this was at the request of Annette Ramirez. Who needs a service dog is quite, quite a compelling story that she told. So, we wanted to give recognition to service dogs. Unfortunately, she couldn't make it to the meeting this evening, so we're going to make sure that we get her proclamation and her pin. We'll send them to their home. So, it's National Service Dog Month. All right, so we move in. Moving on to item E, the Approval of the Agenda and Waiver of Full Reading of Ordinances.

MAYOR PRO TEM HOWORTH: So moved.

COUNCILMEMBER MONTGOMERY: Second, Montgomery.

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

CITY CLERK TAMURA: Councilmember Montgomery.

COUNCILMEMBER MONTGOMERY: Yes.

CITY CLERK TAMURA: Mayor Pro Tem Howorth.

MAYOR PRO TEM HOWORTH: Yes.

CITY CLERK TAMURA: Mayor Franklin.

MAYOR FRANKLIN: Yes.

CITY CLERK TAMURA: Councilmember Lesser.

COUNCILMEMBER LESSER: Yes.

CITY CLERK TAMURA: Councilmember Napolitano.

COUNCILMEMBER NAPOLITANO: Yes.

CITY CLERK TAMURA: Motion passes, 5-0.

MAYOR FRANKLIN: Okay, great. Thank you. Moving on to item F, City Council and Community Organization Announcements of Upcoming Events, one minute per person. And we have the podium right here in the middle.

LIBRARY MANAGER MURRAY: Hello. Okay, perfect. Good evening, Mayor, members of the council. My name is Josh Murray. I am here on behalf of Manhattan Beach Library. I'd like to invite the adults of the community to join us on Tuesday, September 10, from 5:00 to 6:00 p.m. for a Vietnamese Spring Roll Making Class with Emmy. Vietnamese spring rolls are scrumptious and healthy choice of food, and they are made with fresh, crunchy vegetables, herbs, rice noodles, and wrapped in rice paper with tangy sweet dipping sauce. Join us and learn how to make this delicious treat and surprise your family and friends with a fantastic new addition to your menu. This free program is sponsored by the Friends of the Manhattan Beach Library and registration is available on our website, lacountylibrary.org. And I thank you for your time.

MAYOR FRANKLIN: Great. Thank you.

BOBBY BELL: Honorable Mayor, Mayor Pro Tem, City Council, City officials. My name is Bobby Bell. I am the cycling educator for WM, the company previously known as Waste Management. I apologize for my casual attire and dressing you guys tonight. I had no other option. I apologize. A couple quick updates. We finished our lunchbox dispersal last Friday. We finished with Pennykamp. It was awesome. You guys know it's my favorite part of my job. And then we have kicked off our battery recycling drive at all the MBUSD schools. When I started here, they were just doing it for two months and we just bump it up. So, year-long, any parent that has a child at any MBUSD school can just take out those old batteries, throw them in a bag, give them to the child, they can go to the main office and drop them off. If you don't have a child at the schools, we don't want you bombarding the schools. So, we still have at your door who will come pick up hazardous items from you. Or there's a drop box here at the Joslyn Center, at the City Hall office, and at Public Works. That's all I got. Wish you guys a blessed evening.

MAYOR FRANKLIN: Great. Thank you.

RITA: Good evening, Mayor Franklin and City Councilmembers. I just wanted to make an announcement that next week, and the following week, two weeks later, Mayor Joe Franklin is having a Coffee with the Mayor. And MB Safe,

Manhattan Beach Safe Alternatives for everyone will be present at that meeting. And so, if anybody has any questions regarding homelessness or other issues regarding policies or best practices here in Manhattan Beach, please come and we will be there to answer any questions you have. Thank you.

MAYOR FRANKLIN: Terrific. Thank you, Rita. Take the pressure off of me.

DAVID CURRY: I was just going to give you props, Bobby. Hello, honorable Mayor Pro Tem, honorable Mayor, Councilmembers, I learned that greeting from Bobby Bell here at Waste Management. I'm David Curry, Chairman of the Board of Directors in the Manhattan Beach Chamber of Commerce, and I was going to welcome Bobby Bell of Waste Management. They just joined our board, which is great to have a new corporate partner as a member of our board, along with our other great corporate and individual partners. So, I'm here to just make a couple of announcements about our upcoming events. So, on September 18, we've got a mixer at Kinecta Federal Credit Union and El Segundo. If you haven't been to their venue, it's a great venue, it's outdoors, it's set up like a restaurant patio. It's just terrific. So, that'll be September 18.

MAYOR FRANKLIN: And what time?

DAVID CURRY: I believe our mixers start at 5:30, but it'll be on our chamber of commerce website as well. So, I think

that's when we start. Thanks, Mr. Mayor. And on September 16, we have a breakfast at Manhattan Beach Studios. I see my time ticking down with acting City Manager Talyn Mirzakhanian. We're really looking forward to it. The subject is tips on getting your permits successfully in and through the city. So, looking forward to that. It's a complimentary community breakfast and the food should be great. So, everybody's welcome. Thank you.

MAYOR FRANKLIN: Great. Thank you, David. And congratulations to you, too, on your nomination. Anybody else? Colleagues? Do we have anything? Okay. No? Okay. I just have a couple is, I just wanted to make an announcement of the parking lots and structures. We're going to get more details later, but just in case you're not here later on for the update on lot number three, we have now, we're keeping the shuttle, but we're expanding it. It's actually, the pickup is going to be at the Macy's parking lot in the Manhattan Village Mall, and it runs every 30 minutes. So, it'll leave the mall at the top of the hour. First stop will be a 10th in Manhattan Avenue, so that's going to get you really close to the beach. And then the second stop will be in front of City Hall. So, that will run Monday through Thursday, 1:00 p.m. to 9:00 p.m. and then Friday and Sunday, 9:00 a.m. until 9:00 p.m. so keep a lookout for that and use it. It's gotten very, very popular, so please use that. And then it's a free ride as well. And then we have, I don't know,

Martha, what's going on behind me? Do we have that list of the parking lots? Oh, there we go. So, we just got a, there was a community announcement that went out by email, but it had a really good recap of all the different parking structures. You're all aware that lot number three had to be taken offline because of structural problems. So, that's 146 parking spaces that we lost right in the heart of downtown. So, lot number three is bordered by Morningside Center Avenue. It's basically behind Culture and Hennesseys and Esperanza, the lot there. And so, it's going to have to come down. It's going to be, we're going to discuss a little bit about it later, but the point I'm trying to make is your favorite parking spot, the one that only you know about, is probably going to be gone because a lot of people are going to be parking down there. So, try to find a lot that's on the outside of downtown and then just walk in. Okay. Yeah, there you go. So, you're scrolling through some of them. So, make sure you learn about other parking lots around town and use them accordingly. The Civic Center Parking Lot, normally that, the gate doesn't go up until 5:30 or, yeah, 5:00 p.m. Monday through Thursday, and then also on Friday. But now on Fridays, that gate will allow you to go in at 1:00 p.m. on Fridays. And then you can go ahead and park in there. It's normally a staff parking lot, so go ahead and take advantage of that. And then, of course, on the weekends, it's open. Okay. And

on a personal note, I have some very good friends in town, Hetty and Alan. And I think they're. They're watching. Hello. But Hetty and Alan, 30, 40 years ago, are responsible for me learning about Manhattan Beach. They lived here. They invited me over. We all worked in the same office, and I haven't left since.

COUNCILMEMBER NAPOLITANO: Now, we know who to blame.

MAYOR FRANKLIN: That's right. Yeah. Well, I hold them harmless. Okay, so let's go move on to item number g, which is public comments. This is three minutes per person. You may speak on any matter that's within the subject matter jurisdiction of the council, including items on the agenda. But if you do talk about a later agenda item, you won't have the opportunity to make public comments when that agenda item comes up. So.

LEE PHILLIPS: Good evening, City Councilmembers. My name is Lee Phillips. I understand there's going to be a police safety update later this month. I received a notification, but I didn't see a Zoom link for it, and I was wondering if a Zoom link could be included. Another thing I noticed about those safety updates is there's no live Q and A. You write your question and you submit it. I was just wondering if maybe we can have a live Q and A with those safety updates. I think it would be very informative to hear how residents, it's not just the questions, but it's the tone. And also hearing a question might

prompt other questions from other residents. Thank you for your consideration.

MAYOR FRANKLIN: Okay. Thank you, Lee. Next. Public comments? No.

BRENDA O'LEARY: Good evening, Mayor Franklin, Mayor Pro Tem Howorth, and City Councilmembers. My name is Brenda O'Leary, and I'm here tonight to speak about parking lot three. As you know, I've been serving on the outdoor dining committee, and we've been looking at different ways to create outdoor dining. One of those ways is rooftop dining, which sounds amazing, but what we've found when we explore different rooftops is it can be very expensive. For Esperanza to convert their rooftop for ADA compliance would cost them about a million dollars. So, when we look at parking lot three, I feel like that has served our community so well for so long, but it deserves so much more. It's an amazing lot in the heart of our community. It was built on the outskirts of the community, but now, since we've developed Metlox, it really does represent the heart of our community. So, I'm sure people are listening to me saying, oh, my God, what about parking? I believe that we've created the infrastructure to build that parking underground. And when you look at that, we've created that infrastructure at Metlox where you can actually pull in underground. And if you were to continue that into the parking lot three space, you could just

kind of bulldoze that wall, and you would turn right, and then maybe put an elevator for ADA compliance at parking lot three, along with the stairwell, which would bring you up there. If you were to dig two levels, we could create far more parking than we're losing in parking lot three. And that leaves that amazing space for our community. That could serve our community in many different ways. I'm envisioning, you know, you build a few stories up so you're above the restaurants in front, and you could have an amazing rooftop space with a view from PV to Malibu that could be used by our entire community, and you would still have your parking. So, I think that whenever you deal with development, it's hard because development means change. And we're used to having a parking lot, but there are many different ways to think about development and think about creative use of spaces. You're probably thinking, oh, my God, this sounds expensive. We financed Metlox with what's called cops, and I don't mean the police paid for it. They are certificates of participation, which is like a bond. But instead of tapping into the community for money, that bond was financed by the revenue from the parking meters. We almost paid that off. We owe about 5 million more, and that's because we refinanced it. But it's very possible that we could create some sort of a financial structure like that. I believe to do this build would cost about \$75,000 per parking space, and it's very possible we could create all of

that space without tapping into the community for money. And then we would create an amazing opportunity to build something for our community in the heart of our community with an amazing lot that has served us well. Thank you.

MAYOR FRANKLIN: Thank you. Can you tell us when the next outdoor dining task force meeting is going to be?

BRENDA O'LEARY: No, I don't think it's been declared yet.

MAYOR FRANKLIN: Oh, okay. All right. So, keep an eye out for that. All right. Anybody else here? Okay, Martha, how about on Zoom?

ASSISTANT CITY CLERK ALVAREZ: We have Jim Burton.

JIM BURTON: Good afternoon. Good evening, Mr. Mayor, members of Council, and our wonderful city staff. Like many, I've been out of town, I apologize. I have not been in chambers in person in quite a while. But I was home over the weekend and I see you're in Joslyn center. But I was home over the weekend and wanted to give a shout out to our Public Works and our Traffic Engineer. I see a left turn pocket on, what that be, East Valley and Oak. That has been long overdue. I think that's wonderful. A lot of us in Downtown Hughes Valley to get to Rosecrans and thus Sepulveda. But yeah, kudos to our public work staff. I think that our Traffic Engineer, Eric Zandvliet, I think that's absolutely fantastic. I think it was much needed.

There were some other improvements. I'm not going to get into them right now, but again, great job. I do have one other item with our parking and the amount of effort that staff has put in to be creative. And our downtown business professional association, Jill Lamkin, I know, has worked really hard to come up with some creative ideas for parking. All of the shuttles, all the new lots, I mean, think are great. I think it absolutely helps any additional parking, particularly for those of us who live in the heart, as Ms. O'Leary said, of downtown getting in and out, it's been good to see some different alternatives. I do have one request. The intersection of Morningside and Manhattan Beach Boulevard. And think about if you're going west towards the pier on Manhattan Beach Boulevard and you want to make a left on Morningside to go southeast, what is that? South, I guess that intersection is extremely congested. There's a bulb out there. There's not room for two cars. And I know we've got the new Union Bank temporary parking. There's a lot of cars that are turning on there. We have two spots that are loading zones that are within the meters there right behind what was then Jamba juice. Now health nut. Those loading zones are not big enough. The truck that delivers there actually has to park across the street in the meters on Morningside because it's too big to fit in those two loading zones. But if the wonderful staff that we have in the Public Works, if there's some new

parking things, that intersection at Morningside and Manhattan Beach Boulevard on, if you're turning left, you cannot fit two cars. It is extremely congested and now we've got a lot more cars going through there. If we can take a look at that as part of this effort, that would be fantastic. I've got other items to talk about but it'll be on the agenda. It's on agenda item number 4. Appreciate your time and it's good to hear from everybody.

MAYOR FRANKLIN: Great, thank you, Mr. Burton.

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

MAYOR FRANKLIN: Okay, so. Oh, I'm sorry, go ahead. Councilmember Montgomery.

COUNCILMEMBER MONTGOMERY: Thank you, your honor. Last Thursday night, 9:00 p.m. 2000 hours. I know Chief Johnson's going to like this part of it. I was at Ralph's, like most of you go shopping late at nighttime, because you miss the crowds, right? So, I came out of CV's, I was walking about 10ft away from the Ralph's door and I see a guy push through the people to get out. Yeah, I remember the little black, little shopping baskets you have and leave Ralph's. He pushed out, stopped for a second. I could see people look at him stop for a second. I, hey, looked at me and just took off, just took off towards the Wells Fargo branch. And instinctually I just started running

after the guy. But a, he was about 30 years younger and a heck of a lot faster. But the Mayor asked me why I did it. Instinct, part of it being a former police officer, instinct kicked in, I chased after him. Then, I realized I'm not going to catch this guy. So, I stopped, zoomed in on my iPhone and got a picture of his truck, his car. Tried to get the plates as well as I could, but that was my mistake. Instead of emailing it, I did email it later on to Chief Johnson and Captain Enriquez. But I should have done the first thing I didn't do, and that's called dispatch right away. Even though I couldn't make out the car, I couldn't tell you the plate. I got a brief description of the guy just running by. That was it. I think the mistake I should have done is call dispatch right away. Yes, I saw officers later on at Target, the younger, faster, thinner ones that would have caught him, probably faster. But I just want to warn everybody that happens to you. And it wasn't as Katrina says he doesn't advise anyone running after a theft suspect, but I was just mad. Right in front of me. Security guard, didn't move an inch. No one else chased this guy. And what would you do? Mayor Franklin asked. What would have done if you caught him? I would have knocked the basket out of his hands, for one. I was just angry. Nothing else happened. That we're becoming a place that you can get hit like that. And if someone else had been there, an officer have been closer, I guarantee they'd have caught him. If

I could get his plate or called it in, maybe we could have called him that night. Turns out, later, down the road, a couple days later, Councilor Sebowski got the same call, about the same car. They chased, but he took off. Small world. But that was the point of it, is that I think that it wasn't a smart move to do it in the first place. The right move would have been, stop. Take a picture. Call PD on dispatch. Let them see they can catch the car and get lucky. But the other part of it was, we all got to be aware that's going to happen in our city until things change down the road, hopefully in November, where the crimes will be held accountable. We'll go after them that way. But until then, don't do what I did. Do a smart thing. Call dispatch and go from there. But as Chief and Captain Enriquez is reminding me, we'll know for next time, or I'll find a younger, faster cop to go after them. Thank you, your honor.

MAYOR FRANKLIN: Great. Thank you, Councilmember Montgomery. Stay safe. Okay. Anybody else? No. Okay, so we'll close public comments, and we'll move on to the consent calendar. Item number H.

MAYOR PRO TEM HOWORTH: I move approval of the consent calendar.

COUNCILMEMBER LESSER: Second.

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

CITY CLERK TAMURA: Councilmember Montgomery?

COUNCILMEMBER MONTGOMERY: Yes.

CITY CLERK TAMURA: Mayor Pro Tem Howorth?

MAYOR PRO TEM HOWORTH: Yep.

CITY CLERK TAMURA: Mayor Franklin?

MAYOR FRANKLIN: Yes.

CITY CLERK TAMURA: Councilmember Napolitano?

COUNCILMEMBER NAPOLITANO: Yes.

CITY CLERK TAMURA: Councilmember Lesser?

COUNCILMEMBER LESSER: Yes.

CITY CLERK TAMURA: Motion passes, 5-0.

MAYOR FRANKLIN: Okay, great. Moving on to item I.

Items removed from the consent calendar. There were none. So, item number J. Public hearings, there are none. So, we'll move on to item K, general business. Each speaker may speak for up to two minutes on each general business item. And item number agenda item number four, consideration of a resolution approving commercial encroachment permit for an existing commercial tenant space located at 401 Manhattan Beach Boulevard. And we have - -

ACTING COMMUNITY DEVELOPMENT DIRECTOR HEISE: Honorable Mayor, City Council, tonight, Adam Finestone, Planning Manager, will give you a presentation.

PLANNING MANAGER FINESTONE: Evening, honorable Mayor. Mayor Pro Tem, members of the City Council, my name is Adam

Finestone, Planning Manager for City of Manhattan Beach. Item before you tonight is a request for an encroachment permit, for a commercial encroachment permit for a new tenant going into a facility at 401 Manhattan Beach Boulevard. Pursuant to Manhattan Beach Municipal Code section 7.36.170. Long term commercial use of the public right of way requires an encroachment permit, which must be issued by the City Council. The encroachment permit is for modification to an accessible ramp. It is required because a new tenant there has proposed modifications to the building that include the relocation of the front door. Note that an encroachment already exists, and the request is coming before you tonight because the encroachment area and design have changed. Exhibits will be provided shortly in this presentation to demonstrate those changes. As a bit of background, a master use permit amendment was approved by the Planning Commission on July 24 of this year. That decision was brought forward or brought to the council here as a quasi-judicial report on August 6, and then the request here that we're looking at for the encroachment permit was provided to the City Council on August 20. At that meeting, additional details were requested and it was continued at future meeting. That's where we are here tonight. As previously mentioned, a master use permit amendment was recently adopted by the Planning Commission under the authority granted to them by the City's Local Coastal Program.

The amendment authorized changes to the amount of indoor and outdoor space dedicated to seating area. It extended the hours allowed for outdoor dining to end at 11:00 p.m. rather than 10:00 p.m. and authorized the sale of distilled spirits in addition to beer and wine, subject to ABC approval of a type 47 ABC license. Note that this information is being provided for context and is not subject to consideration at tonight's meeting. For reference, the image here shows the existing condition of the ramp that is outside of what is currently Pitfire Pizza. That access ramp there is in the public right of way. On the proposed site plan here, that oval, that green oval there is the encroachment area, and you'll see in more detail on this slide that it shows the enlarged site plan. The ramp is delineated by planters that separate it from the adjacent sidewalk as outlined in red. The proposed encroachment area is almost 258 square feet. As a condition of approval of the encroachment permit, the applicant would be required to pay \$3 a square foot for use of the public right of way, equating to monthly recurring revenue to the City of \$773. It should be noted that there's no fee currently being collected for the existing encroachment. And as a bit of reference, the existing and proposed encroachments are shown on, the plans are shown here. Note that the proposed encroachment will not extend any further into the sidewalk. And it basically just flips the

direction of the, of the ramp there. So instead of going up to the left, it goes up to the right. That concludes staff's presentation. I'd be happy to answer any questions that the council may have. Thank you.

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

COUNCILMEMBER LESSER: I have two.

MAYOR FRANKLIN: Yes, Councilmember Lesser.

COUNCILMEMBER LESSER: We've received communications from the public, and I want to confirm exactly what is before council tonight, what is the decision that's before us and what is not before us.

PLANNING MANAGER FINESTONE: Sure. So, the request before you tonight is specifically related to the encroachment permit for the ramp that's in the right of way. The master use permit has been reviewed, considered, approved by the Planning Commission already.

COUNCILMEMBER LESSER: There's a reference in the staff report with regard to the fee schedule for encroachments, and I wanted to confirm what is the criteria that goes into that encroachment per square footage and when is it next scheduled for review? I think it's, is it \$3 per square foot present?

PLANNING MANAGER FINESTONE: It is \$3 per square foot currently. I can't speak to what the parameters are to determine

that, but we are going through a user fee study right now, and I presume that that will be part of that discussion.

COUNCILMEMBER LESSER: Thank you.

COUNCILMEMBER NAPOLITANO: Clarify, your honor, my understanding is if the encroachment is not approved, though, then the master permit is not in effect either.

PLANNING MANAGER FINESTONE: That's correct.

MAYOR FRANKLIN: Okay. Anybody else? Mayor Pro Tem.

MAYOR PRO TEM HOWORTH: Oh, sorry. And I believe you said that the ramp that's proposed does not further encroach than what is there now. It changes the direction of the ramp.

PLANNING MANAGER FINESTONE: That's correct.

MAYOR PRO TEM HOWORTH: The design aspect. So, it's okay.

MAYOR FRANKLIN: Okay. No more questions. We'll open it up for public comment. Anybody wish to speak on this item? Here. Seeing none in council chambers. How about online?

ASSISTANT CITY CLERK ALVAREZ: Jim Burton.

JIM BURTON: Honorable Mayor, members of council, I would ask that you do not allow the change and you do not allow the encroachment. And specifically, what Councilmember Napolitano said, if you don't allow it, the master agreement that was approved by Planning Commission does not go into effect for a variety of reasons. Number one, and I apologize. I've been

out, like I said, I've been out of town. I wasn't really aware that this 11:00 for alcohol outdoors. And I'm not sure what Planning Commission is thinking and or why we sit on an outdoor dining task force and why the city is currently studying this. And yet this will be the biggest and largest outdoor patio in Manhattan Beach, in the heart of Manhattan Beach. And there really should be some consideration. I realize that the master use, as Adam said, has already been approved, but if you don't approve the encroachment permit, this, it's not in effect. And I guess my bigger question is just policy related. What are we doing? Number one, why wasn't this appealed at council on August 6? And, and it's my understanding, Councilmember Napolitano, you moved it off the consent calendar. But this is a major change for downtown Manhattan Beach and certainly in direct eyesight from residents. I can already hear Culture Brewing is just turned into the loudest thing on Manhattan Beach Boulevard. And I'm further away, Culture Brewing is further away. The noise that's going to be generated, the traffic, the alcohol hours at 11:00. I know outdoor dining, I think, right now, they're recommending 10:00 but just some general policy issues on how all of this is being implemented. And if you don't approve the encroachment, they can't get the rest of this. And so, I'm trying to have a good attitude or have a good position on this, but this is a massive change for Downtown Manhattan Beach at the

same intersection I was talking about earlier, actually. Anyway, just, I hope that you vote no and don't allow the encroachment permit change and the fee, \$3. I hope that long term that we look at those fees and those fees go up. I'll yield the rest of my time if I have any. Thank you.

MAYOR FRANKLIN: Thank you.

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

MAYOR FRANKLIN: Okay. Public comment. Yeah, go ahead.

SAM TRUDE: Thank you, Councilmembers. My name is Sam Trude. I'm the owner of the business in question. I guess what I'd like to speak to is a little bit about who we are as a business, right? So, it's a family owned business. We're an all-day café, right? So, we serve breakfast, lunch and dinner. We're in three great neighborhoods within Los Angeles right now, wonderful neighborhoods of which we are amazing, well-loved parts of those neighborhoods. We're incredibly excited about coming to Manhattan Beach. Now, we do have liquor at all of our locations. It's a very small part of what we do as a business. We sell more coffee than we do beer and wine and liquor because of our cafe concept. We did go through the process that was requested of us to go to the commission to ask for the use and the liquor license. And we did what was requested and it was approved. If there are concerns with our use, with our liquor

license and our hours, I'm really happy to address those. We did request till 11:00 p.m. because that's how our other businesses operate. I'd be willing to concede some of those hours because we typically close at 10:00 regardless. Because we are a cafe, we're not a bar. We don't have TVs, we don't have bars. We don't even display liquor because we open at 8:00 for coffee and breakfast. We're a family restaurant. You know, we signed this lease a year ago. It's taken us a year to get here. And you better bet that our landlord isn't giving us any rent concessions. We spent a lot of money just to get to this point. And if this encroachment, which is a minor encroachment, we're just flipping the direction of a ramp because we're moving the door. If it's not approved, then you're right. We're going to have to go back to planning. It's going to take us months and a lot more investment. And as a small family business, that's tough. So, if there are concerns with our use, I'm happy to address those at any time. What I'm asking you is to not just throw it out and deny this just so you can throw us back to the end of the line. Anyway, thank you.

MAYOR FRANKLIN: Okay, thank you. Anybody else in chambers? And no more left online. Okay, so we're going to close public comment for this item and comments from my colleagues.

COUNCILMEMBER NAPOLITANO: A couple questions of staff. Since the issues have come up for staff again to approach the

podium, the outdoor dining, the hours, you're saying 11:00 p.m. is consistent with other outdoor dining. But is this different because the outdoor dining is not covered? Are there other outdoor dining areas that are uncovered, don't have a roof over it?

PLANNING MANAGER FINESTONE: I think that this is probably because it's on private property versus public. Maybe that's the differentiation that Mr. Burton was speaking of, that the task force is looking at.

COUNCILMEMBER NAPOLITANO: I'm not asking about what Mr. Burton's, I'm talking about the difference though between this subject property. It doesn't have a roof over the outdoor dining. Is that correct?

PLANNING MANAGER FINESTONE: I believe there's a trellis, sorts. It's not open to the sky. I believe I'm not positive.

COUNCILMEMBER NAPOLITANO: There's a covered trellis?

PLANNING MANAGER FINESTONE: Correct.

COUNCILMEMBER NAPOLITANO: So, it's covered in with what? So, it's completely covered or you're saying there's battens, so there's gaps between the boards.

PLANNING MANAGER FINESTONE: There's gaps.

COUNCILMEMBER NAPOLITANO: I'm going to say essentially that's open to the sky. So, the other outdoor dining in the

area, though, Esperanza, right. Hennessey's. They have ceilings above their outdoor patio areas, correct?

PLANNING MANAGER FINESTONE: I believe so, yeah.

COUNCILMEMBER NAPOLITANO: Okay. And then the expansion of the hours to 11:00. And then the expansion, the alcohol will be served to 11:00 too, as well, correct?

PLANNING MANAGER FINESTONE: Correct.

COUNCILMEMBER NAPOLITANO: And then what about music?

PLANNING MANAGER FINESTONE: So, there is a condition that's on their existing use permit from prior to when this recent amendment came that still holds that prohibits any type of amplified sound outdoors.

COUNCILMEMBER NAPOLITANO: Okay. So, no radio or pre-recorded music can be played onto the patio?

PLANNING MANAGER FINESTONE: That's based on the conditions, correct.

COUNCILMEMBER NAPOLITANO: I think that's all my questions. Oh, how does this fit in, though, with the outdoor dining considerations and even, since it's open air, because that was talked about in having a second story dining as well.

PLANNING MANAGER FINESTONE: Yes. Since this is on the private property, it's not the same as what the outdoor dining task force is looking at. As far as dining in the right of way, it would be, I guess, similar as far as what is allowed or as

far as the use on the private property as what would happen on the second-floor outdoor dining. But the impacts of something that's on the first floor at street level versus something that's up higher, I think are significantly different.

COUNCILMEMBER NAPOLITANO: You think or you know?

PLANNING MANAGER FINESTONE: I can't say I know, but I mean, anecdotally, I would believe so.

COUNCILMEMBER NAPOLITANO: Thank you, your honor.

MAYOR FRANKLIN: Okay. Councilmember Montgomery.

COUNCILMEMBER MONTGOMERY: Adam, stay right there. So, the only complaints. This is not on public property. It's on private property. Anyone have an issue for this came up about the use of Pitfire having this patio enclosure? Anyone? But only, Ryan, should have known. I should have gone to Ryan first.

ACTING COMMUNITY DEVELOPMENT DIRECTOR HEISE: No code enforcement complaints for regarding the open audio.

COUNCILMEMBER MONTGOMERY: Thank you. I'll stop there for now.

MAYOR PRO TEM HOWORTH: Thank you. Actually, ironically, my comment was that I'm hearing that the podium microphone is not being heard online and on TV so well. So, either we have soft spoken staff or the audio levels need to be checked. That's my comment. Thank you.

MAYOR FRANKLIN: Okay. Thank you. If you could speak a little bit louder, please. And then Councilmember Lesser.

COUNCILMEMBER LESSER: I wanted to follow up on the question by the speaker about how the hours of 11:00 compare with other restaurants that might open up to the outdoors even if they are not fully open. Where did the 11:00 hour come from in the master use permit?

PLANNING MANAGER FINESTONE: So, the 11:00 hour was existing for their indoor area. And, that's better. The change was intended to provide consistency from their outdoor operation with their indoor operation.

COUNCILMEMBER LESSER: So, let me clarify. We had an exchange earlier about what is before council this evening. If there is concern about hours or alcohol service or anything else that's covered by the master use permit, it has been mentioned that we would not approve the easement. And what would the process be going forward to be able to try and approve this project?

PLANNING MANAGER FINESTONE: I would look to our City Attorney, potentially, for some advice on that.

ACTING CITY MANAGER MIRZAKHANI: I can address that. City Council, honorable Mayor, Councilmembers, your acting City Manager, Talyn Mirzakhani. In this event, what would happen is the applicant would have to go back to the drawing board and

redesign that portion of the project and then go through the planning process again to get approved as an amendment to the amendment to the use permit for that portion of the redesign.

COUNCILMEMBER LESSER: I have a follow up. This is something that runs with the land, is that correct? Which is not going to solely govern this particular tenant, is that right?

ACTING CITY MANAGER MIRZAKHANI: This is correct. I will add that the Planning Commission included a condition of approval that would require this applicant to return to the Planning Commission after one year of operation so that the Planning Commission could consider the circumstances at that time.

COUNCILMEMBER LESSER: So, if the applicant is voluntarily indicating that the business may consider an earlier shutoff time. I'm trying to understand, one, do we have jurisdiction even to talk about that this evening? And two, what would be the process forward that the applicant doesn't have to go back to the drawing board?

CITY ATTORNEY BARROW: So, with respect to the conditions of the Planning Commission Resolution, they're set, and that has the hours. And so, there's, if he wants to voluntarily change from 11:00 to 10:00, I'm sure we could have an agreement that would amend the Planning Commission. It's more

of a ministerial type change to the resolution. It wouldn't have to go through the whole process.

COUNCILMEMBER LESSER: But can we give direction tonight?

CITY ATTORNEY BARROW: Well, Steve, this is only the encroachment, so that's correct. This is the encroachment. The only impact the Planning Commission's decision was final, but it's contingent upon this ramp. And so, if the council decides not to approve the encroachment permit for the ramp, then the decision is invalidated. But the Planning Commission's decision is invalidated until there's a redesign, and then it goes through the process.

COUNCILMEMBER LESSER: Follow up question for our acting City Manager, who has also been our Community Development Director, and that is there was a contention that this is a major change from past entitlements with regard to an outdoor dining space. Is that true?

ACTING CITY MANAGER MIRZAKHANIAN: We have other establishments that have significant outdoor dining space in downtown as well. I can think of one off the top of my head. And I also recollect that during outdoor dining conversations in the past, there were some comments from the community and from the council that, instead of using public property for outdoor

dining, folks should try to build that onto private property, which is exactly what's happened in this situation.

MAYOR FRANKLIN: Okay, Mayor Pro Tem.

MAYOR PRO TEM HOWORTH: Thank you, Mr. Mayor. So, the Planning Commission. I don't know who I'm asking. Somebody? Anybody? Thank you. So, did this approval happen in one meeting?

ACTING COMMUNITY DEVELOPMENT DIRECTOR HEISE: Correct.

MAYOR PRO TEM HOWORTH: It was one meeting. It was fully vetted. And it could have been appealed if anybody wanted to appeal it. It wasn't appealed because nobody appealed it.

ACTING COMMUNITY DEVELOPMENT DIRECTOR HEISE: Correct.

MAYOR PRO TEM HOWORTH: Okay. All right. So, thank you. I think that those are my questions. So, I'm going to make some comments because we already open public comments. So, it does strike me that one of the things as Councilmember Lesser alluded to, we've been saying is, you know, restaurants can have outdoor dining if they want to put it on their private property if they are willing to incur the cost to, you know, as Hook & Plow has done, as, you know, Esperanza, as other restaurants have done, Hennessey's back in the day, and I think that Pitfire Pizza has already had outdoor dining there. Is that correct? So, this, what they're doing is they are increasing the amount of outdoor dining, decreasing the amount of indoor seating. So, I don't think they're adding a significant number of, you know, the

capacity. I mean, this is exactly what we're trying to achieve, is we're not having to, you know, give up the private right of way to a private entity for outdoor dining to occur. I do appreciate the question that any agreement would follow the land. Correct? So, it doesn't just, you may be a wonderful tenant, but, you know, we're trying to make long term decisions here. Accents always help, just have to say. But I do believe, that's a joke, everybody. That was a joke. But I think it would be disingenuous to deny this application based on the, you know, what we are, our scope is narrow. We are to approve this encroachment permit to change the direction of the ramp and to deny it, causing the Master Use Agreement to be null and void, I think, would be disingenuous. The city, the Planning Commission vetted this with direction from Community Development. And I think it is a great way to start to achieve what we want to achieve downtown. Now, if the property or the manager wants to close an hour early, I don't think they have to ask our permission to do that. But maybe I'm wrong. And if he volunteered to come back in a year and if there's been, you know, horrible complaints, etc., we can ameliorate the situation then. But I do not see this as an opportunity to stop this process after a year has gone on when I think it achieves partly what we want to do downtown. So, that's my motion to accept, to approve, adopt Resolution 24-0091.

MAYOR FRANKLIN: Okay.

COUNCILMEMBER NAPOLITANO: Yes, I did raise this issue because as much as Councilman Montgomery looks back to Pitfire Pizza, going back even further. H2O. At H2O, you were there inside partying. I know, but no. At H2O, we had an experience with a number of restaurants that turn into bars and a lot that has to do with hours. So, when I see expanding hours, it raises red flag to me. So, I'm fine, though, with going forward with this, given the caveat that there's a one-year review for this and things to be considered then. But I have seen businesses go on hard times and suddenly find that serving alcohol in plastic cups is their way to financial benefit. But this company has a track record. That's great. Hopefully, they stick to it and they're a nice addition to the downtown. But, you know, as we move forward with these things, whether it's on private property or public property, I think we do need to take into consideration the noise, the trash, the generation of intensity of uses down there. So, I think these kinds of things should be discussed in review. I understand you've been at it for a year. You know why that was a year. We can talk to the department about that, but it goes both ways. I know that, too. Things don't get corrected as they should. So, having said all that, I'm good with going forward again with the one-year review, knowing that it's going to be looked at without the amplified

music outdoors, I think that's reasonable as well. And then you'll just prove your worth as a restaurant downtown, and welcome.

MAYOR PRO TEM HOWORTH: Is that a second?

COUNCILMEMBER NAPOLITANO: I think Councilmember Montgomery seconded.

MAYOR FRANKLIN: All right, so I just want to make a couple of comments and ask a couple of questions. So, what is the number of outdoor dining seats right now? You know, that's been with Pitfire and what was the number of indoor dining and then what are they going to change to? I saw something and it was a very tiny print, but I just want to verify it.

ACTING COMMUNITY DEVELOPMENT DIRECTOR HEISE: Sure, one moment. We'll grab that right now.

COUNCILMEMBER MONTGOMERY: Your Honor, I'll go next.

ACTING CITY MANAGER MIRZAKHANI: Ryan, I have that number if you'd like me to jump in. Existing indoor capacity is 55 persons, proposed indoor is 32, existing outdoor capacity is 30 and proposed outdoor is 70.

MAYOR FRANKLIN: 7-0?

ACTING CITY MANAGER MIRZAKHANI: Correct.

MAYOR FRANKLIN: So, this is what concerns me is that I went around and I counted the number of seats at the ones at our restaurants that have outdoor dining or this kind of outdoor

dining. And this would be by far, by a great order of magnitude, the largest outdoor dining with 70 seats in the city. It's more than doubling from what it was. It's just about doubling, but just a little bit over, double the amount from 32 to 70. 70 spaces, outdoor dining. And I understand it's taking it from the inside. They're not going to look for more seats, but they're just essentially moving it from a majority indoor dining to majority outdoor dining. To give you an example, Hennessey's maybe has 22, Culture and the whole of Culture probably has about 50. The Simmzy's, you know, I mean it has an open front. It's not really, I guess it would be the same impact, but it has, I can't remember, but it was greater than 50, but nothing that matches the 70. And it is exactly what we wanted in terms of outdoor dining to be on private property. So, there wasn't an issue with interfering with the public property. But it's the scale that really is concerning because that is a residential neighborhood. I'm not sure where your other locations are, if they're located, you know, within just a couple of hundred feet of residence. And it's a very sensitive issue here in Manhattan Beach. The downtown residents have a right to some semblance of, you know, order and quiet and, you know, reasonable noise and the like. And even though it won't have music in there and it won't have television, you know, it's still just people talking. 70 people. I mean, there's not even 70 people in this room right

now. And all of them talking all at once over each other. It's going to make a lot of noise. The other thing is I researched and I went to the websites and correct me if I'm wrong, but all of the great whites, they stopped their service at 10:00. Okay, so now we're going to 11:00. So, I don't quite understand that other than, you know, to go ahead and ask for it. So, I'd be inclined to really take another look at this for, you know, for the benefit of our downtown residents, for the benefit of, you know, there's, you know, the streets are, you know, very, very active, you know, now, downtown, not just, you know, even during the week, but also especially on the weekend. And to add, you know, Pitfire has been pretty quiet. I don't think we can compare to what Pitfire had because they had 32 patio, and the patio was sort of broken up, you know, around the building. It was a semicircle and it just wasn't really, you know, a big gathering place where this would become a big gathering place. So, I would prefer to take another look at it. And you were next.

COUNCILMEMBER MONTGOMERY: Thank you, your honor. I make it clear I am the second to Mayor Pro Tem Howorth's motion to approve this item. Here's my comments, though. Listen to everybody's comments, both pro and con. And I appreciate hearing both sides of it. We've been trying to regulate, we are regulating access to public right of way. That was a whole goal

of outdoor dining. You can't then push back on private property to one or the other. If you're going to be this particular on private property, that to me is heavy handed. Forget the time he took to get here. That's on us and maybe them. But taking that aside, you can't do both, folks, one or the other. If you want to encourage business, I assume down to business group supports this. Everybody supports it. Well, then it's a patio that was in use before by Pitfire Pizza, and no one complained. Not one complained. So, why is this different? He serves coffee, he serves meals. What's different about it? He's going to make a change of the ramp. That's it. That's our only basis denying it. That to me is not the government you want to have working for you. We want to be your partners, not fight you on it. So, no one appealed this when they came up. That's why my question I asked earlier. And now it comes up now to ask, all of a sudden you want to kick the guy's feet from under him. No, it's not the way we do it here. You get a chance to appeal it. You didn't do it then. This is the right thing to do. Our Planning Commission went through it, heard it all. Like I said, this isn't anything new. It's not going to be in the street. It's going to be a remain of private property. That's why I'm endorsing Mayor Pro Tem Howorth's motion.

MAYOR PRO TEM HOWORTH: Thank you. And I see you have a comment. I was going to call for the question, but I had one

comment just to eliminate. Hennessey's is open till 2:00 a.m. and can have live music. Okay. So, this is not that. I mean, just there, there's some rail, what do you call them, guardrails in place. But I was going to call for the question, but if my colleague wants to make a comment, I would absolutely.

COUNCILMEMBER LESSER: Just very quickly, I was going to echo some of the concerns that have been raised by the Mayor as well as the caller earlier about the overall impact of more outdoor dining on private property and its impact on downtown residence. I think, not on this item, because it's not technically part of our jurisdiction tonight, but perhaps we should direct our outdoor dining task force to explore what sort of limitations, including hours that should be allowed for new entitlements, for future developments of restaurants that are outdoor downtown. But the item, as Councilmember Montgomery indicated on our agenda tonight, specifically deals with just the encroachment. That's what's directly before us. And I don't think we should hold this applicant hostage by virtue of this larger policy debate we're having downtown, particularly with the fact that, one, they've indicated their indication, their willingness to explore a 10:00 p.m. cut-off, and two, the one-year return for the Planning Commission. So, for that reason, I'll be supporting this motion.

MAYOR PRO TEM HOWORTH: So, call for the question?

MAYOR FRANKLIN: Could I make a friendly amendment in that we, not only the noise, but then the seating gets reevaluated in the year?

MAYOR PRO TEM HOWORTH: No. I mean, I think.

COUNCILMEMBER NAPOLITANO: Hold on, hold on. Hold on. Everything.

MAYOR PRO TEM HOWORTH: Yeah, everything.

COUNCILMEMBER NAPOLITANO: The condition use permit is up for reevaluation, to be clear. So, don't say no.

MAYOR PRO TEM HOWORTH: I would say no because I was saying I don't want to pick and choose, but it's conditional use. It all comes --.

COUNCILMEMBER NAPOLITANO: It's already part of it.

MAYOR PRO TEM HOWORTH: Right.

MAYOR FRANKLIN: Okay.

MAYOR PRO TEM HOWORTH: Right. So, yeah. And to Councilmember Lesser's point, it's not just direction to the outdoor dining task force. I think our, I would like us to somehow communicate to Planning Commission that there are the technical aspects of applications, which I believe they pay a lot of attention to and staff directs them to. But we also do want them to consider the neighborhood, the noise, the overall impact. I don't, I'm not. They might. So, you know, but I think we need to make sure that they are considering the same things

we are in addition to the technicalities so with that, I'd call for the question. Planning, Mr. Mayor.

ACTING CITY MANAGER MIRZAKHANIAN: If I may address that point. The Planning Commission did spend quite a bit of time considering this item, and at the top of their consideration was noise impacts. That was one of the lengthiest discussions, impacts to the community, how far it is from residences. In fact, the condition of approval that requires for them to incorporate sound attenuating measures into their building plans did stem from the Planning Commission. We had a lengthy discussion about what types of measures were being considered by the outdoor dining task force and what types of things can they incorporate into this outdoor seating area design. And they agreed to do that.

MAYOR PRO TEM HOWORTH: Thank you so much.

MAYOR FRANKLIN: Okay, so any other comments? So, we have a motion by Mayor Pro Tem Howorth to approve.

MAYOR PRO TEM HOWORTH: To approve the Resolution No. 24-0091.

MAYOR FRANKLIN: Okay. And that was seconded by Councilmember Montgomery. May we have a vote, please?

CITY CLERK TAMURA: Mayor Franklin?

MAYOR FRANKLIN: No.

CITY CLERK TAMURA: Mayor Pro Tem Howorth?

MAYOR PRO TEM HOWORTH: Yes.

CITY CLERK TAMURA: Councilmember Lesser?

COUNCILMEMBER LESSER: Yes.

CITY CLERK TAMURA: Councilman Montgomery?

COUNCILMEMBER MONTGOMERY: Yes.

COUNCILMEMBER NAPOLITANO: Councilmember Napolitano?

COUNCILMEMBER NAPOLITANO: Yes.

CITY CLERK TAMURA: Motion passes, 4-1.

MAYOR FRANKLIN: Okay, thank you very much. Moving on to item number 5. We have consideration of a resolution support of measure MMB, which stands for Move Manhattan Beach forward on the November 5, 2024 general municipal election ballot establishing a local one-half cent transaction and use tax. So, acting City Manager Mirzakhonian.

ACTING CITY MANAGER MIRZAKHANI: Thank you, Mayor. For this item, I will introduce George Gabriel, assistant to the City Manager, to make the presentation.

ASSISTANT TO THE CITY MANAGER GABRIEL: Good evening, honorable Mayor Franklin and members of the City Council. George Gabriel, assistant to the City Manager. Before you tonight is a resolution in support of MMB, known as Move MB forward measure, on the November 5, 2024 general municipal election ballot establishing a local one-half cent transaction use tax, also known as a sales tax. From time to time, the City Council takes

positions and expresses support on pending ballot measures prior to an election. Council will recall at the August 6 meeting, City Council unanimously supported placing the aforementioned sales tax measure on the ballot in recognition of the city's needed repairs to street sidewalks and community facilities. In fact, one is going to be considered after this item right now. This decision came after multiple discussions and particularly after an evaluation over the city's budget and capital improvement needs in the last budgetary cycle. As a general tax, revenue collected from the proposed one-half cent sales tax measure would provide the city with an estimated \$5.3 million annually that will be reinvested in the community to maintain and improve essential city facilities, services, and programs. Consistent with the practice of expressing an official declaration of support on resolutions, staff recommends this council consider adopting resolutions for the Move MB forward, MMB measure on this election ballot. That concludes my report, and I'm available for any questions. Thank you.

MAYOR FRANKLIN: Any questions?

COUNCILMEMBER MONTGOMERY: I'll follow you.

MAYOR FRANKLIN: Okay. Mayor Pro Tem Howorth.

MAYOR PRO TEM HOWORTH: Watch where your pointing finger there. Okay. Mr. Gabriel, one of the reasons that I am confirming this is one of the reasons that we pass a resolution

like this so that City Councilmembers sort of have the full ability to support, campaign on behalf of. Because we've all taken a position collectively, because resolutions seem kind of perfunctory, but there's a real reason that we would want to do this, correct?

ASSISTANT TO THE CITY MANAGER GABRIEL: Correct.

MAYOR PRO TEM HOWORTH: Okay.

ASSISTANT TO THE CITY MANAGER GABRIEL: Yeah. And we've done this. I recall we did it with the cannabis related election ballot measure. I believe we did it with the tot measure that was passed in 2019 as well. So, there's practice for this as well.

MAYOR PRO TEM HOWORTH: And the stormwater, I think. Didn't we do it for stormwater or?

ASSISTANT TO THE CITY MANAGER GABRIEL: Believe so.

MAYOR PRO TEM HOWORTH: Yeah, I think we did.

ASSISTANT TO THE CITY MANAGER GABRIEL: Yeah.

MAYOR PRO TEM HOWORTH: Okay. I just wanted to clarify. Thank you. That's it.

COUNCILMEMBER MONTGOMERY: Your Honor.

MAYOR FRANKLIN: Okay. Yep. Councilmember Montgomery.

COUNCILMEMBER MONTGOMERY: Thank you, sir. Just so you know, Mayor Pro Tem Howorth and I, with the council, they gave us the assignment of being the front runners to organize the

part. Amy's got more work on it than I have, I'll guarantee you that. You can tell by the way it was written. But two things here, folks, I want you, everybody understand two things. Forget lot three for a second. Forget how many levels we go down, what's going to do. That's an unexpected CIP, or Capital Improvement Project, no one saw coming. So, it started falling apart. That's one. Even apart from that, we have \$200 million in improvement capital projects that we knew about years ago. So, add those two things up, top of your head. And the third part, which all of you hopefully will grasp, is that if you don't, if we residents do not pass this half cent measure and 5.3 million doesn't come here, it goes to LA County. There's no ifs and/or buts, folks. We either pass it here or they get it. Those of you want local control want money to stay here, this is your chance. Vote yes to keep that money here, and then we can decide where it's going to go. The state can't touch it. LA County can't touch it. It stays here with us. I'll stop there.

MAYOR FRANKLIN: Okay, great. Any other questions? Okay, comments? No. We open up for public comments from.

JILL LAMPKIN: [Inaudible] Oh, that's better. Yeah. Good evening, Mayor and City Council. Jill Lampkin, Executive Director for the Downtown Business and Professional association. I actually support this personally. And the DBPA, I believe, will be coming forward to also support this measure. But I would

like to hear the clarification about why. I know that there are some legal reasons why you guys can't say it is particularly for capital improvements, even though, I believe that that is a lot of the intent is to use this specifically for capital improvements. So, I'd like to have you guys explain why that is, that you can't specifically designate those funds. But also, is there a way, because I believe that that is the best use of the money that we would collect. Is there a way for you, as a council, to at least verbally say the intention is for those funds to go to capital improvements rather than other programs that may utilize that money over a long period of time? Thank you.

MAYOR FRANKLIN: Great. Thank you, Jill. Anybody else? Okay.

STEVE PACKWOOD: Honorable Mayor, City Councilmembers, my name is Steve Packwood. I've been coming here for a very, very long time. And way back when we were talking about these issues that we played political football with, passing it on the City Council to City Council. And now it's time, finally, to make a final decision on how we are going to try and fund these projects that may or may not be worthy enough. I don't know. I haven't been around to hear the discussions on it. But what I'm concerned about is if you do this, I'm concerned about the future. Are we going to find ourselves in the same dilemma five

years from now because City Councilmembers fail to address these concerns and start placing some reserves on our funds to basically take care of this future? Obviously, we didn't do that previously, and I know a lot of you have been on those City Councilmembers, and a lot of you have been at those budget meetings that I've been there as well. And that's my greatest reservation, and that's what I want to raise, and I think the public should be aware of that. Thank you.

MAYOR FRANKLIN: Great. Thank you. Mr. Packwood. Any other comments? Seeing none here. How about online?

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

MAYOR FRANKLIN: Okay, so we're going to close public comments and then Councilmember?

COUNCILMEMBER NAPOLITANO: Yeah, just a couple things, your honor. And that is as far as general tax versus special tax. Special tax can only go to those things that you say you're going to put it to. That takes a two-thirds majority vote. A general tax takes a majority vote. And so, we're going for majority tax here. For myself, yes, won't be here, Councilmember Montgomery. Absolutely, for capital improvement projects, I would argue that we have stabilized our operational budget by passing the storm drain increase where we were subsidizing that to the tune of \$2 million and more in the future if we did not

address that back in January, and I appreciate the support that the voters gave to that because they supported themselves. They made it possible for us not to dip into reserves in the future, which, as you saw from the graph back then, we would have had to. And that was just for operational cost. That's to keep the staff going, to keep, we're a service organization, 70% of our budget or more is staff driven. And so just to keep everyone going, keep addressing those issues with the staff that we have, that was for operational issues. This is for everything else that everybody wants. The pool, the streets, the outdoor dining, the wider sidewalks, lot three, more parking, whatever it is. That's how I see it. Now, you're going to have to talk to each individual Councilmembers, talk to the candidates where they see it. That's where I say it should be designated to. And I have a history of that. Mr. Packwood, back when we increased the parking meters, it was on my motion that we set aside the 50 cents of that to Public Works usage there. Obviously, it's not enough, it hasn't been enough to cover the parking changes that we've had to realize over the last several years. So, we need more. So, this will bring in \$5.5 million to address that CIP list. That's \$200 million, and those are the things that we know. Being on council, half of it is always what you don't know, the opportunities, it's actions of admission, omission and actually commission. If we, there are things that we want to do,

but then there are opportunities that come up. I was on council when we bought the Marine Avenue site from Northrop Grumman, was TRW at the time, to create the baseball fields along there. Okay. That was an opportunity where we had to go. And COPs that were mentioned earlier, COPs are great. That's an internal where we don't need a vote to do it, but you still have to pay them off with interest. And to do that, you need an ongoing revenue stream. This is that ongoing revenue stream to kickstart all the projects we want to do, now and into the future. What future councils do, hold them accountable. Absolutely. Hold their feet to the fire, say, what about this? What about that? Don't push it towards salaries, don't push it towards other things. Keep it on the CIP projects. That was my commitment, bringing it forward and hopefully it's the commitment of others. But again, you're going to have to hold them accountable. Thank you, your honor.

MAYOR FRANKLIN: Okay. Mayor Pro Tem.

MAYOR PRO TEM HOWORTH: All right, thank you. Okay. All kinds of microphone issues. I want to thank Mr. Packwood, actually, for kind of stating what I'm excited about, which is this council's decided not to kick the football or the can or whatever it is down the road. And I want to credit both Councilmember Montgomery and Napolitano for your leadership. I mean, all of us have been supportive, but I think it takes two folks with the experience and also knowing that this is the

right thing to do and it's politically hard to do, right? I think. So, your absolute support has absolutely been critical for all of us to keep moving it forward. I want to also credit Councilmember Lesser for pushing on the stormwater issue, which he has been pushing on since 2011. All of these things are good fiscal management practices. And I also want to acknowledge, this is my Academy Award speech. Now, I also want to acknowledge that Councilmember Montgomery used to talk about, or still talks about probably until December 17, being on the council when the Great Recession happened and everything kind of came to a standstill. And that's when I believe you all had to kind of make some decisions not to pivot some of that money that was earmarked for infrastructure at the time to basic operations. And that's when David and I, Councilmember Lesser and I got on council in 2011. This building, you know, was being held together with tape, and it would have to continue to be held together with tape because we just didn't have the money. And as the budget got better and better and sales tax increased, we have been very careful about how we spend that money. And even I forget if it was back in, I want to say, 2014-ish. We actually created a pension stabilization fund and we made a very conscious choice then to take some funds every year to dedicated to the pension stabilization, knowing those funds couldn't go towards infrastructure anymore. So, we have been making these

choices to rebuild, you know, to stabilize, and this is the next step. So, I wanted to point all of that out that this is not just some one-off, this is not just out of the blue. This is a wise thing for our community to maintain local control and attempt to, you know, make some infrastructure improvements. So, I'll be, I don't need to make every motion so someone else can make it, but yeah, I mean, you know, I'll give you guys a chance if you try, so. But thank you, Mr. Mayor.

MAYOR FRANKLIN: Okay. Councilmember Lesser.

COUNCILMEMBER LESSER: Thank you, Mayor Pro Tem Howorth for that. It was a great summary, a great acceptance speech. You didn't, kept complimenting your agents and your fellow actors. But truly, it takes a united council to move forward on a tough ask like this. What we're talking about tonight is going to be subject to all of the voters of Manhattan Beach to approve or not. But what we can say, just quickly in summary is, again, the money will stay local. This is for investing in our infrastructure, in our community, not going throughout somewhere else in the county. It's to stay local. It also is part of our challenge as your fiscal leaders, which is we do not have the funds to pay for our deteriorating capital infrastructure. Our parking lot downtown, lot three, is really a case study. I mean, really, we just need pictures of that. But even the building in which we're temporarily having our council meeting this evening,

Mayor Pro Tem Howorth just mentioned it. We've done some modifications to upgrade it, but before long, we're going to need to think about long term, either more upgrades of the existing facility or an upgraded building. We do not have the reserves. We do not have the funds to do that. An important part of this measure, as Councilmember Napolitano indicated, is revenue. We cannot even go out for bonds right now because we don't have enough revenue coming in. This will help. This will help provide the services and the infrastructure that our residents have come to expect in our community. And we need to move forward. So, I'm very much in forward of whomever wants to make the motion. I think I see Councilmember Montgomery who would like to make the motion and if it isn't going to be seconded by someone else.

COUNCILMEMBER NAPOLITANO: It's fine with me, as long as we paint over that patch up there as part of the capital improvements. I've looked at that for too long.

MAYOR FRANKLIN: Yeah. So, I'd like to make a comment. The other thing about this too, and thank you, everybody. Boy, have I learned how decisions can be very tough on council in my three and a half years. But they do impact today and then also the future. The other thing here is that through, what was it, there's an actual service that we have. We found that 61% of the sales taxes are going to come from visitors, non-residents to

Manhattan Beach. And this has always been something that I've been kind of upset about is the fact that, you know, like the Amazon trucks and all the delivery, not singling out Amazon, but all the delivery vehicles and everything like that, we don't get our full share of the sales tax from those purchases that you've made on Amazon. It goes to some account up in Sacramento and then it just sort of trickles down to us. And it's nowhere near the amount that if you walk into a local brick and mortar store and you pay sales tax there, we get our full measure. So, this is going to go ahead and put, share the burden with our visitors that are here. Their vehicles on the roads. They're, you know, needing to park, you know. They're coming here and things like that. The wear and tear, you know, on our city. And that's fine. We want to be prepared for it, but it does give us a chance to have them pay for it as well, because we all, the reason they're coming here is because it's a beautiful city. It doesn't happen by accident. It really has to take planning and the ability to see in the future and plan for those. So, I'll go ahead and. Who had the comment? Okay, Councilmember Montgomery.

COUNCILMEMBER MONTGOMERY: Before I make my motion, one thing we didn't talk about here, just to make sure. No one up here likes paying taxes, whether we have to. It wasn't a choice, folks. So, the only choice now is you want the money to stay here or LA County with its perfect record of managing money to

take our money. That's all you have to think about. And someone asked a question today. They're not, obviously, reading the pamphlets have gone out. The medicine and your groceries are not taxable. You're not paying for that part. Two of your biggest things we're paying for now, probably, but I mean, that's what's going on out there. A lot of it is falling on us to make sure the message gets out from all of you. That's what we need your help for. Push the message out. This is why we need the money. Forget lot three being, that was after the fact. We still need that to stay here and take care of our own things. With that, I'll make the motion with my colleagues and support adoption to Resolution 24-0104.

MAYOR FRANKLIN: Okay. Do we have a second?

COUNCILMEMBER LESSER: I'll second. You don't want?
I'll second.

MAYOR FRANKLIN: Okay, so we have a motion by Councilmember Montgomery and a second by Councilmember Lesser. Roll call, 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: Mayor Pro Tem Howorth?

MAYOR PRO TEM HOWORTH: Yep.

CITY CLERK TAMURA: Councilmember Montgomery?

COUNCILMEMBER MONTGOMERY: Yes.

CITY CLERK TAMURA: Motion passes, 5-0.

MAYOR FRANKLIN: Okay. Okay. So, now's a good time for a break, if we may, because we came here a little bit earlier. So, it is now 7:22. So, maybe come back at 7:35. Please come back.

[Recess]

MAYOR FRANKLIN: What did we just finish? We just finished five. Right. So, we got to go to six. All right, whatever. Okay, so welcome back. Is that on? Welcome back. Okay, great. We are on to item number, no, I don't think so. Nobody's home. Somebody trip over a wire? Hello? Hello? If I keep blowing, I'll get dizzy. Should we do Garrett Morris for the harder hearing? Everybody come to order. Okay. I don't know two hours? Okay.

CITY CLERK TAMURA: Test. Testing.

COUNCILMEMBER NAPOLITANO: And this is why we need sales tax.

MAYOR FRANKLIN: How about that? Everybody good? We're online, too, Martha. Online? Everybody can see us. Okay, great. So, we move on to item number 6, consideration of an update on

the lot three parking structure. Public Works Director Lee and acting Community Development Director Heise. Oh, Public Works Director Lee.

PUBLIC WORKS DIRECTOR LEE: Good evening, honorable Mayor, members of the City Council. Erick Lee, your Public Works Director. Before I turn this over to City Engineer Katie Doherty for her presentation, I just want to recognize the great interdepartmental teamwork that I know you expect from all of our departments, and we're definitely realizing it on this project. This is a joint effort between Public Works, Community Development, our Finance Department, Policy and Management. We've got great support from our Traffic Engineer and just really proud that we've got staff that are coming together to solve public problems. So, with that, I'll turn it over to Katie. Thank you.

MAYOR FRANKLIN: Great.

CITY ENGINEER DOHERTY: Good evening, Mayor Franklin. Honorable Councilmembers, Katie Doherty, City Engineer. Let me make sure this is turned on. I will be presenting tonight on parking structure lot three, which was built in 1971. It's located in the downtown area at 12th street and Morningside Drive. As of last year, redevelopment of this site has been a City Council work plan item. And the redevelopment study, a redevelopment study is underway for that long-term project. It

kicked off in June of this year, and we are expecting to bring that project back for your consideration this fall. However, in the meantime, my staff, along with a third-party structural engineer, has been keeping an eye on the site and doing routine inspections. And recently, this summer, significant deterioration as part of the steel elements, specifically the columns and the staircases were observed. So, on June 24 of this year, the upper level was closed for a closer look by our structural engineer. He did a site visit on July 30 and recommended full closure at that time, which we did later that day. Currently in progress, well, I should say currently, the site is fenced off and not accessible to the public, either pedestrians or cars. We are also installing some temporary shoring, which should be done this week. It's mostly done now, but there are some final touch up items that need to be completed this week, and that basically, those are wood posts that basically go next to the existing columns to provide that structural support in the meantime. So, here's a map of the site with a few of the alterations that we've made to date. The parking structure is there in the middle with the star. We've closed off a portion of Center Place, which is on the south side of the structure. There's about 8ft left along the side of the businesses, so we are allowing pedestrians to use that portion of it. But that section of the alleyway there is closed to

vehicle traffic. Because of that, we had to move the commercial trash bins that were previously located inside the structure out to the west side of that alleyway. So, you can see them marked there on the map. We've also installed some new commercial loading zones along Morningside Drive and on Highland to allow for deliveries to those businesses along that stretch. So, tonight, staff is recommending complete demolition of the structure as an interim measure, for safety reasons. We are suggesting that the entire structure be demolished and replaced with a temporary surface level parking lot, which could recuperate approximately 70 spaces. The cost of the demolition is \$3 million and the timeline to demolish is six to eight months. And that timeline is assuming an emergency procurement procedure. If we were to take the traditional route of bid and award, it would take substantially longer than that. And also, for, I guess if you wanted to discuss, the municipal code allows for working hours on workdays between 7:30 a.m. and 6:00 p.m. and Saturdays 9:00 a.m. to 6:00 p.m. So, if council wanted to discuss adjusting those hours for this demolition project, that's absolutely, we can discuss that. All right. So, that's the first action that we're hoping for discussion on and direction on this evening. The second item is related to parking, and I will read through three different options that staff has come up with. However, I did want to preface the

conversation with the sentiments of the Coastal Commission. Parking is a significant concern for the Coastal Commission because it is one of the most convenient ways to provide access to the coast. The Coastal Commission has been made aware of the closure of lot three and they have been made aware of staff's efforts to make up for that parking shortage in the meantime. So, the first option for parking related to the closure is to establish a ride share voucher program. We have leased 75 parking spaces at the Manhattan Village Shopping Center. They are currently being serviced by a shuttle that drops off at two fixed locations in downtown, and the frequency is approximately every 30 minutes. The option that is being suggested here is to switch that, eliminate the shuttle and switch that to this voucher service for a ride share program. So, it would become a more on demand type system versus having to wait for the shuttle. The lease agreement at the Manhattan Village Shopping Center currently expires on September 8. The costs associated with this option are approximately \$12 per ride and to reserve this, to lease this space is at the shopping center is \$9,000 per month. So, that's the first option. The second option is to extend the existing service. So again, those two fixed points here in downtown Manhattan Beach with a frequency of every 30 minutes. The lease agreement, as I just said, expires on September 8, but could be extended through the holiday season.

The shopping center has made it known to us that they will not be able to allow us to continue leasing those spaces during the holidays. So, we would need to find another pickup location for the holiday service, if that's what council decides to do. And then the third option is to discontinue shuttle service. And this option would be to discontinue it basically for the life of the project. That's this demolition and the longer-term project when that does come down the line a few years from now. This theoretically has no cost to the city to discontinue the service. However, the downtown businesses have expressed a loss in revenue due to the loss of the parking spaces, which could indirectly impact the city's sales tax revenue. So, a couple of additional considerations is the holiday and event, holiday season and event parking, given these options. We also wanted to note that the lower civic parking lot has been opened on Fridays a little earlier than it previously had. It used to open at 5:00 p.m. on Fridays. We're now opening at 1:00 p.m. and there has been suggestion that perhaps city staff could park over at Live Oak park on the ball fields just over here. Staff is not recommending that option due to the very high usage of the ball fields here and the usage of the lot at the lower civic parking lot doesn't justify moving all city staff over here. So, I will briefly discuss the impacts to the businesses in downtown. The current impacts of the closure essentially revolve around

deliveries and less convenient delivery locations. Trash pickup, as I noted, the trash bins that were located previously in the parking structure have been moved out into the alleyway. Waste Management is currently wheeling out the trash bins to the street for those businesses and bringing them back so that there's, to try and mitigate some of that impact to them and simply the parking shortage. Future construction impacts. When we do start demolition of the structure, there will be noise and we will do our best to contain dust. But these things come along with construction and then the redevelopment, again, some years down the line will have similar impacts to the businesses. So, the downtown Business and Professionals Association reached out to the city to request assistance to the businesses in the area and if directed by council tonight, city staff can, excuse me, can explore options to assist impacted businesses while the lot is closed. So, that's the third item we're hoping for direction on tonight. The first being demolition and reconstruction of the structure, the second being the parking alternatives, and the third being impacts, whether or not we want to explore options to assist impacted businesses in the downtown area while the lot is closed. So, staff recommendations, discuss and provide direction regarding those three things that I just said I should have flipped slides and then also to adopt Resolution 24-0105, which is directing and delegating authority to the City Manager

to take emergency action to secure, demolish, and replace lot three. So, as director Lee mentioned, we have quite a team here today, but we are all here and available for questions that you may have.

MAYOR FRANKLIN: Okay, colleagues. Yes. Councilmember Montgomery.

COUNCILMEMBER MONTGOMERY: Katie, thank you for walking us through the important part first. So, tell everyone why we can't, why it takes six to eight months before we get started on demolition. We all know downtown business hurting, the city taxes come second. But I want you to know we all understand, we hear it every day. We know that. They want to hear why it takes us so long, six to eight months to get it started. I'll tell you why. They said they're private businesses out there. When other commercial buildings go down, they get bulldozers. Their 30 days are out there knocking that building down. It's not a house. I get it. A lot of things, a lot of size, weight, all the rebar they don't have, they don't see that part. They want to hear from you why it takes six to eight months where we can start.

CITY ENGINEER DOHERTY: So, if we get approval to move forward with the emergency procurement procedures tonight, we can start demolition proceedings in approximately one month. So, from that one month, it would take six to eight months for us to have a surface lot back in use for the public. And we

approximate that after that one month to get started, it's four to five months to actually demolish the structure. It needs to be done very carefully because it's in such an impacted area. There would be pedestrians and cars adjacent to the structure. it's made of concrete and steel, which are very heavy, which will require quite a lot of truckloads to be taking that material away. And so, after that, it's probably two to three months before we can get the new lot, the new surface lot in place, which means grading, installing the asphalt and the striping and lighting and all that stuff after that. So, our estimate is one month from now, we could start, and six to eight months after that, we would have a surface lot in use.

COUNCILMEMBER MONTGOMERY: Got it. So, second follow up question. I hope you, when you get to that point, let everyone know what your plan for the trucks to get in and out, where they're going to go. They're going to go Morningside to Highland to get out. What's the revenue, what's the outlet for to go through? That's the second question I get asked. We all support demo, we all support building new garage, whatever it's going to be. Upstairs, downstairs, all of that. We get it. How are they going to get out? And hours of operation, he brought that up. We'll talk about that. But I know you're going to talk about Ingress and egress down the road.

CITY ENGINEER DOHERTY: For the haul route, specifically, I haven't looked into that. I don't know if traffic engineers, Zandvliet would like to opine on the haul route. I'd like you to, yes.

CITY TRAFFIC ENGINEER ZANDVLIET: Good evening, Mayor and members of the City Council. I'm Eric Zandvliet, the city's Traffic Engineer. We want to impact the residents and the businesses the least amount possible. And so, we want to take the shortest route to get back out of downtown. So likely, the inbound route would be coming in Manhattan Beach Boulevard, turning on to Morningside, having a loading or unloading place there, maybe just off the road, and then heading back out to Valley Drive and coming back to Manhattan Beach Boulevard and back out of town again.

COUNCILMEMBER MONTGOMERY: Sounds good. Thank you, Eric. Thank you, your honor.

MAYOR FRANKLIN: Okay, questions?

MAYOR PRO TEM HOWORTH: Yeah, that'd be great. Thank you.

MAYOR FRANKLIN: Mayor Pro Tem.

MAYOR PRO TEM HOWORTH: Yeah, I'm going to focus on the demolition first. I also have questions about the Live Oak option, which you're not recommending. So, there's a lot of concrete, there's a lot of steel, there'll be a lot of noise, a

lot of dust. Do we anticipate having to continue the Farmer's Market during that time? Will the Farmer's Market be able to operate during that time? I know it's on a different street, but it seems, I don't know, it seems like a lot of stuff going on close by.

CITY ENGINEER DOHERTY: I suppose I haven't looked into that specifically. I don't see any reason why we would need to stop it, aside from the noise. I suppose that would be a discussion with the Downtown Business Association.

MAYOR PRO TEM HOWORTH: Right. It would be up to them. Okay. So, I just wanted to clarify that we were not anticipating that if they want to, that's up to them, but, right. Okay. Because safety first. Okay. And it's part of the reason because it seems like, yeah, we could take a wrecking ball and knock that thing down in a few days, but is it because it is so densely surrounded, is that adding to the amount of time it would take, the fact that it's so closely, you know, located?

CITY ENGINEER DOHERTY: Correct. Yeah. We'll need to install pedestrian protection and vehicle protection all the way around the site and, essentially, just start chipping away at it so that the spoils from it fall into a controllable area.

MAYOR PRO TEM HOWORTH: Okay.

CITY ENGINEER DOHERTY: We can't implode or take a wrecking ball to it.

MAYOR PRO TEM HOWORTH: No wrecking ball. Okay. Sorry.

MAYOR FRANKLIN: Just let my three grandchildren at it.

MAYOR PRO TEM HOWORTH: Yeah. Right. Okay. And Miley Cyrus won't get to do that. Okay. So, the other, so going to Live Oak Field, and I don't know if this is a question for you or another staff member, so it seems like the main consideration for not recommending this move forward is the recreational programs that are offered there. And I can understand, you know, why staff might make that recommendation, but we on council may determine that we have a need, right now, that's greater than the recreational programs. I mean, there's not a reason. It's not that it's an unsafe place to park cars, correct?

CITY ENGINEER DOHERTY: It's not an unsafe place to park.

MAYOR PRO TEM HOWORTH: Okay. That's all. Those would be my questions. I have comments. Well, actually, I do have another question. Do we know how much? I think at one point you said you'd have to replace the field after all the cars park on it. I understand that. Do we know how much it costs approximately to replace that field? Is it resodding? Is it receding? Is it new irrigation? How do we replace a field?

PUBLIC WORKS DIRECTOR LEE: We haven't done all the work to come up with a really refined cost. We think it'd be hundreds of thousands of dollars, probably under half a million

dollars to rehab it, depending on what we get at the end of any type of parking lot usage there. But certainly, it's probably replanting all the grass or installing sod. We probably have some significant irrigation issues that we need to rehab or replace.

MAYOR PRO TEM HOWORTH: But it would be, even if it was only like, I'm not envisioning using Live Oak throughout the foreseeable future, but just during demolition and until it's repaved. So, does it make a difference if it's six months of parking lot use versus three years or?

PUBLIC WORKS DIRECTOR LEE: I think that it would probably be different, probably less wear and tear to the shorter duration, but not sure if we get most of the damage right away.

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

MAYOR FRANKLIN: All right, questions? Councilmember Lesser.

COUNCILMEMBER LESSER: Before us tonight is a resolution to take emergency action and designate our acting City Manager with authority to move forward and engage a demolition firm and not necessarily go through the typical bidding process, which would add a lot of time. I just want to make sure that we're getting at least several competitive bids

for this scale of a project because the amount quoted is significant sum.

CITY ENGINEER DOHERTY: Yes, correct. We've gone ahead and engaged a third-party cost estimator to put an estimate together for us. So, we know approximately what we should be looking at, and we are going to solicit as many demolition firms as will take our call on this one.

COUNCILMEMBER LESSER: There is a mural photograph on the west side of that structure, and I wanted to confirm my communications with city staff that even though in theory that would be subject to the Visual Arts Protection act of 1990, the federal law which would protect it, the agreement with the artist provides that city is able to remove that. Is that correct?

ACTING CITY MANAGER MIRZAKHANIAN: Yes, that is correct.

COUNCILMEMBER LESSER: I have questions with regard to the temporary programs now, and that is, I read in the staff report there was a reference to the potential for getting some refunding of temporary transportation that would be utilized with a local return funds. You'd be making use of those. What is the process of applying to be able to get those local return funds? What's the timeframe in determining whether we might have access to them, and how much are we talking about in terms of

supplemental funding that might be available for an interim solution?

CITY ENGINEER DOHERTY: Are these, I think, maybe interim Finance Director Jones will be taking that question.

INTERIM FINANCE DIRECTOR JONES: Hi, there. My name is Onyx Jones. I'm the interim Finance Director. Thank you. Sorry. Good evening. It's been a minute since I've been in a council meeting. Good evening, honorable Mayor and Councilmembers. So, we have been in contact with LA Metro to discuss the option of being able to use some of our funds that we do have on hand. We do need to reconcile and see how much is available. Offhand, I would say a minimum of 100,000, possibly more. And so those funds would have to be submitted for approval. So, there is a process whereby they take the application that we submit, we outline what we're going to use the funds for how we will improve, you know, access in the downtown area. Once they approve it, then we can basically reimburse ourselves for it because these costs are going to be incurred now. So, we will be getting a reimbursement.

COUNCILMEMBER LESSER: Thank you. Thank you. Follow up question for - -

CITY ENGINEER DOHERTY: Yes.

COUNCILMEMBER LESSER: Katie, if I could, and that is with regard to how the vouchers would work. So, \$12, and thus

would there be a cap that we might want to impose as a city so that the amount that could be, that this could cost us has a cap on it. So, it's not an indefinite amount. I want to better understand how that program would work.

CITY ENGINEER DOHERTY: Yeah, my understanding is that the \$12 is an average. And Traffic Engineer Zandvliet will answer your question.

TRAFFIC ENGINEER ZANDVLIET: Sure. We did take a look and made an outreach to Lyft and Uber. They both have commercial voucher type programs. The voucher program, the way it works is basically you set up an account with them, you designate what kind of limits you want to put on the voucher amount and where that voucher amount would be applicable. Basically, the ride sharing companies geocode the area. Basically, it'd be, say, for instance, within the city limits, and that voucher would be eligible within the city limits. It's a point to point service. And then you just, you as a city decide who could apply for those vouchers. It could be an employee, it could be anybody who is taking a ride within the city. It could be a customer within downtown proper and geocoded within there either have an origin or a destination within the downtown area, and that could be used as the voucher. The city could put, as you mentioned, a maximum number of on that, the total amount for the vouchers per month as well. It's very flexible, so if you're not using the

service, it's not being charged against you. Uber or Lyft would then give you a bill at the end of the month. And that's the finances portion of it is fairly simple. So, you as a city, decide who and when and how much you want to provide for that voucher.

COUNCILMEMBER LESSER: Thank you. This may be a question for actually our acting City Manager, but the Beach City's transit line 109, which currently runs, doesn't have the most direct route to the mall. But is that not part of the solution, at least to get riders into downtown? If we're talking about a fixed route transportation system, because we don't pay anything for it and it's currently operating, it runs every 30 to 40 minutes. But I'm just wondering, shouldn't that be part of the discussion, at least as to, alternative ways, to get people in and out of our downtown? Because it's already running and we don't pay.

COUNCILMEMBER NAPOLITANO: The city helps fund it.

COUNCILMEMBER LESSER: Can you?

COUNCILMEMBER NAPOLITANO: Through our transportation funds.

COUNCILMEMBER LESSER: Thank you. Can you confirm how the city helps fund the beach city's transit line 109?

ACTING CITY MANAGER MIRZAKHANIAN: We actually don't pay for that right now. It's at zero cost to the city.

COUNCILMEMBER LESSER: We used to?

ACTING CITY MANAGER MIRZAKHANIAN: We used to. We haven't for the last few years. What I would say is that if we are trying to address the impact on employees in downtown, it's less likely that that solution will work, although I do think it's a great idea to advertise that option so that people know that it is available. The issue with how asking employees to wait for that is that there's a 40 minutes turnaround. And I can look at Eric Zandvliet to confirm that, it takes the bus only, the frequency is every 40 minutes. And so, depending on what time an employee needs to be at work for them to show up and then have to wait 40 minutes for a bus. I would say that's not really going to be an incentive for them to take the bus route.

COUNCILMEMBER LESSER: Understood. So, as an alternative, there was an indication that there might be a different lot that's recommended beyond the Manhattan Village lot for purposes of a park and ride. Where would that, what are some other options that are being viewed given that the shuttle currently constituted ends on the 8 of September?

ACTING CITY MANAGER MIRZAKHANIAN: We are considering alternative locations. And one of the conversations that we have started but we have not finalized is with Kinetca on Rosecrans.

COUNCILMEMBER LESSER: I don't want to dominate questions. I'll stop here.

MAYOR FRANKLIN: Yeah. Okay.

MAYOR PRO TEM HOWORTH: I had a follow up, but go ahead. I mean, you have.

MAYOR FRANKLIN: Yeah. Yes. So, I have a couple of questions. All right. So, we can put 70 spaces when the building comes down, and can you just explain, you know, and again, I was kind of taken by the amount of time, but just explain what actually has to be done in terms of the building has to be demolished, but then what has to happen? Can we reuse that surface that's there already on the first floor?

CITY ENGINEER DOHERTY: I'm going to turn it over to Principal Civil Engineer Jeff Fijalka to explain the process to you.

PRINCIPAL CIVIL ENGINEER FIJALKA: Good evening, honorable Mayor, members of the council. Jeff Fijalka, Principal Civil Engineer. So, the question, I believe, is or the request is to describe the process, to demolish the structure and then prepare it for additional parking in its place. So first would be the actual demolition of the structure, which once we have the contractor under contract and we start the demolition. That's approximately 60 working days, which comes out to about three months. After the structure is removed and the floor slab is removed as well, there's going to be some excavations to remove portions of footings and then grade the site, because

currently the floor of the structure is sloped in different directions. Because the way cars enter, the way the ramps are configured, and it also drains, you know, all drainage on the site flows out onto Center Place. So, once the structure is removed, we have to grade it and develop some drainage plan of where that water will go and how it leaves the site. So, that's why we're anticipating that demolition, preparing the site, and then constructing the new improvements would be on the order of about eight months once we start the work. You know, we also have to, after the excavation and the grading work is done, construct curb and gutter around the perimeter of the parking lot as well. You know, so that just construction alone, to be honest, eight months would be very, very expedited to carry out that amount of work in that amount of time.

MAYOR FRANKLIN: Okay, so we talked about the anticipated route of Morningside, well, Manhattan Beach Boulevard. Turn north on Morningside, pick up the debris, and then go out to, I always forget, is that 13th or 12th? 13th, I think, where the Farmer's Market is. Jill Lampkin, please cover your ears. What are we going to do on that Tuesday when Farmer's Market is there? I mean, will those trucks be able to make that turn to go to Highland? That's pretty congested there.

TRAFFIC ENGINEER ZANDVLIET: It's a very good question. There are possible options for the relocation of Farmer's Market

on a temporary basis at another location, whether it be on a public street or in a public area. The other option is to not do certain construction on Tuesdays during Farmer's Market. It does extend, of course, the construction schedule. And a third option would be to use an alternate route on that day. You would not be able to do hauling through the Farmer's Market area on Tuesdays, of course.

MAYOR FRANKLIN: Of course. Okay. And that would almost be a day of construction, right? Because these setups pretty early, I think. Okay, so the \$3 million cost or estimated cost, is that going to do all of that? That's going to do the new paving that needs to be done and striping and curbs.

CITY ENGINEER DOHERTY: Yeah. The approximate breakdown of that is 2.5 million for demolition and grading work and 500,000 to construct the new service lot.

MAYOR FRANKLIN: Okay. And then how many months will we be able to use that? I mean, because eventually we're going to be starting construction, hopefully lining up a contractor to. As soon as the building's down, they can start construction.

CITY ENGINEER DOHERTY: Start construction of the temporary surface lot?

MAYOR FRANKLIN: No, start construction of the replacement.

CITY ENGINEER DOHERTY: The replacement is probably two or three years away from beginning construction.

MAYOR FRANKLIN: Okay, two to three years. Can we narrow that a little bit? I mean, can we?

CITY ENGINEER DOHERTY: Correct, yeah, that would be done on a regular procurement basis because it would no longer be an emergency for the long-term project. So, we're going through the redevelopment study now to come up with some options for the site so we can decide what we want to be there. Then it's approximately a year of design and permitting and probably two years of construction after that.

MAYOR FRANKLIN: Okay, that's all for now.

MAYOR PRO TEM HOWORTH: Councilmember Napolitano hasn't asked questions, right?

MAYOR FRANKLIN: I think so. Councilmember Napolitano.

COUNCILMEMBER NAPOLITANO: Waiting for my questions. Well, I guess I have one question that touches on many different things, and that is, if this is an emergency, why aren't we treating it like an emergency? You know, I had a discussion. Why can't we put angled parking down Morningside? And I understand it's a loading zone. There's going to be construction there. But if it's an emergency, then we're going to have to reconfigure the loading zone anyway. And some people who do their loading for Metlox do it on valley anyway, regardless of whether we have

stripped the, but we have these bike lanes now that go to nowhere. Sorry. But you know, 15th street, we have a bike lane, which means we have a wider lane, single lane, where there used to be two lanes. Why on 15th street, aren't we adding angled parking? Those areas, why aren't we adding parking at all along valley? Take away the westerly most lane right there. If this is really an emergency, then it has to be done as quickly as possible. And that means we might need to suspend a few things that we otherwise wouldn't like to suspend. If we find another place for the Farmer's Market, great. If it's slowing down the demolition of this building, though, it's not great. And I'm sorry, it has to go on a temporary basis to get this done. And we should consider that in terms of the hours of operation, too. Is it going to be inconvenient to a lot of folks? Yes, on an emergency basis. I'm just reminded when we have an earthquake or other disasters, we're up and running as fast as humanly possible. The 10 freeway bridge that was replaced after the Northridge earthquake. They worked around the clock to demolish and replace that thing. This is an emergency for us. We have to find other ways to find parking. I don't think remote lots are going to work. I don't think vouchers are going to work. I think we have to find it within the downtown and that will mean attendance, stacked parking. Certainly, the parking that's on the bank could go stack, other areas could go stack. We could

take the entire lower parking lot by the pier and have a valet there and run people in and out of that and stack the parking. If you want to increase the parking, don't look at the mall. I don't see that as a solution, a long-term solution here. We're going to have to take advantage of the area where people want to go to because they're not going to want to wait for the half hour, 40 minutes, whatever it is. Even Uber people are impatient. If we want to help our downtown businesses, we have to look within the downtown and maximize the parking as much as possible within the downtown. So, there's a question somewhere in there, right?

MAYOR FRANKLIN: Right. Yes. Councilmember Montgomery.

COUNCILMEMBER MONTGOMERY: Maybe it's a question for City Manager and/or City Attorney. Is there any rule that says we can't go to Supervisor Mitchell and the state and say we have an emergency, we've lost all these spaces due to our garage being unsafe. We have to close it off. Could we use that space? Even then, he'll say, Richard, you got to rent it from me at some discounted price. Have we thought about talking to state about taking over that parking and county parking lots? Yeah, everything. I'd say, talk to them all and say, look, it's an emergency. Emergency means an emergency. If it was an earthquake, they would have said, no problem. Well, this is our

earthquake. What would they say? We should ask them? Some can use all that space until we're done.

ACTING CITY MANAGER MIRZAKHANIAN: We could look into that.

MAYOR FRANKLIN: Okay, Mayor Pro Tem.

MAYOR PRO TEM HOWORTH: Thank you. Those are some great questions. And I'll comment on those when we get to comments. I think there was a throwaway comment about holiday extra measures during holidays. And I assume what you're talking about is extra shuttles somewhere or extra stuff somewhere for holidays. So, like, I'm thinking about the hometown fair, which isn't an official federal holiday, but it is an event that I'm sure used a lot of lot three, Metlox, whatever. And so, you know, even though that would be past the time, I think the, it ends on September 8 at the mall. Would we be, could you, like, reach out to Kinetca for, I know they have programming some weekends, but I would assume that we could reach out for certain things, like hometown fair, holiday open house, and then fireworks. Is that something that's been talked about or?

CITY ENGINEER DOHERTY: I think Community Development.

MAYOR PRO TEM HOWORTH: Eric Zandvliet or no, Ryan? All of you? Harmony?

ACTING COMMUNITY DEVELOPMENT DIRECTOR HEISE: Good afternoon. Ryan Heise again, acting Community Development

Director. Yeah. The item for tonight is what direction you want to give us to reach out for future work. So, we have it extend through September 8, through the emergency closure of the lot. But that doesn't mean we can extend it further up into the holiday season at the mall. After that, we would have to find another lot. We have investigated Kinetca already. So, if we get direction, we will look in, excuse me, to vouchers, shuttles, alternate malls, if that's the direction we get. Alternate parking lots.

MAYOR PRO TEM HOWORTH: Great. And, Katie, you mentioned there's a lot of feedback. All right. I'm not really opposed to feedback in general, but, you know, I mean, I like to give it. Okay. So, you also mentioned if council wanted, we could give direction. And this is more, I think, of a finance department issue or maybe a City Attorney question aid for businesses. So, this is not like the pandemic when there was a state of emergency and all these things came into play. This is an emergency situation, but we could direct staff to explore those, you know, what could be available out there.

CITY ENGINEER DOHERTY: Correct.

MAYOR PRO TEM HOWORTH: So, there's not something right now that's prescribed. But if we were so concerned, we could, you know, say, go out and find out what is available.

CITY ENGINEER DOHERTY: That's correct.

MAYOR PRO TEM HOWORTH: Okay, thank you. No more questions or feedback.

MAYOR FRANKLIN: Okay. Anybody else? Okay. We'll open it to public comment.

JILL LAMPKIN: Sorry, I'm bringing my laptop on this one. Good evening, Mayor, City Council. Jill Lampkin, Executive Director for the Downtown Business and Professional Association. As you know, it is an emergency. We are aware. We agree. I just want to rattle off. I gave, I sent, oh, this way. Sorry. There you go. I'm usually so loud, nobody wants to hear me anyway. I did send out a quick survey to businesses just between Saturday and today just to give you some feedback. With only the top level closed in July, 67% of our businesses responded that they had a 10 to 50% decrease in business. For August, 84% of our businesses saw a 10 to a 50% decrease. Foot traffic is the same. Cancellations for restaurants, hair salons are anywhere between 10 to 30%. It is the greatest challenge that we're seeing is from locals. Visitors come here not knowing about that, and they figure out what to do. The greatest success was the AVP, quite honestly, because we had direct communications with the people who had tickets to that. So, we could tell them there's remote parking. Our locals are not going to use remote parking. Steve knows it, you all know it. I know it. We've got to come up with other solutions. The stacked parking, the valets, relocating

employees, if we can use some, relax the requirements in some of the hill section that is currently only permit parking and employees can use that at this point. I mean, like, it is an emergency. We need to find a place to put people so that customers can come to shop. We have a very limited holiday season. It's off, we only have four weeks this year. And when you talk about those big events, all of those big events also cut off all of the parking. So, for fireworks, all of the parking is gone. For holiday open house, all the parking is gone. Pumpkin races, like anything where we have events, it further impacts the parking. So, we have to come up with some more. And I'm here for questions if you guys want to ask me questions after this. Thanks.

MAYOR FRANKLIN: Okay. Thank you. Anybody else?

RITA CRABTREE KAMPA: Hi, Rita Crabtree Kampa.

Honorable Mayor, City Councilmembers. I just wanted to bring up, I heard somebody say something about helping the businesses and going outside of our city in order to see if there's any support for that. And that is something that I was thinking, is there something countywide that we can say, you know, Manhattan Beach is having an emergency? I mean, SQL would see it as an emergency, too. They want people to be able to access our city, to be able to access the beach, and right now, they're not. It's a challenge. So, I asked the question, can we look outside? Can

we look at Supervisor Holly Mitchell or anybody else to find some funding for helping this or some emergency assistance in some way?

MAYOR FRANKLIN: Okay, thank you, Rita. Anybody else?

BRENDA O'LEARY: Hi, Brenda O'Leary. I just had an idea because we're talking about the Farmer's Market and whether or not it should be there. We do make it through every Tuesday with that road closed. So maybe we could, on an ongoing basis, just close that road permanently and put in stacked parking and move the Farmer's Market until this is done. But it does have a good amount of space where you could park cars.

MAYOR FRANKLIN: Okay, thank you. Anybody else? How about online?

ASSISTANT CITY CLERK ALVAREZ: We have Jim Burton.

JIM BURTON: Once again, good evening, honorable Mayor, members of council. Jim Burton, downtown resident number one, 100%, in favor of this emergency. We need to get it done. This parking structure has been in discussion for repairs for I don't know how many years. The idea of connecting it underground into Metlox is not new, but I would agree with Councilmember Napolitano and Councilmember Montgomery regarding if this is an emergency, we need to think about it as an emergency. And as a downtown resident, if we need to work later, believe it or not, I would be in support of that. I think that if you're going to

do it, you need to get it done. The businesses need it. As residents, the least amount of time, the better. And I don't know, I don't know who was asking the question, but hats off to Jeff. Eight months is record time to get something done in terms of construction. I'm on a construction job out of town and it's taking a lot longer. It's going to take twice as long and twice as much if you don't consider it an emergency. I would do that. The only thing I would ask is that obviously, as you close the streets, more cars are going to be driving through the neighborhoods. And anything we can do to help slow down the vehicles that are trying to drive through the neighborhoods, particularly Morningside, 10th place, all of that as people come down Manhattan Beach Boulevard. But it's an emergency. Get it done. I'm in favor of it. Thank you for your time.

MAYOR FRANKLIN: Great. Thank you, Mr. Burton.

ASSISTANT CITY CLERK ALVAREZ: We have Steve Charelian.

STEVE CHARELIAN: Good evening. Can you guys hear me?

MAYOR FRANKLIN: Yes.

STEVE CHARELIAN: Great. Good evening, honorable Mayor, members of the City Council, Steve Charelian. Just a couple of thoughts. One thing I didn't see on the staff report from the fiscal implication part was the loss of parking citation revenue that we would incur from lot three. To kind of see that, what that number would be like. My calculations would be around \$30

to \$40,000 a month. In addition to that, the top part of lot three, which is 50 spaces approximately. That's being now impacting upper part of Metlox parking as well. So, you're losing that money as well from parking meters. And citations that you're losing are general fund dollars and not parking fund dollars. So, they're a little bit more important to the operation of the city. And as I remember, when we were going through the building of the public safety facility, we utilized the parking at Live Oak. It worked pretty well. I don't remember it being too impactful. I like to ask to see when the replacement for that lot would be. If it is up and coming, that wouldn't really be a bad idea. That would open up over 100 parking spaces at the Civic Center. I agree with Councilmember comments that I heard that we really need to look at everything. Leave no stone unturned. It is an emergency situation. And if this was a natural disaster, we would again look for any means and I'm not seeing that sense of urgency that we're looking under every rock. So, thank you for your time.

MAYOR FRANKLIN: Great. Thank you, Mr. Charelian.

ASSISTANT CITY CLERK ALVAREZ: There are no additional requests.

MAYOR FRANKLIN: Councilmember, so comment. So, I'm going to close public comments and Councilmember Napolitano.

COUNCILMEMBER NAPOLITANO: Thank you, your honor.

There's a certain paradox to all this, because during the end of COVID and the onset of everyone's desire to maintain the outdoor dining and the parking spots on the town, we don't need parking. Everyone's going to ride their bike down, use rideshare. Now, we need parking. So, let's stick with the idea that we're going to need parking for a while. For that reason, what I want to do is direct staff at this time to get creative and look to squeeze every possible parking spot out of downtown and the surrounding areas that we can. I'm not going to touch Live Oak at this time. Someone else might want to speak to that. I think Live Oak should stay as it is for the little league and the other users there. I think it would be a huge impact on there for a long term that I wouldn't want to see on those. I think there are other creative solutions we can do. I frankly think you can triple stack the parking on the east side of valley there. Park on the grass there if you want. Don't take away the little league field from the kids park in the grass on Veterans Parkway. Have someone, an attendant there that can go up and down on there and stack the parking along there. I think we can squeeze the number of parking spots that we're going to lose out of other places. Other solutions using valet, using attendance, using stack parking, using whatever it is. We can squeeze more parking out of downtown. I would do that before I look at the

voucher program or more fixed route spots upon, you know, Kinecta might be something to do for holidays or something else, but I don't see that. I would also look at suspending the parking restrictions on the hill section side, the streets leading up from Ardmore, I believe it is. We have parking restrictions there. I would remove those for the time being. Farmer's Market have a hard discussion with Jill as to whether or not it's even worth considering moving it somewhere else. The disruption that might be, the difficulty that might be there. Maybe there's another place for it. I'm not going to try and find that solution myself. I think that the issue with even closing down 13th, we need that route for the trucks to take away the debris as it's being torn down. And also extend the hours of the operation for the tear down. I'll let staff pick what those hours should be, but I would go beyond what the current hours are and treat this. It's an emergency to us emergency to our businesses emergency or downtown. I don't see others going to see a parking structure as an emergency. That'd be great if they did. We can ask. I'm not going to rely on that, though. I don't think any other level of government is going to step in for us here for a parking structure. We're on our own. And so, for that reason, we need to look within ourselves. Other things that I believe we should do or what was asked to approve.

Where's my list? Come on Councilmember Lesser. You're always on that. What do they want direction for?

MAYOR PRO TEM HOWORTH: I was gonna say, let's break it down and go for the Resolution first.

COUNCILMEMBER NAPOLITANO: Adopt resolution number 24-0105, declare local emergency. Yes, we need to do that, obviously. That's it.

ACTING CITY MANAGER MIRZAKHANIAN: The business impacts.

COUNCILMEMBER NAPOLITANO: What's that?

ACTING CITY MANAGER MIRZAKHANIAN: We're also seeking direction regarding business impacts.

COUNCILMEMBER NAPOLITANO: If we find the parking, we lessen the impacts. So, I don't want to hit the impacts in terms of vouchers or things like that until we look at the parking first, because if we can fix the parking and find the parking, then that's going to take away the impacts.

MAYOR FRANKLIN: Okay. And I'll second that.

MAYOR PRO TEM HOWORTH: Wait, are we seconding just the resolution?

MAYOR FRANKLIN: Yeah.

MAYOR PRO TEM HOWORTH: Okay.

MAYOR FRANKLIN: To declare a local.

MAYOR PRO TEM HOWORTH: Not the whole list of things Steve said, just resolution.

MAYOR FRANKLIN: No we're - -

COUNCILMEMBER NAPOLITANO: I didn't make a motion.

MAYOR PRO TEM HOWORTH: Yeah, I didn't see a motion.

MAYOR FRANKLIN: Oh, I thought you did.

COUNCILMEMBER NAPOLITANO: I didn't, but I will. That's my motion.

MAYOR FRANKLIN: Okay.

MAYOR PRO TEM HOWORTH: To adopt the resolution?

COUNCILMEMBER NAPOLITANO: Sure.

MAYOR FRANKLIN: The emergency rent.

COUNCILMEMBER NAPOLITANO: Yeah, sure.

MAYOR FRANKLIN: Declare a local emergency.

MAYOR PRO TEM HOWORTH: No, wait, whoa, whoa, whoa.

COUNCILMEMBER NAPOLITANO: I can make the motion. You can disagree with it. But don't say, wait, whoa, whoa, whoa.

MAYOR PRO TEM HOWORTH: Okay, but I wanted him to hear it. And you weren't - -

MAYOR FRANKLIN: Okay, alright. Just. Okay, well, let him speak.

COUNCILMEMBER NAPOLITANO: I'm speaking to the Mayor who's running the meeting, and he has heard me just fine. That's why he seconded it.

MAYOR FRANKLIN: So, there's a motion from Councilmember Napolitano to approve, adopt Resolution 24-0105 to declare a local emergency. And Mayor Franklin seconded that. Further discussion? Yes, Councilmember Montgomery.

COUNCILMEMBER MONTGOMERY: So, I agree with my colleague. Steve is right on main points. I still think that we have an option. If you don't know till you ask. Supervisor Mitchell, I haven't gone to her hat in hand before, but now I've got a real reason to go after her and say, now, we need help. You're supposed to represent us, now's your time. This is our earthquake. This is our failure, of infrastructure to fail. We need our help. So, between them and the state, we got Senator Al Murasutchi. Call them up. We'll text them, hey, we need your help. Would you guys consider we need your help. How about access to the state parking and or county parking until we get this resolved? That's our emergency ask. So, I want to go through that step and I won't know the answer till we talk to them. So, I'm not going to rule that out, that they wouldn't help us. Everything else I agree with.

COUNCILMEMBER NAPOLITANO: I'm sorry, I didn't understand what parking, though.

COUNCILMEMBER MONTGOMERY: All the parking at the beach from the state county, all the way down. All the county lots.

MAYOR PRO TEM HOWORTH: By the pier.

COUNCILMEMBER MONTGOMERY: By the pier, all the way down. Everything to the west of Highland Avenue, everything in the west of Ocean Avenue, everything. And see the telescopes. Okay. It'll affect us all. We'll see how we all have to adjust, whether we all adjust for 13th Street. I agree, time is of the essence. We can't wait one day, the latest months. We can't do that. Hours, I'm fine with. Everything else, I'm fine with. I would hold off also on moving Live Oak parking. Also hold off on the funding that we would give benefits to businesses that we did during COVID. Hold off until we know exactly the depth of what we're going to talk about. Charelian was right about, we didn't think about the loss of citation income, but I'm not worried about the income part. I want the structure to build as fast as we possibly can, safely, the right way, and also to not rule out going down, levels down. I had a conversation with Andy Cohen and Gendler. He knows our city and the cost. Two years ago, he said it may have gone up since then. It's \$100,000 per space for underground parking. 100k, that may have gone up in two years. You have to look at that and see. But we need to not rule out that portion going underground. When you're there, you get as much parking as you can out of that spot and it creates a little more depth down the road. When it's finished, your parking fund revenue that Charelian was talking about will come

back to us. But we have to be open minded to create that spot two levels underground like Metlox did, and then go back on levels up. So that's where I'll stop. I support the resolution.

MAYOR PRO TEM HOWORTH: Thank you. So.

MAYOR FRANKLIN: Comment. Mayor Pro Tem.

MAYOR PRO TEM HOWORTH: I do want to clarify because you said you second the motion for the resolution. And Councilmember Napolitano had many aspects to his motion, which I might agree with, but so, do we need, I think it's fine to just vote on the resolution and then vote to give direction, but I'm just unclear what is being seconded and discussed. So, your motion, Councilmember Napolitano, included suspending the permit program for the Hill section currently, correct?

COUNCILMEMBER NAPOLITANO: It can, or I can break it apart, too. I defer to the Mayor.

MAYOR PRO TEM HOWORTH: That's all I was clarifying. I thought they were wonderful ideas. I just, it was not clear that that was what the second was for.

MAYOR FRANKLIN: Well, it's direction. So, that's part of the direction. So, staff can look into it and determine the feasibility and come back.

MAYOR PRO TEM HOWORTH: I want to be more direct because I feel that. So actually, you know, codify. Let us, I

would like to direct staff to suspend temporarily, the permits for the Hill. I would like to direct.

COUNCILMEMBER NAPOLITANO: That was the direction.

MAYOR PRO TEM HOWORTH: I know, but he's saying. But no, it's just more general direction. There's a lack of clarity up there.

MAYOR FRANKLIN: Okay, go ahead.

MAYOR PRO TEM HOWORTH: So, I think we should call for the question on the emergency resolution and then discuss some of these ideas and give staff very clear direction on doing these things. Otherwise, we're just going to come back here in a couple weeks. It's like, well, you know. So, we have a motion in a second for the resolution, right?

MAYOR FRANKLIN: Yes.

MAYOR PRO TEM HOWORTH: So, that resolution is an emergency situation, and we can.

COUNCILMEMBER NAPOLITANO: Let's vote.

MAYOR PRO TEM HOWORTH: Let's do it.

MAYOR FRANKLIN: Okay.

CITY ATTORNEY BARROW: Before you vote, two things. There's also the environmental determination, which is item B. And also there's some clerical changes to the resolution, and Martha's going to put it on the screen. And so, this is the

motion to make the environmental finding and adopt the resolution?

COUNCILMEMBER NAPOLITANO: Yes, that's the motion.

CITY ATTORNEY BARROW: They're all just clerical changes, typos.

MAYOR PRO TEM HOWORTH: Okay, so we still call for the question.

MAYOR FRANKLIN: Okay, so call for the vote.

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: Mayor Pro Tem Howorth.

MAYOR PRO TEM HOWORTH: Yes.

CITY CLERK TAMURA: Councilmember Montgomery.

COUNCILMEMBER MONTGOMERY: Yes.

CITY CLERK TAMURA: Motion passes, 5-0.

MAYOR PRO TEM HOWORTH: Okay.

MAYOR FRANKLIN: Okay. Now, we will discuss and provide directions.

MAYOR PRO TEM HOWORTH: Thank you. So, I wanted to just say what I agreed with. You know, I agree with temporarily

suspending the permits for the hill residents. I agree on extending the hours and letting staff make that determination. I think we should maybe break it up a little because there may be things that we have agreement on and things that we don't have agreement on because I don't necessarily want to direct the Downtown Business Association to postpone Farmer's Market. I mean, maybe, yes, move it. Maybe. But I'd like to get some consensus on the things that we can. So, for instance, I am in favor of approving emergency hours. So, I would like to direct staff to do that. So that would be a motion.

MAYOR FRANKLIN: Okay. Do we have more?

COUNCILMEMBER NAPOLITANO: Well, yeah. Do we need to do each one, one by one? Because in terms of something like the Farmer's Market, my direction was that it could be determined between staff and the downtown association - -

MAYOR PRO TEM HOWORTH: Sure.

COUNCILMEMBER NAPOLITANO: - - as to whether it can either stay there or go somewhere else. My point was, though, that it can't stay there and keep the demolition on full speed. So, if it can't stay there, depending on when it starts, it could maybe, you know, it's going to be another month. So, that's four more Farmer's Markets. I don't want to say that Farmer's Market can't continue until it actually starts. That to me is something that staff and downtown association, but the

bottom line was the Farmer's Market can't stay there where it is when that demolition starts.

COUNCILMEMBER LESSER: Can I make a request? And that is, so now that we have adopted this resolution declaring an emergency and giving the acting City Manager authority to move forward with the demolition, I'd like to have some of these issues framed a little bit better. I want to move with all deliberate speed, but I agree with Mayor Pro Tem Howorth that we have a number of choices here, some of which we don't need to make tonight. And I'd like to give staff an opportunity to frame these up and give us some more specific choices here. Have an opportunity to meet with the Downtown Business and Professional Association Executive Director and frame these issues. But I also want to clarify what direction is needed tonight because at a minimum, the shuttle service ends on September 8. So, I wonder if perhaps I can, with permission of the Mayor, to ask the acting City Manager to name what are the specific issues where direction tonight would be useful, and what are some issues where staff could maybe have a crack at coming up with some of these solutions along the lines of even what Councilmember Napolitano suggested in finding additional parking downtown.

ACTING CITY MANAGER MIRZAKHANI: I'm going to break that down. So first, we do want direction on whether or not to suspend the shuttle activities after September 8, which is the

last day that we have them secured for as of today. Second would be the direction to explore how we can get as much parking as possible out of downtown. And that direction would include exploring valet attendant options in various lots throughout downtown. And there's one more thing.

COUNCILMEMBER NAPOLITANO: Well, additional striping, looking at adding motorcycle parking, whatever it is.

ACTING CITY MANAGER MIRZAKHANI: Yes, that would be included in that. The permits on the hillside, that was clear. So, that's not an explorer, that's a, do this right away. Correct?

COUNCILMEMBER NAPOLITANO: We haven't taken a vote on it.

ACTING CITY MANAGER MIRZAKHANI: Okay. So, we do need clarification on that as well. And then, what we'll do is as we're exploring the valet options, we'll have to understand how much would we have to charge and then how much will the valet cost us and how much can we charge so that it's reasonable and we don't raise any red flags for the Coastal Commission. So, we'll come back with that information.

MAYOR PRO TEM HOWORTH: And I think we also need a vote or need direction on extending the hours.

ACTING CITY MANAGER MIRZAKHANI: Yes.

MAYOR PRO TEM HOWORTH: Right. Right.

ACTING CITY MANAGER MIRZAKHANIAN: Outside of the parking, yes.

MAYOR PRO TEM HOWORTH: And I guess the only thing I want to say, I mean, I think it's clear what I want to do. I don't think we have to, I think that we, when we say explore, stacked parking, re striping and putting as much in downtown as we can, which I absolutely agree with. And to Councilmember Montgomery's points about the county lots, state lots, all of it, everything's on the table. But it has to, there has to be such a sense of urgency. So, you know, we don't want empty storefronts and restaurants. And I know staff understands this, but I want to amplify that. So, I'm going to try this approach and you all can come along or not. So, I make a motion that we direct staff to, during this emergency situation, explore the extended hours of demolition and construction. That's my first motion. No. Okay.

COUNCILMEMBER NAPOLITANO: What's the motion?

MAYOR PRO TEM HOWORTH: Do we direct staff, as part of all these things we've talked about, we direct staff to extend hours of construction and demolition.

COUNCILMEMBER MONTGOMERY: I'll second.

MAYOR PRO TEM HOWORTH: Thank you.

MAYOR FRANKLIN: But just to clarify, it's already 7:30 to, when do they end?

MAYOR PRO TEM HOWORTH: 6:00?

ACTING CITY MANAGER MIRZAKHANI: To 6:00 p.m.

MAYOR PRO TEM HOWORTH: Yeah. And you heard from even a downtown resident that said, please extend these hours because we want this done sooner than later. And that was what did it for me. Thanks, Jim Burton. So, that I am, that's my motion. I'm not, I have a first and a second.

COUNCILMEMBER LESSER: Can I just, based on the first and the second, just simply ask perhaps our engineer as to what sort of hours we're talking about, particularly given that we think of individuals coming downtown to eat. Just what hours are we thinking about to explore? Just so we have a little guidance here.

MAYOR FRANKLIN: I think they'll turn on.

CITY ENGINEER DOHERTY: Now, is it on?

MAYOR FRANKLIN: Yes.

CITY ENGINEER DOHERTY: Okay. We were thinking that if we. We were allowed to potentially work on Sundays, that could allow us to make up time if there are losses for, say, rain or other delays during the week? We weren't necessarily recommending, like, double shifts or, you know, 24 hours around the clock. So, that's what our intention was, was by putting this in the staff report.

MAYOR PRO TEM HOWORTH: Sorry, a motion and a second.
Do you guys have other concerns?

COUNCILMEMBER NAPOLITANO: Are we deferring the staff
as to what the?

MAYOR PRO TEM HOWORTH: Oh, I'm deferring. Yeah. I'm
not just. I'm not prescribing what those hours are, but I want
them to explore, to keep us on track.

COUNCILMEMBER NAPOLITANO: Well, I don't want them to
explore. I want them to expand them so that.

MAYOR PRO TEM HOWORTH: Yes. I want them to expand the
hours.

CITY ENGINEER DOHERTY: My only comment for that was
that would probably increase the cost of demolition if we were
to do double shifts in order to accelerate the schedule.

COUNCILMEMBER NAPOLITANO: I think we should look at
that.

MAYOR PRO TEM HOWORTH: Absolutely. I'm okay with that.

COUNCILMEMBER LESSER: I would support exploring and
then return.

MAYOR PRO TEM HOWORTH: No.

COUNCILMEMBER LESSER: Well, if it substantially
increases the cost, is why I'm just hesitating.

MAYOR PRO TEM HOWORTH: So, there's a cost of that, and
then there's a cost of, you know, the loss to business. I mean,

it's opportunity costs. And I appreciate your concern, though. It's not lost on me. I just, if this is an emergency, we need to act. But that would be my, and when I said explore, Councilmember Napolitano, I just, I didn't want to say, well, no, make it to seven or make it to eight. I don't, I do want to expand the hours. I just don't know exactly what they should be.

CITY ENGINEER DOHERTY: I think for us, an earlier start time would be most beneficial.

COUNCILMEMBER LESSER: I'm sorry, can you repeat that?

CITY ENGINEER DOHERTY: For us, an earlier start time would be most beneficial in the morning.

MAYOR FRANKLIN: So, it's now 7:30?

CITY ENGINEER DOHERTY: It's currently 7:30, yeah. I would say the most construction crews starts 6, 6:30.

MAYOR FRANKLIN: Okay, well, we have a motion, we have a second on extending the hours for the demo, so can we have a vote?

CITY CLERK TAMURA: Councilmember Montgomery?

COUNCILMEMBER MONTGOMERY: Yes.

CITY CLERK TAMURA: Mayor Pro Tem Howorth?

MAYOR PRO TEM HOWORTH: Yes.

CITY CLERK TAMURA: Mayor Franklin?

MAYOR FRANKLIN: Yes.

CITY CLERK TAMURA: Councilmember Lesser?

COUNCILMEMBER LESSER: Yes.

CITY CLERK TAMURA: Councilmember Napolitano?

COUNCILMEMBER NAPOLITANO: Yes.

CITY CLERK TAMURA: Motion passes, 5-0.

MAYOR FRANKLIN: Okay.

ACTING CITY MANAGER MIRZAKHANI: Mayor Pro Tem, to your earlier question about what else we need direction from, I'd like to add, if the council would like us to explore shuttling ideas specifically for the events.

MAYOR PRO TEM HOWORTH: Yes. Well, that. That is something I would like us to explore. Yes. And those may be one offs, and they may not be parked at the mall or whatnot, but hometown fair, holiday events, whatever. That's, yes, I'll make, do I have to make a motion for that, or can we just? Okay. I'll make a motion for that.

COUNCILMEMBER NAPOLITANO: Well, don't we typically have a shuttle for the hometown fair? Yeah. So why would we be doing the show?

COUNCILMEMBER MONTGOMERY: We have shuttles to hometown fair. They go TRW, sorry, you know, the Grumman lot.

MAYOR PRO TEM HOWORTH: Okay, so we don't have to do that. My apologies. You know, the holidays, the holiday open house, the fireworks.

MAYOR FRANKLIN: Well, how do people get down, anyway, on the fireworks?

COUNCILMEMBER MONTGOMERY: Heard people actually walk down.

MAYOR PRO TEM HOWORTH: So, maybe it's nothing, but just come back. You don't have to give, say, yes, we're going to do that. But come back with what that might look like.

MAYOR FRANKLIN: A plan for special events.

MAYOR PRO TEM HOWORTH: How about, that doesn't need a motion. Just come back at some point. Is that okay with my colleagues?

MAYOR FRANKLIN: Yes.

MAYOR PRO TEM HOWORTH: All right. How about temporarily suspending hill permits? I would like to make a motion that we temporarily suspend park, residential parking permits on the hill.

COUNCILMEMBER MONTGOMERY: Second.

COUNCILMEMBER NAPOLITANO: Well, that would also include the signage restricting the hours as well, because I think it's only two-hour parking in some of those blocks.

MAYOR PRO TEM HOWORTH: Thank you. Well, I would, yes, I would include the restricted hours. That would be my motion.

COUNCILMEMBER LESSER: But I just would ask the traffic engineer, if you could come to the podium. Just to confirm if

there's any other considerations council should be aware of before we go forward, which I think we're inclined to support, but I just want to make sure we're not missing any piece about removing the prohibition permit.

TRAFFIC ENGINEER ZANDVLIET: Sure, suspending the residential parking permit program could be done, doesn't take a lot of work. They would still hold their permits, but they wouldn't be applicable to anything because we would cover the signs.

COUNCILMEMBER LESSER: Any refunds required? I can't remember what, whether there's a cost?

TRAFFIC ENGINEER ZANDVLIET: It's a biannual permit, and so it's renewed every two years.

MAYOR PRO TEM HOWORTH: That would be temporary.

TRAFFIC ENGINEER ZANDVLIET: It would be the council's choice if they wanted to refund any permits that have been issued to this point.

MAYOR FRANKLIN: I have a question for you. Can we get my perpendicular parking for subcompact vehicles? Because then we could get three vehicles per parking spot.

TRAFFIC ENGINEER ZANDVLIET: That would be part of our exploration, to find out how many parking spaces. We can fit in downtown.

COUNCILMEMBER NAPOLITANO: For the three people who own smart cars.

TRAFFIC ENGINEER ZANDVLIET: They would have exclusive parking.

MAYOR FRANKLIN: Okay.

MAYOR PRO TEM HOWORTH: So, the motion is to temporarily suspend permits and a 2-hour restriction in the hill and the walk street areas.

COUNCILMEMBER MONTGOMERY: I'm still second.

MAYOR FRANKLIN: Okay, can we have a vote?

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: Mayor Pro Tem Howorth?

MAYOR PRO TEM HOWORTH: Yes.

CITY CLERK TAMURA: Councilmember Montgomery?

COUNCILMEMBER MONTGOMERY: Yes.

CITY CLERK TAMURA: Motion passes, 5-0.

MAYOR FRANKLIN: Okay, I would like, so, Councilmember Napolitano mentioned restriping valley, potentially parking on the grass. We could look at, I think at one point in time we

looked at changing the parallel parking spots to diagonal on Valley.

COUNCILMEMBER NAPOLITANO: I think that goes though to the idea that staff needs to do more of an evaluation, a deep dive into what we can do and where we can do it, rather than prescribing exactly what that shows right now.

MAYOR FRANKLIN: Okay. Great. And just include --.

COUNCILMEMBER NAPOLITANO: Everything's on the table.

MAYOR FRANKLIN: Yeah. The 15th street, give up the, I mean, you think there's about five or six parallel parking spots and you'd make those diagonal. Putting quite a few there on the one side, on the Civic center side. Okay. And then restripe Valley parking. So, can you also look at, you know, since, you know, there may be the possibility of moving the Farmer's Market, is that that would give us access to that whole area. Can we park on the surface of Metlox Plaza there, for example?

COUNCILMEMBER NAPOLITANO: There's steps.

MAYOR FRANKLIN: You know, it's already hardscaped.

COUNCILMEMBER NAPOLITANO: I think we just leave it open for them to --.

COUNCILMEMBER LESSER: Encourage the parties.

COUNCILMEMBER NAPOLITANO: So, you've got any ideas, email them directly to staff.

MAYOR FRANKLIN: Okay. As well as the public. Get email ideas.

COUNCILMEMBER NAPOLITANO: And if any private business down there wants to open up their private parking for public use, we'd appreciate that as well.

MAYOR PRO TEM HOWORTH: I can't help you there. Mr. Mayor.

MAYOR FRANKLIN: Okay. Yes.

MAYOR PRO TEM HOWORTH: And I'd like to get consensus from my colleagues for staff to explore the potential of aid to some of the business during this time. And it would be potentially in the form of grants that may not even come from our general fund. You know, this really is such an emergency for some of those small businesses. So, I'd like to make a motion directing staff to explore options for aid and to come back to us. It may not be legal. I mean, it may not, it may be a gift of public funds. We may not be able to do it. But I want to know that.

COUNCILMEMBER NAPOLITANO: I think it's too soon to do that. I think it's premature. I think we can find parking before that need is here.

MAYOR PRO TEM HOWORTH: Okay. Save it. Yeah.

MAYOR FRANKLIN: And then I even had an idea of, you know, this is like Dunkirk. Let's ask the residents to give

their parking spaces in their driveways near downtown. And also, too, is we want to try to keep the spaces that are nearer to downtown for like patrons and things like that. And then the businesses' staff can move a little bit, you know, further away, but give the parking that's closer, as part of your analysis is get the parking that's closer to the businesses and restaurants, you know, to patrons.

COUNCILMEMBER MONTGOMERY: Your honor, just a suggestion. Since Mayor Pro Tem Howorth has a lot of free time now, I thought it'd be a good idea to let us go after this state and county --

MAYOR FRANKLIN: Oh yes.

COUNCILMEMBER MONTGOMERY: --with our contacts to see if we can get, not that acting City Manager, Talyn, can't do this. But I'm thinking, well, your plate's going to be so full. I think between Amy and I and Steve and David and Joe, we can reach out to them and go after them with our contacts, and we've known them for years to say, and press upon them, this is our emergency. It's rare where we go for them with any kind of request in our hand. This is a big one for us. Let us go after them.

MAYOR PRO TEM HOWORTH: State lots and things like that.

COUNCILMEMBER MONTGOMERY: State and county lots and everything's on the table. Let us go after them. You okay with that, Mr. Mayor?

MAYOR FRANKLIN: Yes.

MAYOR PRO TEM HOWORTH: You're with me.

COUNCILMEMBER MONTGOMERY: I'm with you. I'm dragging you with me.

MAYOR FRANKLIN: All right. Do we have direction?

ACTING CITY MANAGER MIRZAKHANI: To be clear, staff will not be extending the shuttle past September 8. Is that correct?

MAYOR FRANKLIN: Yes.

ACTING CITY MANAGER MIRZAKHANI: Thank you.

MAYOR FRANKLIN: Yeah. Okay. Yeah. Anything else on this? Let me see. Okay, we can move on to item number 7. I just want to verify with staff, you're okay with direction.

ACTING CITY MANAGER MIRZAKHANI: Direction is clear. Thank you, council.

MAYOR FRANKLIN: Great. Thank you. So, we're going to move on to item number 7. Consideration of a resolution in support of statewide ballot measure proposition 36, which proposes to allow felony charges and increase the sentences to certain drug and theft crimes. And we first need to hear from Councilmember Napolitano.

COUNCILMEMBER NAPOLITANO: Thank you, your honor.

Because, yes, as much as I would like to vote on this issue as an abundance of caution, I'm going to abstain and leave the discussion for a while. As a candidate for judicial office, there is a code of ethics we have to run a campaign by, and one of those is that we can't take positions. Anything that could indicate a bias one way or another. And because of that, I want to stay true to what my obligations are. And so, I'll have to excuse myself on this item. Thank you, your honor.

MAYOR FRANKLIN: Okay, sure. Thank you. Don't eat all the M & Ms back there in the break room. Okay. So, the acting City Manager Mirzakhonian.

ACTING CITY MANAGER MIRZAKHANI: Thank you, council. For this item, I would like to introduce Management Analyst Patricia Matson to make staff's presentation.

MANAGEMENT ANALYST MATSON: Good evening, Mayor and City Council. As mentioned, I'm Patty Matson, Management Analyst in the Management Services Department. At a recent meeting of the legislative ad hoc subcommittee, which is comprised of Mayor Pro Tem Howorth and Councilmember Lesser, statewide ballot measure Proposition 36 was discussed. The subcommittee requested that staff return to council to consider taking a position on Proposition 36 since it relates to efforts that ensure public safety, which is an objective outlined in the city's legislative

platform. Proposition 36, if successful, would modify components of Proposition 47, an initiative measure that passed in 2014 and reclassified specific offenses from felonies to misdemeanors, such as shoplifting items worth \$950 or less in drug possession. Prop 36 proposes to increase punishment for certain theft and drug crimes by turning some misdemeanors into felonies, lengthening some felony sentences, and by requiring some felonies to be served in prison. Prop 36 also creates a new court process for some drug possession crimes by charging those with illegal drugs with a treatment mandated felony instead of a misdemeanor in some cases. Additionally, Prop 36 provides that courts must warn those convicted of selling or providing certain drugs that they could be charged with murder if they sell or provide illegal drugs that could kill someone. Staff has prepared a resolution expressing support for Proposition 36 and recommends that City Council discuss and consider its adoption. That concludes my report.

MAYOR FRANKLIN: Great. So, any questions? No questions. So public comments on this, please. Anybody here? You want to put a voice to that thumb?

STEVE PACKWOOD: Steve Packwood. As a resident of Manhattan Beach over 40 years, thank you for supporting this.

MAYOR FRANKLIN: Thank you, Mr. Packwood. Anybody else here? How about online?

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

MAYOR FRANKLIN: Okay, great. We'll close public comments. Colleagues? Yes.

COUNCILMEMBER MONTGOMERY: Just so everybody knows, the three biggest people, three groups behind this are Walmart, Target, Home Depot. I was thought after my incident last Thursday how Ralph would have jumped on board. But I think it's important to know this is what's right for us and our city, and it's the right thing. We've been forward to the entire state. So, I vote in favor of it.

MAYOR PRO TEM HOWORTH: Is that a motion?

COUNCILMEMBER MONTGOMERY: That's my motion.

MAYOR PRO TEM HOWORTH: I'll second it.

COUNCILMEMBER MONTGOMERY: There you go.

MAYOR PRO TEM HOWORTH: I mean, it's also supported by the League of California Cities, and that's very important. I think that we all kind of band together, stand together, and I think this will help. Excuse me.

COUNCILMEMBER MONTGOMERY: That's right. My motion is to approve resolution number 24-0103.

MAYOR FRANKLIN: Additional comments? Councilmember Lesser.

COUNCILMEMBER LESSER: Yes, I'd simply raise the following issue. And that is, this is a proposition on the ballot for all voters to decide on. It's not just for our council to decide. So why are we weighing in? What gives us some better authority than each voter to make their own decision on this bail measure? The reason is because, in consultation with our law enforcement officers, this addresses issues that we are experiencing as a city. So, I feel confident that we as a city can absolutely weigh in and encourage voters to vote positively for this measure, which is obviously weighing issues of criminal justice reform, whether they've gone too far. But at a minimum, I'll just simply keep my comments brief by saying I'll be in favor of the motion.

MAYOR FRANKLIN: And I also want to make a comment that this issue sort of came to council when I, my first full year in 2021. And it wasn't until then that we really saw the impact of the current district attorney's directives, which were not mentioned during the election and were foisted upon the residents of LA County, and they impacted us directly. In fact, that led to, first, a vote of no confidence passed by the majority of our council back in 2021, and then in 2022, during the recall, we voted in support of the recall of the District Attorney, George Gascon. So, this is just a logical and very welcome measure to evaluate or to consider. And we've seen the

crime. I mean, there's no doubt about it. Not only have we seen the crime increase, but the intensity of that crime and how that can be harmful and how it has harmed our residents physically, but also their sense of well-being. And so that's what this hopefully, will address and bring us back to some measure of sanity and common sense. So, I'll be supporting it as well. So, if there's no more comments, could we have a vote, please?

CITY CLERK TAMURA: Councilmember Lesser?

COUNCILMEMBER LESSER: Yes.

CITY CLERK TAMURA: Mayor Franklin.

MAYOR FRANKLIN: Yes.

CITY CLERK TAMURA: Mayor Pro Tem Howorth.

MAYOR PRO TEM HOWORTH: Yes.

CITY CLERK TAMURA: Councilmember Montgomery.

COUNCILMEMBER MONTGOMERY: Yes.

CITY CLERK TAMURA: Councilman Napolitano abstains.

Motion passes, 4-0-1.

MAYOR FRANKLIN: Hey, Steve Packwood, on your way out, can you tell Steve Napolitano to come back in?

MAYOR PRO TEM HOWORTH: Oh do you have to?

MAYOR FRANKLIN: Oh, there he is. Okay, so we move on to item number 8, which is a quarterly update on the city's homelessness initiatives. Acting City Manager Mirzakhianian, please.

ACTING CITY MANAGER MIRZAKHANIAN: Thank you again, council. For this item, I'd like to introduce assistant to the City Manager, George Gabriel.

MAYOR FRANKLIN: Great. Thank you.

ASSISTANT TO THE CITY MANAGER GABRIEL: Good evening, council. George Gabriel, assistant to the City Manager. Tonight, I'll be providing a quarterly update on homelessness initiatives. The last time this quarterly update was provided was, I believe in, on March 5. And so, staff is attempting to provide some of those notable updates that have occurred since then. So, since the last time we talked, the Los Angeles Homeless Services Authority provided an official breakdown of the 2024 homeless count. And so, what I have before you on the slide deck is the number of unsheltered persons counted, as well as the vehicles and dwellings counted. The official breakdown is what we call it. Two individuals were persons seen on the street, and two cars were seen on this day. So, I want to stress that this is a point in time count. This is not necessarily reflective of what we see on a daily basis, but this is reflective of what was observed on the night of, I believe, January 24 or 25 of 2024. So, just to kind of give some historical perspective, I believe council has seen this graph quite a bit, but this kind of goes to show some of our efforts and what they've yielded. And again, this is through the point

in time count. But given the data that we do have, this is somewhat useful in trying to determine whether some of our outreach efforts are successful or not. And so, you can see in 2018, there was a spike. And since the council has given some very specific policy direction to staff on addressing homelessness by, you know, adopting homeless plans, by dedicating grant funds, by dedicating general fund resources to housing and outreach resources, I think you've seen impacts as it relates to the point in time homeless count as well. So, in that homeless count that was publicly released in June, what I have before you is the count presentation that was provided by the Los Angeles Homeless Services Authority between the County of LA and the City of LA. And what you'll see is the county of LA and the City of LA observed slight decreases in homelessness. County of LA reflected a 0.27% decrease in homelessness, and the City of LA saw a 2.2% decrease in homelessness. So, what does this mean to us? So, I think council is aware that Los Angeles County is divided up into what refers to as SPAs or Service Planning Areas. And so, the South Bay is in SPA 8. And so, at the very bottom of this slide, at the chart, you'll see that SPA 8 actually saw the greatest decrease in homelessness, or I think, second to second most decrease in homelessness. And I think it's reflective of the combined SPA or the South Bay's efforts on homelessness and really dedicating a lot of resources

to it. And certainly, we have here tonight is Ronson Chu, who's kind of leading a lot of the COG efforts for that. So, kudos to Ronson and all his efforts in addressing this. So, one thing that was talked about, the March 2024 meeting, was this notion of a homeless census, which is kind of a demographic survey that the City of Redondo Beach has utilized the past couple of years. It was very interesting to provide a lot of insightful data on the homeless population. Consistent with council direction, staff further explored it. We did approach CityNet and asked for a proposal. The proposal came out to about 24,000 to conduct the homeless census survey solely for Manhattan Beach. Given our low homeless count numbers, I think staff found it a little bit cost prohibitive and, therefore, didn't proceed with the proposal. So, the city does have a dedicated outreach housing navigator that is funded by our general fund. And what you see in the slide before you is some of the outcomes related to those outreach efforts. And this reflects July 2023 to July 2024. Most notably, you see the number of outreach interactions, so that's 652. This is reflective of 13 months. So, that's obviously inclusive of duplicative contacts. But it just goes to show some of the repeated efforts that our outreach navigator has on a daily basis. She probably has two to four interactions with a homeless individual, or homeless individual multiple times. And so, this is reflective of that number. In that same period, 19

interim housing referrals were attained. And within interim housing referrals, it's also inclusive of share collaborative housing placements as well, which was 16 of those 19, and then ultimately, five stable housing placements over those 13 months. And so, those are permanent solutions that our outreach navigator works on with those homeless individuals. So, council also recall that there are grant funded contracts that the city oversees. And over the past couple years, we've had Measure H grant funded contracts totaling \$546,000. While the city is appreciative of these funds and all the effort that goes into getting services for these funds, I think we found it that it's a lot more conducive for these funds to be managed by a regional entity. And so, we're transferring management of this to reduce staff workload on this as well, to the South Bay city's council of government. So, seeing it's a regional contract, it's appropriate for the South Bay City's Council of Government to do it. And I believe in their September 26 Board of Directors meeting, they will officially approve it. And so, I think it's a win for all, given the regional context of this. So, council will also recall. Sorry, I intend to use that word a lot tonight, but we did have a transition of share collaborative housing placement services. The COG is now overseeing that agreement on which the city is utilizing those services. That takeover began in September of 2023, and since then, the COG has

funded 15 new individuals for shared collaborative housing services. And this amounted to approximately about \$36,000 in cost savings to the city. And so, prior to this, the city was forking over the bill for this. And so, thankfully, the COG has stepped in, seen the success that the City of Manhattan Beach has seen with this program, and is now applying it at a regional level, and the city continues to see the benefit of the services as well. So, there's been some changes in the law as it relates to homelessness. And so, I'll kind of talk about some of those highlights as it relates to this. So, the City of Grants Pass versus Johnson, was decided on June 28, 2024, and it basically ruled that an ordinance passed by the City of Grants Pass that essentially made it illegal for homeless residents to camp on all property was not unconstitutional. And so, a lot of cities have been taking action because, in essence, it overturned presiding law, which was Martin versus Boise. On July 25, 2024, the Governor of California issued an executive order directing state agencies to address homeless encampments on state land and encourage local governments to adopt similar policies.

Thereafter, the LA County Board of Supervisors unanimously passed a motion, which included a care first approach, clarifying county jails will not be used for housing those prosecuted under anti-camping ordinances. And lastly, on August 22, actually most recently, media reports regarding encampment

cleanups started occurring and began to circulate. And so, shortly after these reports were circulated that morning, the Manhattan Beach Police Department alerted the homeless outreach team, comprised of MBPD officers, and ensure their weak and availability to respond to homeless individuals, as well as our dedicated outreach navigator that the city contracts for was also available and she available for the last two weeks at 6:00 a.m. on Fridays. So, speaking of that dedicated outreach contract, the city has not seen a competitive RFP process on that contract in some time. And so, in an effort to ensure that this contract remains competitive and getting proposals out there, the city did begin an RFP process. It began on August 8, and I believe it closes this week. City Council will need to approve an outreach services provider contract, and that's slated for November of 2024. So, I mentioned earlier the share housing, collaborative housing data, and I thought this would be interesting for the council to kind of reflect upon. So, we began utilizing these services in December of 2021. So, 35 individuals have been placed into share over that period of time. 106 months of rent have been paid as well. And so, you know, a common question I do receive is, what is this? What does this transition from share look like? And so, after being housed into a share collaborative housing program, we typically see three types of what we call exits. One is interim housing. So,

this could be an, into a shelter. It could be into basically something that is similar to what they're experiencing in share, which is something that is more on the temporary side of housing. We also see permanent housing. So, that's something with that, it could be a connection to a family relative. It could be to a housing solution that is longer than a year, let's say, or it could be homelessness. And so, with those 35 individuals that we saw, at least in the immediate exit that we saw, 18% of those individuals went into an interim housing placement, 45% went to a permanent housing placement, and 36 went back into homelessness, unfortunately. So, we do have an election coming up, as was articulated earlier, and what I like to refer to as Measure H 2.0. I believe it's going to be measure, it's designated Measure A on the ballot, is going to be on the November 5 election ballot. And basically, what it does, it repeals the 2017 tax and then replaces it with a half-cent sales tax, raising about a billion dollars in annual funding. And so, what I will say is that this would be a net increase of a half a cent to the City of Manhattan Beach if it were passed. But if it were not passed, the tax would expire in 2027. So, what are the important provisions of Measure H 2.0, or measure A? As mentioned earlier, it's scheduled to expire, and right now, it does not have a sunset clause and can only be repealed by voters. Measure H 2.0 does not impact the sales tax limit

because there is a caveat that was adopted by the state legislature, basically allowing for them to exceed the sales tax limit for homeless services specifically. And then third, this ballot measure does not have a direct allocation for cities to cover cost of homeless services, which was quite disappointing to a lot of cities. So, I'd like to transition this to Ronson Chu from the South Bay City's Council of Governments. He'd like to discuss the Functional Zero Street Homeless Commendation Program. And thank you, Ronson, for being here, and please discuss this program.

RONSON CHU: Thanks, Gabriel, for that introduction. Good evening, Mayor and honorable Councilmembers. Wanted to talk about the Functional Zero Street Homelessness Program, because I would like to incorporate Manhattan Beach into the program. Just taking a step back, and you can change the slide to the next one. A couple years ago, we wanted to create an accountability goal for our cities to measure how we're doing on homelessness. And so, we were looking across the nation, and we came across this function, Functional Zero Framework, which is saying that, you know, with cities adopted, they want homelessness. It's acknowledging that you can't prevent homelessness. But when it does occur, the experience is brief in one time. And we thought it was a great accountability goal for our cities, and we approached the county on implementing it. It takes some funding.

There was a consulting firm that was specializing in this, but the county wasn't interested, for whatever reason, in doing this. And so, we ended up creating our own Functional Zero definition. Nationwide, there isn't a set definition. There's many Functional Zero definitions. There's Functional Zero veteran homelessness, Functional Zero Senior Homelessness. And so, we wanted to do Functional Zero Street Homelessness because we want to see our streets clear from people experiencing homelessness. And so, the definition that we set out was that we wanted to see people leaving the streets being, the number of people leaving the streets being greater than the number of people entering into the streets, whether they're becoming homelessness as a Manhattan Beach resident or they're coming from somewhere else. But we wanted to get them off the street as quickly as possible, and we decided 90 days was a good timeframe to do that. Next slide. So, we created this commendation program, and what it is, is the COG would then help cities monitor, track, and report on the city's progress towards Functional Zero. Next slide. And what it really is, it's really a data collection exercise. So, in this example, what we did was we started Redondo Beach as the pilot city because of the many investments that they were doing, and we were seeing them rapidly decreasing their homelessness numbers. And so, we were tracking Redondo Beach's performance. And what we wanted to see

is if they could achieve Functional Zero for a period of six months. And so, for the past year and a half, we've been tracking Redondo Beach's data. We had weekly meetings or weekly reports sent to us from their case managers. We have monthly meetings with their staff to case conference, and this is an example of some of the data we collected. As you can see, we're tracking street duration. In this sample data set, Lila was able to get people off the street in zero days. That means she was meeting someone on the street and immediately getting them into a shelter or housing situation or reunifying them with their families. And so, it was working really well. And through our case conferencing, we were adding additional tools and toolbox to get people off the streets. And so, as this snapshot was happening, they were having a median duration of 54 days. Their inflow was 50 people, outflow of 54 people. And they had only 21 people currently on the street. So, at this point in time, the city was at a Functional Zero state, which is terrific. And so, next slide. So, yeah, for Functional Zero, what we would do is we report to you or to the city on regular monthly intervals. We would report on inflow, outflow duration, and we'd also collect demographic and psychographic data on the homelessness population. And then based on this data, cities and the COG can evaluate appropriate next steps to get closer to Functional Zero. Next slide. And so, the idea is that once the city has

achieved Functional Zero, we would take time to celebrate the achievement and have a graduation ceremony for the cohorts of cities. Next slide. So, like I said, Redondo Beach has been our first pilot city, and we're excited to announce some very positive results soon. We're actually coming out of a press in a couple of weeks, and we hope to have an event. At the event, we hope to announce our next cohort of cities. Because of my limited staff, it's just me and one other person. We can only take on a few cities at a time. We wanted to do the City of Manhattan Beach because we think it's a good candidate for a program. One, based on the low homeless count that George just mentioned. The homelessness staff here are great. There's actually great neighborhood activism, MB safe. So, there's a good sort of community here that is addressing homelessness. And we have access to regional resources, too, like SHARE. And we have about a dozen programs at the COG. And also, one other thing, too, because it's a data collection program, it is, in a sense, an ongoing census. So, then you wouldn't need that census. We would be doing that on an ongoing basis. So that's the idea, is to see if the city would be interested in joining our Functional Zero Program.

ASSISTANT TO THE CITY MANAGER GABRIEL: Thank you, Ronson. So, with that in mind, staff recommends that the council receive the report detailing various efforts and initiative

staff is undertaking regarding homelessness. And two, discuss and provide direction on whether the city should participate in the COGs Functional Zero Street Homelessness Program. And I just want to end with a big thank you to all the efforts within the Manhattan Beach Police Department. And, you know, they are our eyes and ears on this, and they go out and address calls for service and take action as warranted. And additionally, our partners at Harbor Interface services as well. And as well as the community activism that Ronson mentioned, MB Safe is a critical part in our homeless response, especially in addressing times where Myra, our outreach navigator, isn't available. And oftentimes on weekends where MB Safe can go in and conduct outreach as well. So, a big thank you to all, and this concludes my report. Thank you.

MAYOR FRANKLIN: Great. Questions? Councilmember Lesser.

COUNCILMEMBER LESSER: I'm not sure. Thank you, George, for that presentation. And thank you also, Ronson. Thank you, Ronson, for all the work you've been doing for a number of years on this subject throughout our region. Question has to do with our region, though, following the grant's past decision, please. And that is, I think many are wondering what these sweeps in neighboring jurisdictions are going to mean for our city with regard to how we might be facing more the unhoused in our

community. What are you seeing on a regional basis following sweeps? City of Los Angeles, Long Beach, other jurisdictions.

RONSON CHU: Right. So, we've been working really closely with our case managers. One is, you know, when we do see an influx of people, we want to immediately get them reconnected to wherever they're coming from. And so, 15% of our outcomes right now at the COG is reunification, either reunifying someone to a family member or bussing them back to the original cities. It's all voluntary, and it's surprising when you do the problem-solving questions like, hey, where are you from? Do you have family members that can help you? A lot of times, they say, yes. we just spent \$3,000 on a plane ticket because some Frenchman got stuck here and was homeless in Torrance. And so, we do that. And so, those are kind of the tactical measures that we do when we see a spike in homelessness. You know, we, unfortunately, are seeing our neighbors to the north, City 11, also in Long Beach, enact anti-camping ordinances and street sweeps, and we're seeing some spillover effect. And so, we don't, I mean, we can't control what other jurisdictions outside the COG can do or cannot do, but we want all of our cities to continue offering the services in the shelter and not resort to punitive measures that we're seeing some other regions do.

COUNCILMEMBER LESSER: You're getting your, presently, your funds for this program, including the proposed Functional

Zero Street Homeless Program, come from where? Is it the current Measure H, or are there other supplemental funds which we should be aware of, if we commit to participating in the program?

RONSON CHU: It's primarily through Measure H most. I'd say 78% of our funds are through Measure H.

COUNCILMEMBER LESSER: All right, let me stop there.
Thank you.

MAYOR FRANKLIN: Yes. Councilmember Montgomery.

COUNCILMEMBER MONTGOMERY: Stay there a second, Ronson. Hey. So, I'll follow council's question. If Measure H1, Measure H1 stays. Measure H1, we don't go 2.0, we still get funding from Measure H1. We don't lose funding?

RONSON CHU: Right. Measure H does not sunset that till 2027.

COUNCILMEMBER MONTGOMERY: Right. So, if the new 2.0 does not get there, we're still going to get funded. So that's Measure 1. You mentioned the word accountability to the cities, right?

RONSON CHU: Yeah.

COUNCILMEMBER MONTGOMERY: Here's my accountability numbers. 41 to 2. 2008, when Steve and I joined 2017, this council, that council didn't have a homeless plan. Didn't exist. So, we got everybody together, George, Bruce, everybody was involved. It started a plan, that council. And you're seeing 41

at that point in time. I know it's a point in time. 41 and 24, two. So, A, accountability, we check that box. Now, due to PD Chief Johnson and Chief Lang and George and everybody helped, our navigator, Myra and everybody and MB Safe. Everybody already pitched in. So, everybody knows what we're doing. We see our program. It's clear. You got to get there. Why the cities don't follow, I don't know. And also, to your point about the influx from Councilor Park, City 11 and her anti-van movements and enforcing her encampments in Venice area. According to George, we have metrics, folks. We have not seen that big number jump. I don't know other cities you're seeing that number go up. Have you seen it spread to all the rest of the COG cities since these sweeps in LA started? Have you seen the numbers go higher in Redondo and Torrance and Hawthorne, everybody else? Have you seen that?

RONSON CHU: We've heard. We haven't confirmed it for case managers. Just some anecdotal stories. They are seeing people coming in, a little increase that weekend that it happened. There was a more concerning one in Long Beach where we did see some spillover into Wilmington, which is a Councilmember McOsker's district. He's also part of the COG. And so, we reached out to him and he mentioned he did see some people coming in from Long Beach because of that encampment resolution.

COUNCILMEMBER MONTGOMERY: And one last one, your honor. So, Ronson, have you seen the Redondo Beach that had an issue before they did their pallet homes? They had, I don't know, it's a church or a school, private school. They were feeding homeless. Was it lunchtime or dinners during the week? You know, that program is still going on because the influx of people that we've seen walk homeless down Redondo and back through our city. When we made contact with them, we found out they were going to Redondo because they're being fed a lunch or dinner. Fine. I saw it. I don't know if you're aware of that, or is that still going on, to your knowledge?

RONSON CHU: Redondo has actually a number of churches that offer food for the homeless, so I'm not sure there's one in North Redondo. Actually, my daughter went to her daycare right next to the church, and so I know that church very well. I do believe they are still doing it. They're on Artesia, so I guess that is near the proximity where they could go back and forth between Manhattan and Redondo. But I haven't heard, I haven't heard from Myra or anyone else that the participants of that church are necessarily perpetuating. I guess people will not want it to get off the streets, so I haven't heard that yet, though.

COUNCILMEMBER MONTGOMERY: Thank you. Appreciate that.

MAYOR FRANKLIN: Councilmember Napolitano.

COUNCILMEMBER NAPOLITANO: Thank you, your honor. Just a couple. One to George, says that staff approached CityNet and received a proposal for 24,000 to conduct a homeless census survey solely for Manhattan Beach. But we haven't done that, correct?

ASSISTANT TO THE CITY MANAGER GABRIEL: No, we have not done that. We only received the proposal, and then we evaluated it and found it fairly cost prohibitive.

COUNCILMEMBER NAPOLITANO: Okay, good. I find it fairly cost prohibitive, too. And would say, what were we thinking? Given our numbers, I don't think we need to conduct that. The other would be for Ronson. I get why you'd want Manhattan Beach to participate in this program, because sounds like an easy win. The COG to say, congratulate Manhattan Beach. But is there no cost to the city for that?

RONSON CHU: And there is no cost to participate in the program.

COUNCILMEMBER NAPOLITANO: But I guess I look at it and I look at staff time, and there's a whole lot more reporting and time spent at meetings and things like that. I mean, given all our resources put together, I think we're doing pretty well. I just don't know and can't see at this point what another layer of bureaucracy on top of what we're already doing helps anybody.

RONSON CHU: Yeah. And I think. I think what we're seeing is a point in time, right? And I want to stress that, right? So, you're good today, but, you know, we don't know how we're going to be next year or the year after that. So, we want to monitor and provide that data so that we have eyes and years on the ground so that we can report back to you all if something changes. I think that's the importance of the Functional Zero Program.

COUNCILMEMBER NAPOLITANO: I mean, wouldn't we know if something changes?

RONSON CHU: Yeah, we're starting to see a large increase in inflow month to month.

COUNCILMEMBER NAPOLITANO: I guess my point is we're already paying for an additional dedicated caseworker ourselves for outreach. We're paying for additional beds, were part of the share program and others. Again, I just don't see what this brings us. I get what the COG can say, yeah, we did it in Manhattan Beach, and that helped. But I'm just not saying if something changes, we'll adjust along with that. But if something changes, what is this program going to do to address that or provide additional resources to address that? All I see is monitoring, and COG gets the numbers, and then you create this database. But I don't see what Manhattan Beach is going,

how we're taking people off the streets because COG's doing that.

RONSON CHU: Right. But I think it's the devils and the details that matter. So, we don't know in the future if the spikes going to be in seniors becoming homeless or is it going to be more families. So right now, Redondo Beach this past week, we've seen four families in elementary schools come in reporting that they're nearly homeless. And so, we want to react appropriately. So, instead of taking axe to the problem with this data and the devil being in the details, we can take a scalpel at the problem and cure the problem faster than if we didn't have the data. And so that's really the gist of it.

COUNCILMEMBER NAPOLITANO: Don't you get that by going out and talking to them, though? It still comes down to a caseworker talking to these folks and getting them to accept services. Data doesn't make that happen on its own.

RONSON CHU: Right, right. But I guess it's like, it's also analysis of if there's enough services to meet the needs of the problem. So, for example, right now, we are having problems with the family system. There's a one year waiting list to access the family system in the system. Right now, if you call Harbor Interfaith, if you're a family and you want help, they'll take down your number and they might call you in a couple months.

COUNCILMEMBER NAPOLITANO: How does this solve that, though? It doesn't create more beds or more rentals for families.

RONSON CHU: Right.

COUNCILMEMBER NAPOLITANO: I get it. Thank you.

MAYOR FRANKLIN: Okay, so I have a couple of questions. Hi, Ronson.

RONSON CHU: Hi.

MAYOR FRANKLIN: Thanks for all you do to help us. We appreciate it. There's a lot of things that have made us have these really good numbers here. The diligence of our Police Department, oversight by George. Another thing that we have is, you know, the application Reach Manhattan Beach, where we've now added homeless outreach to that. Are there any other cities that have something like that that residents can use to report on a homeless individual?

RONSON CHU: Yeah. Torrance, for example, has also an app that residents could use, I believe. Redondo Beach, I don't know what they have, but they do have something where residents can report in something that they're seeing on the streets. And the system itself has LA-HOP, where people can go online and report an incident. They see it.

MAYOR FRANKLIN: And who receives that? I mean, like, I know that our Manhattan Beach reach goes straight to the police

and to Myra, and she's like, right on. I was once reporting somebody, and the next thing I knew, Myra was zooming past me and, you know, to protect this homeless individual because she was, you know, walking in a daze in the street, in the middle of the street.

RONSON CHU: Yeah, Myra is great. And, and then you get that immediate feedback loop, which is great when cities invest in homeless resources, because they get that immediate feedback loop. What happens when you go to LA-HOP is they don't tell you what happened with that case. And so, what happens then is you go out the next day, you see the same person there week after week, and why is that person not getting help? So, that feedback loop is missing. There might be a very good reason why the person is still out there on the street, but we don't know. But with Myra, you're able to know what's going on.

MAYOR FRANKLIN: Okay. And as far as the share beds, first of all, thank you to the COG for taking over that expense. So, we, that has dropped from our general fund expense. You know, is the fact that the COG is what, you have a total of 18 now? Share beds?

RONSON CHU: We have, we don't count it by beds, but we have, we have about \$50,000 of funds to go towards rental subsidies. The bed counts fluctuate by the number of houses that they have. So, I don't have a bed count for you.

MAYOR FRANKLIN: So, we had started with two, then I think we added one. And then we are ultimately, we're at five to comply with having a shelter. Couldn't ask an individual to get off the street unless we had that shelter vet. So, we appreciate the support there, and I think that's a good reason for our success. So, we did talk about, you know, it's reporting. I mean, don't we have, isn't there a tool that these numbers can be drawn from anyway? Doesn't Myra, like, update, and doesn't our Police Department update a database that these tools can be, you know, this data for the Functional Zero Street Homelessness. And I just don't want to take them away from what they're doing.

RONSON CHU: Yeah, so Myra has, for Harbor Interfaith has an HMIS tool database that we don't have access to. We've been asking for access to, but they don't give cities and COGs access to that database, but George.

ASSISTANT TO THE CITY MANAGER GABRIEL: Yeah, so, Mayor Franklin, Myra does track and so her outreach outcomes. And so, it's kind of reflective of the data points that you see in the PowerPoint presentation as it relates to how it's different to what Myra does compared to what Ronson is discussing. It seems like Ronson is going to be, would be asking Myra for some more detailed questions as it relates to each outreach outcome. Right now, our outreach outcomes, we don't track necessarily how many families. And so that would be a question that Ronson's data

would track as it relates to, you know, the individual and where they rank in terms of the HMIS system. I think those would be other things that Ronson would track as well. We primarily track interactions, whether the client is being case managed, whether a placement is being made, and then whether they've been enrolled in benefits and documents. And so that's a very generic tracking. And I think Ronson is looking for it through his program is something a little bit more detailed.

MAYOR FRANKLIN: And then also to Ronson, I remember getting an email and I was trying to find it before the meeting, and I couldn't find it, but it was an analysis or a report, you know, about effectiveness of, you know, it was a COG meeting on homelessness, I believe. And they were giving feedback back. I mean, one thing that popped off of that was just saying that the point in time report, people just really didn't see the value of it because it's one day, it's in June, you know, it's in January, which is typically cold. You don't count the people who are in shelters already, you know, so they're typically not going to be on the street. Was there anything else that you've gleaned from that?

RONSON CHU: Yeah, that's definitely something of our feedback. We still think, like, just in time funding is really important. Like, if someone wants a security deposit, we need to give it to them that day. The landlord's not going to wait two

months to get a security deposit. You know, they would have moved on, especially in our rental market. And so, the system still is, it still takes forever to get the help that they need. And so, we want some urgency in the system.

MAYOR FRANKLIN: Yeah. You get somebody finally motivated to get off the street waiting for a check for a bus fare or something. Okay, great. Well, thank you. Any other questions? Okay, so thank you. And so, let's go ahead and open it up for a public comment, please.

RITA CRABTREE KAMPA: Yeah. Good evening, Rita Crabtree Kampa. Honorable Mayor, honorable City Councilmembers. I just wanted to make a couple of comments that are all over the map because that was a very big presentation. I just wanted to get some clarity of understanding. One slide showed \$546,000 that was given, that money was not given to Manhattan Beach in particular. That money is managed or has been managed by Manhattan Beach for all the beach cities. It's not money that we received only for us. And I just wanted to, you know, get an understanding that that is what has happened. And make one other comment. The share collaborative housing actually can be a permanent housing solution for people. There are people who maintained staying there for years because it's low rent and there's no other utilities or anything. So, that's a really good option. Regarding the sales tax, I just wanted to comment

regarding the H 2.0 right now. It's just the county just doesn't have a good plan for that money and so I can't actually, I wouldn't move forward with that. I suggest we stay where we are. Give them 2027, three more years to figure out how to manage and plan using that money effectively. And then regarding the Functional Zero Accommodation Program, I mean, we do have a really good program and we have been able to, as a city, a plan. We've been able to move forward with getting people off the streets quickly. I have no time left, but it would be, the increased detail does help us in regionally understanding where resources are lacking and how we might be able to work together to increase getting people to the resources as needed. So that would be one plus for that, I think we're doing a really, really good job. Thank you.

MAYOR FRANKLIN: Thank you.

LEE PHILLIPS: Hi, my name is Lee Phillips. I'm just going to go through the slides very quickly. Slide three, whatever Manhattan Beach is doing is working. Slide four, the homeless of County LA might have decreased, but the decrease was not statistically significant. Whatever this LA City and LA County are doing is not working. CityNet. Everybody has an idea for a service. But it's not tied to an outcome. I go to a million meetings and everybody has a service and it's not tied to an outcome. So, I don't support any more services or surveys.

Functional Zero in Manhattan Beach. Manhattan Beach might have people who are financially stressed, but 99.9% of the homeless in Manhattan Beach were never housed in Manhattan Beach. Putting on my public health hat. Once somebody arrives here in Manhattan Beach, they're already homeless. It makes more sense to put resources in cities where people are falling into homelessness. Not here, right? Because once somebody's homeless and they come here, that's after the fact, and it's harder. It's like a disease. You want to go upstream as far as possible and prevent the homelessness. So, what city in the COG are people falling into homelessness? And maybe that's where we should focus our efforts. Like I said, I think Manhattan Beach is doing a good job in managing those who want shelter. We're a small city, and we can see changes very quickly with people walking up and down the strand, people walking around the parks. I think we really do a good job with any type of singlet that pops up, encampments, RVs. And we do have a lot of services. I think SHARE is very good. It mentioned that 30% fall out of SHARE, but for permanent supportive housing, like in Houston, which is the gold standard, is 10 to 20% fall out of housing. And I pulled the LA County numbers. And about 40 to 50% fall out of permanent supportive housing in LA County. So, we're doing very well when we look at the bigger picture. And I think the only thing I want to really also comment on is balance. You know, we have a good

program for homelessness, but we also need to balance public safety. I brought that up before. Public safety in our spaces and making them safe and accessible to the general public. Thank you for your time today.

MAYOR FRANKLIN: Great. Thank you, Lee.

DEBBIE VAN NESS: Hi. Debbie Van Ness, long-time resident and member of MB Safe. Thank you for the report. It is good to see us doing so well on this issue. I wish, I also am a no on the sales tax for the reasons Rita mentioned. That doesn't seem to be working, all the billions of dollars that are being spent. And I would love to see our solutions be carried forward. And maybe somehow, I don't know, if we can see the city take the lead in the state, maybe contribute to solutions in other areas, because we are doing well. We are doing well because we're small and we do have a big, a good group here that works together. I know the Mayor of Santa Monica was on the John Kobylyt show last week, and we actually got called out in the City of Manhattan Beach as being somebody that, like, you know, how come, he actually said, how come I go to Manhattan Beach? I don't see these problems. I don't see these problems in the park? I don't see them. And so, I think we should capitalize on that and maybe try to be of help and service to other areas with some of our solutions. Thank you.

MAYOR FRANKLIN: Thank you. Anybody else? How about online? Martha?

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

MAYOR FRANKLIN: Okay, so we'll close public comment. Comments, colleagues?

COUNCILMEMBER MONTGOMERY: Yeah, I'll start us off. Hey, it's a team approach. When I was Mayor, I met Karen, Mayor Bass, 23, and I gave her our blueprint that George and staff and PD and Fire and everybody put together. How did you do it? Here's our blueprint. Call George. Here's our blueprint. Call George. That was it. She hasn't followed our plan yet, but I'm just saying that it's there. It's there, folks. The proof is in numbers. I gave Ronson 41-2. That's all you got to remember. Three numbers, 41-2. You want accountability? There's your proof. How do we keep going? How do we still get there? Well, that's why I surround some. If Measure H 1.0 stays as it is, 27, we don't lose any funding. To Rita's point, when Supervisor Hahn gave us \$330,000 in 2000 or 2019, 19, 18, it was three cities. It was Redondo, Hermosa, Manhattan, and that's it. Three cities. Our money is shared in three cities. But that was the genesis of what you see today. So, I know George. Every time he gets close to money being out, George is out there, hat in hand, collecting from where he can. But I mean, I'm not sure I would trust. I'll

be careful what I want to say because I want their help on the state and city lots. I will say, as far as 2.0 goes, I do not want to reward poor financial management and then trust those people that run the programs now to benefit Manhattan Beach going forward, I'll stop there. As far as everything else goes, I think want to run Ronson's program. Vision zero. I mean, not zero vision. What's it called? Functional Zero. Sorry. Eric Garcetti's old plan. I'm fine with that. Like Steve said, much staff time, I'm cool with it. Doesn't cost us anything. That's a good way to show people how we got there today. And I'm glad Santa Monica gave us a shout out. It's even more important. Did he see it? As president of ICA, independent cities, they've seen our blueprint. All across LA and Orange county, they've seen what we've done. They think that we're more unique because we have a beach as our border. We don't share, we don't touch LA anywhere. They don't realize LA is right there. Other side of LAX, that is LA. They do come down this way. So, it's a team from PD and Fire all the way through. Unless you have that kind of team that we have from Navigator to Myra to everybody else, we can't get there by ourselves. If you take one piece away, we become less effective. But I think going forward, we want to make sure we continue the team process and do not look to our outside partners more than we have to. We know the system now. Now, it's our system, it's our blueprint, it's our plan. We

continue going forward and whatever money we get from supervisor's office, anybody else, keep us going. That's what we should focus on. And I don't think we can make any, I wouldn't tweak it. If it's not broken, don't fix it. And when I say 41-2, it's not bragging. If it's proof, if it's real, if you back it up, it's not bragging. Look at our numbers. So, I'm not saying I'm not immune to people from City 11. When they get shoved that one area, they're going to come down this way, of course not. But our plan is in place to handle whatever influx comes this way, we can handle it. We don't overreact. We've not seen numbers. According to George's metrics, we've not seen the jump in everybody else's numbers. We keep saying we're going to see numbers. We've not seen that jump yet. Keep doing what you're doing. Keep it on that path, then we're good to go. Thanks, your honor.

MAYOR FRANKLIN: Okay, great. Mayor Pro Tem.

MAYOR PRO TEM HOWORTH: I'll be brief. It is a team effort, and I think it started back in 2017. I think we were on the council as well. And start with a homeless task force. I think Lee Phillips was on that task force. But I also need to call out George Gabriel. I mean, he might be the secret sauce here, because he has been here the entire time. When we had no funding from the county, when we were trying to figure out how to do things, we were trying to find out, you know, how do we

collaborate, connect, coordinate? He's been a constant, right? And, you know, with Myra, with the MET team, it is an extraordinary team effort, and we do benefit by being small and knowing each other. It's great that we have the homeless outreach on the app. Thank you, Mr. Mayor. And I think you are one of the number one users.

MAYOR FRANKLIN: Yep. Thank you.

MAYOR PRO TEM HOWORTH: And that is very helpful. So, you know, I just, I really, and I actually just want to say we were up in Sacramento for league of California cities with a lot of staff, including George Gabriel. We happen to be walking back from a meeting at night, and, you know, Sacramento is a huge problem with unhoused individuals. And there was somebody in a medical crisis and kind of panicking who was unhoused. And of all of us, George stopped and talked to the person to find out what they needed, used his phone to call an ambulance. So, this person, you know, doesn't just talk the talk, he walks the walk. I got it, right? So, we are extraordinarily fortunate and grateful to you for those efforts. So, you know, whatever direction my colleagues are going to go with this, I'm sure I will agree.

MAYOR FRANKLIN: Thank you. Councilmember Lesser.

COUNCILMEMBER LESSER: The one request for direction tonight concerns the Functional Zero Street Homelessness

Program. And I want to pick up on some questions that Councilmember Napolitano asked, and that has to do with the amount of staff time that would be involved in the potential cost that would be involved in our participating.

ASSISTANT TO THE CITY MANAGER GABRIEL: So, in terms of staff time, I want to put Ronson on the spot and just say, Ronson, you won't require a lot of me, right? In all serious, staff does not foresee a lot of staff time right now. If it does become concerning, I think we communicate that with Ronson as well and inform him that this is becoming, this is going a little bit too far. But judging by our interactions with Ronson, very team-oriented. I know he has an analyst that works hand in hand with him on all this stuff. And Myra, obviously, her focus is going to be primarily outreach. That's her primary focus. But some of her time is going to be required as well. In terms of direct general fund dollars, no general fund dollars will be dedicated to this.

COUNCILMEMBER LESSER: I think my comment would be, we are part of a larger region, and as was indicated by one of the speakers, many of those that are unhoused come from other parts of our region. So, I am all in favor of seeing how we can participate. Certainly, sharing our data in a way that does not overly tax our assistant to the City Manager, because we are a city without an assistant City Manager. Our assistant to the

City Manager has many other responsibilities, many other subject areas that he's involved in. And this is one of those areas which we all consider very important. But we have to be mindful of how his time and our dollars as a city are allocated. So, I would be in favor of moving forward with a review and the request to come back with the next update. And then we can see how much time, in fact, is going into this regional survey.

MAYOR FRANKLIN: Great. Thank you.

COUNCILMEMBER NAPOLITANO: Thank you. To that point, well, a couple things. So maybe if we are so complimentary of George and the job he's done on this and so many other things, we should reevaluate that issue of assistant City Manager and not just provide accolades. As my old boss used to say, all praises or, yeah, all praises, no raises. Well, maybe that should change with George. I'll leave that to you good folk. But as far as the, as far as participation in the Functional Zero. Sorry, folks, I see this as a PR thing. I don't really see it. I think that whatever criteria, Ronson, you need, tell George what questions you want asked of the folks that we deal with. We can email you those answers. You can slot them into the excel spreadsheet. Other than that, it's a bunch of photo ops I don't really think we need to get into. I think Manhattan Beach is doing a great job with the program that it's put together with the help of many others, and it should continue on that path and

not try and spread itself too thin. And if anybody wants to come here and see how it works and how it succeeds, they can observe as long as they don't interfere. Thank you.

MAYOR FRANKLIN: Great. Thank you. I agree with those comments. I really just don't want anything to get in the way of Myra doing her work or George doing his work. And again, anybody, I go to these conferences, people ask me, how do you do it? I say, just come on by, you know, we'll take you around. Nobody's taking me up on it. I saw the, you know, Karen Bass, you know, in January at the US Conference of Mayors. I said, hey, I think we got an approach here. That'll work fine. Yeah, give me a call. Anyway, there's just so much money that's been put into this effort. And, you know, I'm sure there's one person who's fully employed to come up with new names of things and new alphabets and what it means and acronyms and things like that. It's just hard work, okay? It is really, really hard work. And we've got angels among us here. I mean, that do that work selflessly, professionally, you know, accurately. I mean, you know, we did get a grant for three cities to share a homeless navigator. It was totally ineffective. Fortunately, we had the funds that we could go ahead and get a dedicated navigator. And that's so important. And we have George there, we have MB Safe. We have them finding people. We've got the app and teaching people how to use the app. We're teaching our residents how not

to treat the people who are homeless. Don't give them money, don't give them food. It sounds cruel, but what you're doing is you're enabling them to spend another day in homeless. And it's dangerous. Think about it. Think if you had to find a place to sleep in Manhattan Beach, you know, for several nights in a row and things like that, it's very, very dangerous. So, you know, that education with our residents and the ones who care, I mean, the ones who send me emails with a photo and things like that. And the other reason we want to keep report homeless is that way we can track them so when their resources do come in, we can get them to those resources. So, to keep track of them. But it's just hard work. You don't need a 27-page report. You need five things. Find them, talk with them, gain their trust, get them into services, and then rinse, repeat. I mean, it's just that simple. It's complex in many ways based upon the individuals, but it's that simple. Just keep at it and at it and at it. And, you know, I just can sing nothing but praises to our efforts here. Ronson, you know, you heard the comments about taking staff time away from things like that. I agree with that. But certainly, anything you need from us, you know, you're helping us. It is a great partnership. You know, we'll just go ahead and we'll take a vote. Or is it just a direction? So, I would say that our direction is to just keep on doing what we're doing. Get an assessment of what it might take in terms of staff time

to provide the statistics, and then we can go from there.

George?

ASSISTANT TO THE CITY MANAGER GABRIEL: Council is comfortable with staff proceeding with the Accommodation Program, correct? Staff is, Council is comfortable with staff proceeding or no, with the commendation program that's proposed by the COG. Because I heard of an assessment, and so an assessment of the program is different from beginning. And so, would you like us to proceed and start begin working with the COG right away or would you like us to assess the staff implications and report back to you?

MAYOR FRANKLIN: That's right, yeah. To assess. Yeah. Okay. All finished. Great. Okay, let's go on to item number L. City Council requests and reports, including AB 1234 reports. Seeing none. We want to go on to number 10, consideration of a request by Councilmember Lesser and Mayor Pro Tem to discuss the city support of Manhattan Beach neighborhood watch programs.

COUNCILMEMBER MONTGOMERY: I'll be a third.

COUNCILMEMBER LESSER: Thank you. Just perhaps a little context for direction to staff. I'd simply say the following, and that is, most people don't realize that our Manhattan Beach neighborhood watch program is not an extension of our city department. It is also not a legal entity. It is just a group of volunteers. So, my request is for council to provide a little

more direction as to its structure, to understand what its structure is, to see how the city can support it going forward, particularly as it's changing, as all of us are changing with regard to trying to protect ourselves against crime and using electronic platforms and what sort of support and personnel the city can really provide. So, that's the reason for bringing it up and the proposal for some council direction.

COUNCILMEMBER MONTGOMERY: I'm still a third.

COUNCILMEMBER LESSER: Thank you.

MAYOR FRANKLIN: Terrific.

COUNCILMEMBER MONTGOMERY: I thought you were going to pull it away just for that explanation.

MAYOR FRANKLIN: Right, yeah. Item number eleven, consideration of request by Councilmember Napolitano and Mayor Pro Tem Howorth to discuss a moratorium on the trash enclosure permit requirements. I'll be the third on that. I'll beat you all to it.

COUNCILMEMBER NAPOLITANO: I'm not going to provide an explanation. No, sorry.

COUNCILMEMBER LESSER: Wait a minute. Let me ask questions.

MAYOR FRANKLIN: No, we've had enough trash.

COUNCILMEMBER NAPOLITANO: Let's frame this.

MAYOR FRANKLIN: Okay. M, future agenda items.

MAYOR PRO TEM HOWORTH: I have one.

MAYOR FRANKLIN: Yes, Mayor Pro Tem.

MAYOR PRO TEM HOWORTH: Yeah, thank you, Mr. Mayor. I'd like to ask for a second from one of my colleagues to get a report on what we do currently for juvenile diversion and versus what we've done in the past.

COUNCILMEMBER LESSER: Second.

MAYOR FRANKLIN: Yes. Thank you.

MAYOR PRO TEM HOWORTH: I can add more next time.

COUNCILMEMBER LESSER: You want some context?

MAYOR PRO TEM HOWORTH: No, I'll give it to you next time. Thank you.

COUNCILMEMBER NAPOLITANO: Your honor, I have another one.

MAYOR FRANKLIN: Oh, yes.

COUNCILMEMBER NAPOLITANO: I would like us to bring back to council for consideration or reconsideration how we deal with Planning Commission decisions and appeals of those decisions.

COUNCILMEMBER LESSER: I'll second it, unless you want to provide more context.

COUNCILMEMBER NAPOLITANO: Right, way back when, I'll provide my explanation. It was a much easier process. I understand there's some legal parameters in casework, but I

think that the process that we have now is backwards and council should weigh in and have an earlier weigh in and having this two Councilmember thing by written decision. It used to be at council meetings, you could do that. So, I think we need to reassess how we're doing that because there are things that council might want to follow up on that gets lost in the shuffle.

MAYOR FRANKLIN: Okay, good. Okay, we got that. Second. So, any more? Item number N, the City Manager report?

ACTING CITY MANAGER MIRZAKHANI: I have no reports this evening. Thank you.

MAYOR FRANKLIN: That's the correct answer. O, City Attorney report.

CITY ATTORNEY BARROW: Nothing tonight.

MAYOR FRANKLIN: Bingo. P, informational items. None. Seeing none. And so, we will be adjourning at 4:00 on September 17, 2024. Okay. Thank you all.