

>> S. HADLEY: BECAUSE IT SEEMS TO ME IN THE PUBLIC COMMENTS THE PERCENTAGE OF THEIR TOTAL REVENUE FROM PUBLIC CUSTOMERS IS CONSIDERABLY LARGER THAN 5 TO 10%

>> CONCEIVABLY, YES.

>> MAYOR HERSMAN: DO WE HAVE ADDITIONAL COMMENTS AT THIS TIME? PUBLIC COMMENT? DO WE HAVE ANY? I ALLOWED HIM TO COME BACK. HE DIDN'T REALIZE HE WAS -- HE GOT IN LATE.

>> I DIDN'T WANT TO LOSE THE OPPORTUNITY. I DIDN'T GET A CHANCE TO SPEAK OF BEHALF OF MY ORGANIZATION. GOOD EVENING, I'M AGAIN, ADVOCACY MANAGER AT THE AMERICAN LUNG ASSOCIATION, WHOSE MISSION IT IS TO SAVE LIVES BY PREVENTING LUNG DISEASE. WE STRONGLY SUPPORT THE CITY'S EFFORTS TO PROTECT THE HEALTH OF ITS CITIZENS. I WANT TO REMIND, THERE IS NO CONSTITUTIONAL RIGHT TO SMOKE OR VAPE. AS LEADERS, YOU HAVE THE RIGHT TO LEGISLATE ON PUBLIC HEALTH. A WELL DOCUMENTED HISTORY OF DEVELOPING A MARKETING FLAVORED PRODUCTS LIKE MENTHOL AND IN THE E-CIG AND VAPING GAME AND MARKET THESE AS A WAY TO GET THE YOUTH, WE SAW FROM THE MASTER SETTLEMENT LAWSUIT IN 1998. NOW, FOR OVER 13 YEARS, I'VE WORKED IN MANY FIELDS OF TOBACCO CONTROL AND PARTICIPATED ON LOTS OF YOUTH PURCHASE SURVEYS OR STINGS. WE HAVE SEEN ILLEGAL SALES IN EVERY COUNTY AND CITY AS A MATTER OF PUBLIC RECORD, L.A. COUNTY HAS A 25% SALES RATE. WE'RE OPEN TO SPEAKING TO THE BUSINESSES. AND THEY ALL SAY, OF COURSE, WE DON'T SELL, BUT SOMETIMES WE SEE NEW CLERKS, YOUNGER CLERKS OR

FOR WHATEVER REASON, WE HAVE SEEN IN THE STING OPERATIONS, A CONSISTENT PATTERN OF SALES, SOMETIMES 40%. MANY KNOW THE HARMS OF TOBACCO AND MOST SMOKERS KNOW. YOUTH, IT'S LIKE A FORBIDDEN FRUIT, THE MARCH THE COOLNESS OF CHARACTERS IN FILMS AND VIDEO GAMES. KIDS ARE VAPING IN THE CLASSROOMS AND BATHROOM BECAUSE THEY ARE HOOKED. IT'S ADDICTIVE. I RESPECT THE OWNS OF THE BUSINESSES. BUT WE HAVE SEEN A PATTERN IN BIG TOBACCO. THEY PROCLAIM CIGARETTES AS HEALING AND NONADDICTIVE. WE SEE THE SAME TACTICS AND THERE SEEMS TO BE PATTERNS. WE WANT YOU TO END THE SALE OF FLAVORED PRODUCTS, INCLUDING MENTHOL. THANK YOU FOR YOUR TIME.

>> MAYOR HERSMAN: THANK YOU.

>> GOOD EVENING, MAYOR AND MEMBERS OF COUNCIL. MY NAME IS CRAIG HEAD WILDER. I'M SPEAKING BOTH AS A RESIDENT AND ON BEHALF OF THE SURF RIDER FOUNDATION, SOUTH BAY CHAPTER. AND REGARDING THE SURF RIDER END ON THIS, WE ALL KNOW THAT CIGARETTE BUTTS ARE THE NUMBER-ONE LITTER ITEM ON BEACHES WORLDWIDE FOR DECADES. IT'S CONTINUING THAT WAY. AND WE WOULD LIKE TO SEE ALL TOBACCO-RELATED ITEMS TAKEN OFF THE MARKET. JUST SO THAT IT DOESN'T FEED THE PROBLEM. THE OTHER ISSUE IS, AND I MIGHT BE A LITTLE MORE STRIDENT ABOUT THIS BUT MY PERSONAL OPINION IS THAT AND I LOST MY BROTHER TO LUNG CANCER FROM SMOKING. I'VE LOST A COUPLE OF CLIENTS HERE IN MANHATTAN BEACH TO LUNG CANCER FROM SMOKING. IT'S WELL-KNOWN THAT TOBACCO IS HIGHLY ADDICTIVE. IN FACT, I

HEARD IT CHARACTERIZED AS MORE ADDICTIVE THAN HEROIN AND A KNOWN CARCINOGEN. WHILE CHANGES THE RULES AFTER YOU BOUGHT A BUSINESS, I SEE CAN BE ROUGH. -- CARCINOGEN. I WONDER WHY YOU ARE GOING TO THAT CLIENTS TO BEGIN WITH. YOU ARE TRADING OFF THEIR ADDICTION. I DON'T THINK THAT'S RIGHTS. I THINK THAT PRODUCT SHOULD BE TAKE OUT OF THE MARKET. IT ONLY EXISTS BECAUSE OF THE TAX REV. I ENCOURAGE YOU TO ADOPT ALTERNATIVE ONE. TO BAN ALL TOBACCO SALES. IT SEEMS IF BEVERLY HILLS CAN DO THAT, I THINK WE CAN DO IT. IN REDONDO THEY ARE CONSIDERING AN OUT DOOR BAN. I WOULD LIKE TO -- [BEEPING]

>> THANK YOU.

>> MAYOR HERSMAN: THANK YOU. DO WE HAVE ANY OTHER COMMENTS ON THIS ITEM? SEEING NONE, COUNCIL?

>> MAYOR PRO TEM MONTGOMERY: I'LL START OFF.

>> MAYOR HERSMAN: IF YOU WOULD LIKE.

>> MAYOR PRO TEM MONTGOMERY: SURE. LET'S GO BACK TO THE PART WE KNOW, BEVERLY HILLS BAN IS NOT A COMPLETE BAN. THAT IS A FACT. THEIR BAN, IF YOU WANT TO CALL IT THAT, RESTRICTS TOBACCO TO HOTEL GUESTS, PURCHASING USE ALONG AND ALSO A CIGAR LOUNGE. THE SMOKING PART OF IT, THEY FOLLOWED US WITH THE BAN ON SMOKING IN PUBLIC AREAS. THAT'S NOT A SHOCK. IN FACT, 2008 WE BANNED SMOKING AT OUR PUBLIC PARKS, PUBLIC AREAS AND BEACH. 2008, 11 YEARS LATER WE'RE TALKING ABOUT CIGARETTE BUTTS AT THE BEACH. 11 YEARS, WE'RE STILL SEEING THEM AT THE BEACH. THEY ARE STILL

THERE. WHAT ELSE DID I WANT TO TALK ABOUT? THE AMERICAN LUNG ASSOCIATION, I ADMIRE THE CAUSE. WHO DOESN'T WANT PERFECT CLEAN AIR? START WITH CARS AND MANUFACTURING. YOU TAKE AWAY THE CARS AND MANUFACTURING, THE AIR QUALITY WOULD BE BACK TO NORMAL. THIS IS NOT THE REASON WHY WE HAVE AIR QUALITY. SECONDHAND SMOKE, MY LIFE WORKS A AT CHILDREN'S HOSPITAL. WE'RE SENSITIVE TO ALL THAT. BUT YOU'RE NOT A BUSINESS OWNER. I THINK THERE IS A MESSAGE HERE THAT SAYS, COUNCIL NO ONE WANTS THE VAPING TO CONTINUE. THAT'S THE EASIER PLACE TO START WITH. THE VAPING PART I UNDERSTAND IT. THE CITY AND SCHOOLS ARE PARTNERS. THAT'S AN EASY DECISION. I WOULD SUPPORT ALL VAPING BANS EVERYWHERE IN THE CITY. AND MAKE THAT CONTINUE FORWARD ALL FLAVORS, MAKE IT STOP AS FAR AS ALL HARDWARE AND EVERYTHING ELSE. AS FAR AS THE NEXT STEP, I'M NOT READY TO GOING TO THE NEXT STEP THAT SAYS, WE THE CITY SHOULD BAN ALL CIGARS, TOBACCO OR ANYTHING ELSE, UNLESS THE FLAVORED PART, I'M OPEN TO THAT.

>> MAYOR HERSMAN: THANK YOU. COUNCILMEMBER HADLEY.

>> S. HADLEY: THANK YOU, YOUR HONOR. I SUPPORT A LOT OF WHAT COUNCILMEMBER MONTGOMERY SAID. YOU KNOW, I HAVE FOUR KIDS. I'M PROBABLY THE BIGGEST SQUARE UP HERE ON THE DAIS, OR I WOULD MAINTAIN THAT I'M THE BIGGEST SQUARE. BUT YOU KNOW, I DON'T SMOKE, I NEVER HAVE. MY CHILDREN HAVE NEVER SMOKED. I DON'T THINK THEY HAVE EVER VAPED. I HAD THIS TALK ABOUT AN EPIDEMIC. I GREATLY RESPECT DR. DALE AND MATTHEWS IN THE SCHOOL DISTRICT. WE

ALL WANT TO DO SOMETHING. AND I GET THAT. AS A COMMUNITY AND AS A SCHOOL BOARD AND SCHOOL ADMINISTRATORS AND A COUNCIL, WE WANT TO DO SOMETHING. WHEN OUR CHILDREN ARE HURTING, WE WANT TO ACT. BUT I AM THE ONE ON THE COUNCIL WITH THE YOUNGEST STUDENTS MOST RECENTLY IN COSTA. AND THEY DON'T BUY IT, BUY VAPE PRODUCTS IN STORES. THEY GET THEM FROM AMAZON. AS MRS. KIM SAID, THE OWNER OF MB MARKET, THE JEWEL PRODUCTS ARE SOLD IN BULK. THEY ARRIVE AT THE HOMES OF LATCHKEY CHILDREN WHOSE PARENTS ARE NOT PAYING ATTENTION. THE PRODUCTS GO TO SCHOOL WITH CHILDREN WHO ARE LITERALLY DEALERS OF VAPE PRODUCTS. AND THE CHILDREN, THE STUDENTS SELL THE VAPE PRODUCTS AT A MARK UP TO THEIR FELLOW STUDENTS JUST LIKE, YOU KNOW, THEY USED TO SELL MARIJUANA BEFORE THAT WAS LEGAL. AND I'M SURE ILLEGAL DRUGS. SO I GET WE WANT TO ACT AND I'M VERY SYMPATHETIC AND VERY CONCERNED ABOUT THE VAPING EPIDEMIC. WE ALL ARE. I'M A MOTHER OF FOUR BEAUTIFUL CHILDREN. AND I CARE. BUT ALL I KNOW IS THAT WE ARE -- THERE IS QUESTIONABLE BENEFIT TO ANY CHILD OF BANNING THE SALE OF TOBACCO OR VAPING PRODUCTS IN MANHATTAN BEACH. AND THERE IS A VERY REAL HUMAN COST TO THE BUSINESSES WHO HAVE BEEN BRAVE ENOUGH TO COME HERE AND SPEAK. AND THAT'S A KNOWN COST. I HAVE SPOKEN WITH MANY OF THEM. I ABSOLUTELY WOULD LOVE COUNCIL TO AGREE TO NOT ISSUE FUTURE TOBACCO LICENSES. LET'S CIRCLE THE WAGONS, PROTECT OUR OWN AND SAY NO MORE. I DON'T WANT SOME OTHER BUSINESSES COMING INTO TOWN THAT HAVEN'T BEEN HERE. BUT THESE ARE LONG-STANDING

BUSINESSES. THESE ARE IMMIGRANTS FAMILIES. SEVERAL OF WHOM ARE KOREAN IMMIGRANT FAMILIES. MB SMOKE SHOP IS A SYRIAN IMMIGRANT FAMILY. THEY ARE GOOD, CORPORATE CITIZENS. THEY PAY THEIR TAXES. THEY FOLLOW THE RULES. THEY PARTICIPATE WITH SHOULDER TAP STINGS. AND THEIR BUSINESSES WILL DIE. AND WE WILL BE TAKING AWAY -- THEY DON'T WORK FOR PROFIT, THEY WORK FOR A PAYCHECK. MY COUNCILMEMBERS ARE PARENTS FOR THE MOST PART. THEY ARE NICE, GOOD PEOPLE. I JUST WOULD URGE EACH OF US TO THINK OF THE KNOWN, ABSOLUTE HUMAN COST TO THE FAMILIES OF DEPRIVING THEM OF A LEGAL SOURCE OF REVENUE. WITH ALL DUE RESPECT TO THE LUNG ASSOCIATION AND MR. CODE WILDER. I HAVE A SISTER WHO IS AN ALCOHOLIC AND ALMOST LOST HER LIFE. AND SHE HAD A LIVER TRANSPLANT. AND IT WAS A VERY DIFFICULT TIME IN MY FAMILY. AND I HAVE VIEWED ALCOHOL COMPLETELY DIFFERENTLY EVER SINCE. AND EVERYTHING THE LUNG ASSOCIATION SAYS ABOUT TOBACCO, I COULD SAY ABOUT ALCOHOL. AND THERE ISN'T A SINGLE PERSON IN THIS ROOM WHO WANTS TO GO BACK TO THE PROHIBITION ABOUT ALCOHOL. THAT SAVES LIVES. THAT WOULD CUT DOWN ON DRUNK DRIVING. OUR CHILDREN ARE CUTTING, OUR CHILDREN ARE DRINKINGS, SMOKING MARIJUANA. I DIDN'T VOTE FOR THE LEGALIZING MARIJUANA STATEWIDE EITHER. I'M, YOU KNOW, I'M A BIG, BIG SQUARE. I WAS OUT VOTED. MARIJUANA IS LEGAL AND NOW ALL OF A SUDDEN, A CIGAR AT MB SMOKE SHOP IS OUR BIGGEST MB PROBLEM. HONESTLY, THE WORLD IS UPSIDE DOWN. I MAY NOT HAVE THE VOTES. WITH ALL DUE RESPECT, I WOULD SAY WE DO NOT HAVE TO STICK WITH

ALTERNATIVES ONE, TWO, AND THREE PRESENTED BY THE STAFF. WE COULD BE CIVIL LIBERTARIANS AND DO NOTHING AND COEXIST WITH THESE WONDERFUL IMMIGRANT BUSINESSES AND TRUST ADULTS TO MAKE GOOD CHOICES. ENCOURAGE OUR PARENTS TO ACTUALLY BE PARENTS. AND DO THE RIGHT THING. I AM A FORMER SMALL BUSINESS OWNER. IT'S HARD ENOUGH TO MAKE AN HONEST LIVING IN THE STATE OF CALIFORNIA THESE DAYS. I WILL BE VOTING NOT TO DEPRIVE THESE BUSINESSES OF TOBACCO CUSTOMERS. WE'RE NOT TAKING AWAY TOBACCO SALES, WE'RE TAKING AWAY TOBACCO CUSTOMERS. THAT COULD BE THE DEATH NAIL FOR THEIR BUSINESS. THAT'S MY PIECE. AND THANK YOU FOR CONSIDERING THAT. I KNOW YOU ARE ALL HUMANITARIANS AND CONSIDER THE REAL HUMAN COST TO REAL HUMAN IMMIGRANT FAMILIES.

>> MAYOR HERSMAN: THANK YOU. COUNCILMEMBER NAPOLITANO.

>> S. NAPOLITANO: THANK YOU, YOUR HONOR. HEARD A LOT -- STILL TRYING TO FIGURE OUT. IT'S LIKE I WANT TO DO SOMETHING BUT WE'RE NOT GOING TO DO ANYTHING BECAUSE NO ONE ELSE IS EITHER. AND EVERYONE NEEDS TO FEND FOR THEMSELVES. I DON'T THINK THAT WAS OUR POSITION WHEN IT CAME TO THINGS LIKE THE PLASTIC BAG BAN. SOME SAID, MANHATTAN BEACH WAS THE FIRST OUT OF THE BAG FOR THAT, SO TO SPEAK. NO LAUGHS ON THAT ONE, OKAY. THANK YOU.

>> MAYOR HERSMAN: HA-HA.

>> S. NAPOLITANO: SOMEBODY HAD TO DO SOMETHING. SOMEBODY IT TO STEP UP. MANHATTAN BEACH DID. OTHERS HAVE STEPPED UP ALONG THE WAY FOR DIFFERENT THINGS. WE WEREN'T THE FIRST TO BAN STRAWS

OR STYROFOAM. BUT THERE HAS BECOME A CRITICAL MASS AND WE'RE REDUCING PLASTIC IN THE ENVIRONMENT BECAUSE OF THAT. AND WHILE CANCELING TOBACCO SALES IN MANHATTAN BEACH WON'T PREVENT ANY CIGARETTE BUTTS FROM ENDING UP ON THE BEACH IF OTHER CITIES FOLLOW THAT COULD HAPPEN. I UNDERSTAND THE ARGUMENTS HERE. I UNDERSTAND THE ALCOHOL. I HAD FRIENDS DIE OF ALCOHOLISM OR LUNG CANCER AND OTHER CANCERS. IF ALCOHOL WAS LIKE TOBACCO, IT WOULD BE CALLED TOBACCO AND IT ISN'T. THE DIFFERENCE BETWEEN ALCOHOL AND TOBACCO AND MAYBE THAT'S A DIFFERENT DISCUSSION, BUT THE DIFFERENCE IS MANHATTAN BEACH HAS MADE A CONSCIOUS EFFORT OVER THE LAST SEVERAL YEARS TO DO SOMETHING ABOUT TOBACCO. KNOWING THAT HAS ZERO REDEEMING VALUE AMONGST PEOPLE OR THE ENVIRONMENT. AND THAT DIFFERENCE HAS BEEN WE BASICALLY BANNED IT IN ALL PUBLIC PLACES, AND MULTIFAMILY HOMES. AND SO HAVING TAKEN THOSE STEPS, YOU KNOW, YOU HAVE TO ASK YOURSELF, WHAT IS THE LOGICAL NEXT STEP? IF THERE HAS BEEN A CRITICAL MASS OR A TIPPING POINT, I THINK THE VAPING ISSUE THAT HAS COME UP, WHERE NICOTINE IS EVEN EASIER TO ACCESS AND EVEN EASIER ACCESS BY THE YOUNG IS ANOTHER REASON TO TAKE A LOOK AND SAY ENOUGH. IT HAS TO START SOMEWHERE. LET'S START IN MANHATTAN BEACH. SAYING THAT, I RECOGNIZE THE IMPACT ON OUR LOCAL BUSINESSES. AND I DON'T WANT THEM TO BE PUT OUT OF BUSINESS TOMORROW OR THE NEXT DAY OR THE NEXT. BUT IN TERMS OF CHANGE, YOU KNOW, GIVING ENOUGH FOREWARNING AND ENOUGH LEEWAY TO CHANGE BUSINESS MODELS I THINK

WOULD BE APPROPRIATE. SO I WOULD PUT OUT TO MY COLLEAGUES THAT WE CONSIDER A BAN THAT WOULD BE EFFECTIVE JANUARY 1 OF 2023 FOR THE SALE OF ALL TOBACCO PRODUCTS IN THE CITY OF MANHATTAN BEACH. WITH THAT, I WOULD HAVE AN IMMEDIATE BAN ON ALL VAPE PRODUCTS WHETHER FLAVORED OR NOT. AND ALSO, AN IMMEDIATE ELIMINATION OF ANY EXEMPTION FOR FLAVORS. THE MENTHOL, THE SPEARMINT, THE OTHER WINTER GREEN FLAVORS AND TAKE THAT OFF THE TABLE AS WELL. IF ANYONE IS BUYING CIGARETTES OR CIGARS, THEY ARE BUYING STRAIGHT TOBACCO. I WOULD THROW THAT OUT FOR DISCUSSION PURPOSES. AND WITH THE IDEA ALSO THOUGH, I DON'T KNOW WHERE BEACH CITY HEALTH DISTRICT IS TONIGHT, AND THAT'S A DISAPPOINTMENT, ALLIE, OKAY, I WISH THEY STAYED. GOOD. BUT I WOULD SAY THAT ALONG WITH THIS, WE WANT TO SEND A LETTER OUT SIGNED BY THE MAYOR TO EACH OF THE SURROUNDING SOUTH BAY CITIES, AT LEAST THE CITIES IN THE SOUTH BAY COG, LET THEM KNOW WE DID AND REGARDLESS OF THAT, IF WE DO ANYTHING TONIGHT, LET THEM KNOW WE ENCOURAGE THEM TO DO THE SAME.

>> MAYOR HERSMAN: OKAY. COUNCILMEMBER STERN.

>> H. STERN: I WANT TO JUST BACK UP AND REMEMBER THAT WE PASSED THIS ORDINANCE AND SAID, SMOKING IS A VERY HAZARDOUS HEALTH RISK. WE DID THAT BEFORE VAPING, WE DID THAT BECAUSE WE RECOGNIZE THE HEALTH RISK BACK THEN. AND WE'VE BEEN RECOGNIZING THIS SINCE THE '60S SINCE THE SURGEON GENERAL TOLD US THIS IS REALLY DANGEROUS TO OUR HEALTH. SO NOW, WE ARE BEING CHURNED

WITH REALIZATION OF MORE AND MORE HEALTH RISKS AND HEAR OVER AND OVER ABOUT WHAT THE VAPING AND NOW DOING TO OUR KIDS. AND I THINK I REMEMBER CORRECTLY THAT AT OUR LAST MEETING THAT WE WERE PRESENTED WITH SOME STATISTICS THAT SAID, KIDS ARE NOW EVEN TURNING AWAY FROM VAPING TO NON-FLAVORED TOBACCO PRODUCTS BECAUSE OF THE DIFFICULTY VAPING. WE HAVE A HEALTH RISK WITH VAPING AND TOBACCO AS WELL. AND NOW WE HAVE THE CHANCE TO DO SOMETHING. SO LET'S START SOMETHING. WE HEAR WE HAVE CIGARETTE BUTTS ON OUR BEACHES. LET'S DO SOMETHING. STANDUP AND SAY, NEIGHBORS, HERE'S WHAT WE'RE DOING. JOIN US. LET'S BE THE VERY BRAVE MANHATTAN BEACH THAT WE'VE BEEN WITH OTHER THINGS. WE HAVE STOOD IN FRONT OF OUR NEIGHBORS AND SAID, HERE ARE SOME ENVIRONMENTAL CONCERNS. AND WE MEAN THIS THAT WE CARE ABOUT OUR ENVIRONMENT. AND WE HAVE BEEN WATCHED AND FOLLOWED AND WE HAVE BEEN RESPECTED FOR THAT. AND WE'VE BEEN THE LEADER IN SENDING THAT MESSAGE TO OUR NEIGHBORS. WE CANNOT ACCOMPLISH THIS ON OUR OWN. WE KNOW THAT. LET'S GET GOING AND HAVE AN OPPORTUNITY TO STEP IN AND SAY BIG TOBACCO, IT'S NOW UP TO US AND THE LOCAL GOVERNMENT, OUR LOCAL MUNICIPALITIES BECAUSE WE CAN'T ADDRESS THIS FROM THE TOP DOWN. WE HAVE TO GET IN THERE AND MAKE A DIFFERENCE. NOW THAT WE'VE MADE THIS A PRIORITY, WE MADE IT A PRIORITY IN OUR ORDINANCES AND WE SHOULD BE ADVANCING THAT PRIORITY. AND WE KNOW THAT WHEN WHENEVER WE'RE DEALING WITH HEALTH AND GOVERNMENT, WE HAVE TO WEIGH THE COSTS AND THE

BENEFITS. AND WE HAVE TO SAY, WHERE IS THE COST OF CONTINUING THIS? AND WHO REAPS THE BENEFIT? WE ALL KNOW IF WE LOOKED AT THE WORLD THAT WE WANT TO SEE, WE KNOW WE WOULD WANT TO SEE A WORLD THAT IS ABSENT OF SMOKING. I THINK WE CAN ALL SAY THAT WE WOULD LIKE TO SEE THAT WORLD. AND WE DO HAVE BUSINESSES IN MANHATTAN BEACH WE KNOW HOW HARD IT IS. WE KNOW WHAT IT'S LIKE TO BE A STRUGGLING BUSINESS. WE HAVE SEEN ECONOMIES CHANGE THAT HAVE AFFECTED OUR BUSINESSES. WE'VE SEEN SMALL INDEPENDENT BUSINESSES GO OUT OF BUSINESS. WE USED TO HAVE TOY STORES AND BOOK STORES AND PHARMACIES THAT HAVE GONE OUT OF BUSINESS. AND VIDEO STORES. WE'VE SEEN SO MANY BUSINESSES THAT HAVE SUFFERED. WE'VE ALSO SEEN A LOT OF BUSINESSES THAT HAVE HAD TO ADAPT TO THE CHANGES ECONOMIES AND TRENDS. AND I THINK THIS OPPORTUNITY TO SAY TIME TO ADAPT TO OUR CHANGES OPPORTUNITIES AND OUR CHANGING TRENDS. WE HAVE HEARD THAT THE TOBACCO SALES HAVE GONE DOWN IN MANY OF OUR LOCAL BUSINESSES. AND MAYBE WE TAKE THAT AS AN OPPORTUNITY TO SAY, LET'S FIGURE OUT HOW TO ADAPT TO THOSE CHANGES. CAN WE LOOK TO OUR CHAMBER TO HELP US WITH SOME ADVICE? SOME OF OUR OTHER CHAMBER MEMBERS OR BRING IN SOME CONSULTANTS THAT CAN HELP US ADAPT TO HELP THE SMALL BUSINESSES ADAPT TO THE CHANGING TREND. LET'S DO SOMETHING THAT WILL MAKE A DIFFERENCE, NOT BECAUSE WE WANT TO BE FOCUSED ON THIS. WE DON'T WANT TO BE DISTRACTED, SAY WELL, THERE IS ALCOHOL AND WHY AREN'T WE ADDRESSING ALCOHOL? WHY AREN'T WE ADDRESSING SUGAR IN CEREALS.

LET'S STAY IN OUR LANE AND NOT GET DISTRACTED BY THE OTHER VOICES. LET'S TRY TO MAKE A DIFFERENCE TODAY THAT WE CAN SEE, CAN MAKE A DIFFERENCE FOR OUR FUTURE. AND TRULY, MAYBE THIS HELPS WITH ENFORCEMENT. MAYBE THIS HELPS US IF PEOPLE ARE COMING TO MANHATTAN BEACH AND THEY ARE MOVING TO MANHATTAN BEACH AND THEY NOW ARE TRYING TO BUY TOBACCO PRODUCTS IN MANHATTAN BEACH THAT THEY ARE TOLD, I'M SORRY, YOU CAN'T BUY THEM IN MANHATTAN BEACH BECAUSE WE DON'T ALLOW SMOKING HERE. MAYBE THAT'S ANOTHER BY-PRODUCT AND ANOTHER BENEFIT. I WOULD OBVIOUSLY SUPPORT A COMPLETE BAN ON TOBACCO PRODUCTS BOTH FLAVORED AND NON-FLAVORED TOBACCO PRODUCT AND ALL THE EQUIPMENT THAT GOES ALONG WITH THAT. I WOULD LIKE A BAN TODAY ON NOT ALLOWING ANY FUTURE PERMITS FOR ANY NEW BUSINESSES. AND I THINK I WOULD LIKE TO BACK IT UP A LITTLE BIT CLOSER. I THINK THAT WE ALLOW FOR A ONE-YEAR PERMIT. AND MAYBE WE CAN YOU KNOW, WE'RE NOW LOOKING AT ALMOST 2020 IN JANUARY. IF WE GO THROUGH 2021 FOR THE NEXT ROUND OF PERMITS, AND THEN ALLOW FOR A HARDSHIP EXEMPTION. AND GIVE OUR BUSINESSES THAT RELY ON THIS INCOME THE OPPORTUNITY TO EXPLAIN TO US WHAT THE HARDSHIP WOULD BE. AND THEN GIVE A LITTLE BIT MORE TIME TO TRANSITION FOR THAT BUSINESS MODEL. I THINK THOSE ARE MY SUGGESTIONS.

>> MAYOR HERSMAN: OKAY. THANK YOU VERY MUCH. MY COMMENTS ON THIS RANGE KIND OF AROUND EVERY BODY'S COMMENTS. I HAVE STRUGGLED A LITTLE BIT WITH THIS BECAUSE ON THE ONE HAND, I'M

NOT A SMOKER. NO ONE IN MY FAMILY SMOKES. I HAVE THREE CHILDREN THAT DIDN'T SMOKE. THEY DON'T SMOKE TODAY. YOU KNOW, ON THE ONE HAND, I AM CONCERNED ABOUT THE SMOKING AND RETAIL AND ALL THAT. BUT I'M ALSO CONCERNED ABOUT THE BUSINESSES. I GET THAT. I TOTALLY UNDERSTAND BEING A SMALL BUSINESS OWNER MYSELF. I KNOW THE STRUGGLES WE CAN HAVE. IN THINKING ABOUT THOSE AND LISTENING TO THE COMMENTS, I THINK THERE IS A NUMBER OF THINGS THAT SWAYED ME TO A BAN ON ALL TOBACCO. ONE IS THE ARTICLES, THE CDC SAY PRETTY MUCH ALL ADULTS THAT ARE SMOKING TODAY STARTED AS AN ADOLESCENT. IT'S PRETTY MUCH ACROSS-THE-BOARD. PEOPLE ARE NOT STARTING WHEN THEY ARE 40 YEARS OLD. THEY STARTED WHEN THEY WERE KIDS. AND I GET THAT OUR BUSINESSES ARE TRYING VERY HARD TO KEEP KIDS OUT OF THE STORES AND ALL OF THAT. BUT KIDS ARE PRETTY CLEVER AND THEY CAN FIND WAYS. AND IT WAS INTERESTING I THINK ALLIE MENTIONED 30% OR SOMETHING OF ACTUALLY FROM THE AMERICAN LUNG ASSOCIATION SAID SOMETHING LIKE 30 OR 40 PERCENT OF THE STORES END UP SELLING TO KIDS. SO THAT'S A PROBLEM. YOU KNOW, WHEN MARIJUANA BECAME LEGAL IN THE STATE OF CALIFORNIA, WE TOOK THE POSITION THAT WELL, NUMBER ONE, IT'S PART OF OUR SMOKING BAN. YOU CAN'T SMOKE MARIJUANA IN PUBLIC JUST LIKE YOU CAN'T SMOKE CIGARETTES. BUT WE TOOK THE SECOND STEP AND SAID, YOU CAN'T SELL IT HERE. WE TOOK A STEP WHERE WE COULD HAVE ALLOWED IT IN THE CITY. WE COULD HAVE TAKEN THE OTHER, WE ALLOW CIGARETTES AND THEY ARE LEGAL. WHY AREN'T WE ALLOWING MARIJUANA

RETAIL? BUT WE DIDN'T. WE SAID, NO. WE DON'T WANT THAT SOLD IN OUR CITY. WHEN I LOOK AT -- AND I CERTAINLY GET YOUR COMMENTS COUNCILMEMBER HADLEY ABOUT WHERE KIDS ARE GETTING VAPING PRODUCTS. I DOUBT CIGARETTES ARE ON AMAZON BUT MAYBE THEY ARE. BUT IT'S ALSO SOMETHING THAT A SCHOOL BOARD MEMBER SAID, WE NEED TO LIMIT ACCESS. IT'S KIND OF LIKE PEOPLE SAID, OH, WELL YOU ARE NOT ENFORCING SMOKING SO YOU SHOULD GET RID OF IT. WELL, NO. I MEAN THAT'S KIND OF LIKE SAYING PEOPLE ARE NOT DRIVING 60 MILES PER HOUR ON THE FREEWAY SO WE SHOULD GET RID OF SPEED LIMIT SIGNS. OF COURSE, WE HAVE TO, YOU KNOW, YOU CAN'T GET EVERYBODY THAT'S SPEEDING AND YOU CERTAINLY CAN'T GET EVERYBODY THAT IS SMOKING. SO I THINK WE NEED TO. AND I THINK WHAT COUNCILMEMBER STERN SAID, IS THAT COULD BE ONE OF THE NOT UNINTENDED CONSEQUENCES BUT ONE THAT WE COULD LOOK TO THAT THE ENFORCEMENT WILL BE A LITTLE BIT EASIER. CERTAINLY, THE COMMENTS FROM CRAIG CAD WILDER ABOUT OUR CIGARETTES ON THE BEACH AND BEING THE NUMBER-ONE THING FOUND IN THE OCEAN AND MARINE LIFE, WE TAKE A STRONG STAND ON ENVIRONMENTAL ISSUES AND WE'RE A LEADER AND LED OTHER CITIES TO DO WHAT WE HAVE DONE. AND WE NEED TO KEEP DOING THAT BECAUSE IT'S IMPORTANT. I THINK WHAT COUNCILMEMBER NAPOLITANO SAID IS SO TRUE. YOU HAVE TO START SOMEWHERE. PEOPLE NEED TO TAKE A STEP. BEVERLY HILLS HAS TAKEN A STEP AND WE'RE LOOKING AT THEM AND SAYING, YEAH, THAT WAS A GOOD IDEA FOR THEM. AND I THINK IT COULD BE A GOOD IDEA FOR US. IT'S JUST AS OUR

ENVIRONMENTAL, YOU KNOW, THE STYROFOAM, WE GOT PUSHBACK FROM THE MEAT INDUSTRY AND OTHERS. IT WAS GOING TO BE EXPENSIVE TO TRY AND SHIFT FROM POLYSTYRENE OR POLITICS. THAT AFFECTED OUR BUSINESSES. BUT WE SAID, YOU KNOW WHAT, WE HAVE A HIGHER GOAL. WE WANT TO BE AN ENVIRONMENTAL LEADER. THAT IS A HIGHER GOAL. AND SORRY, BUSINESSES, BUT YOU GOT TO CHANGE OUT OF THE POLYSTYRENE. YOU HAVE TO GET RID OF THE PLASTIC STRAWS. AND IT'S THE SAME THING HERE. WE HAVE A HIGHER GOAL. OUR CITY REALLY DOES CARE ABOUT RESIDENT'S HEALTH, KIDS AND ADULT SAID. THE BEACH CITY DISTRICT WITH THE BLUE ZONES. YOU ARE HEALTHY BUT YOU ARE STRESSED OUT AND WE'RE WORKING ON THAT AND THOSE THINGS ARE IMPORTANT TO US. AND SO YOU KNOW, AND SMOKING HAS OTHER ISSUES BESIDES THE NICOTINE, THE HEALTH ISSUES, THE COST IN THE HEALTH INDUSTRY, THE COST TO BUSINESSES WHEN PEOPLE ARE ADDICTED AND MISS WORK BECAUSE THEY GET SICK EASIER AND ALL THE REST. WE'VE HEARD THAT SO WE KNOW THAT ALL THE THINGS ABOUT CIGARETTE SMOKING AND WHAT IT CAN DO. I'M CERTAINLY -- I THINK IT'S IMPORTANT TO TAKE A STAND. I THINK I WOULD LIKE OUR CITY TO DO THAT. I DO THINK GOING TO 2023 SOUNDS LIKE A LITTLE TOO FAR OUT. BEVERLY HILLS DID 18 MONTHS FROM JUNE TO JANUARY 2021. SO I THINK THAT'S A MORE REASONABLE. BUT I THINK A HARDSHIP EXEMPTION CERTAINLY FOR MB SMOKE THAT HAS A LEASE, HAS THOSE THINGS, WE WOULD NEED TO BE ABLE TO WORK THROUGH SOME OF THAT WITH THEM SO

THAT WE CAN HELP THEM THROUGH THAT. BUT I THINK I'VE COVERED MOST OF THE THINGS I WANT TODAY SAY.

>> S. NAPOLITANO: DO YOU HAVE A MOTION?

>> MAYOR HERSMAN: RICHARD WANTED TO SPEAK, I'LL LET HIM. PRO TEM.

>> MAYOR PRO TEM MONTGOMERY: JUST TO CLARIFY PEOPLE WATCHING AT HOME UNDERSTAND THE CITY DOESN'T -- BAN PUBLIC SMOKING. WE DIDN'T OUT LAW PUBLIC SMOKING. PUBLIC SMOKING BAN. NO BEACHES, NO PARKS, NO SCHOOL PROPERTY, CITY FACILITATE, NO ADJACENT CITY FACILITATES. THAT'S THE BAN. IT WASN'T A TOBACCO BAN. IT WAS A NO-SMOKING BAN ON PUBLIC PROPERTY. START WITH THAT. THAT'S THE BASIS GOING BACKWARDS IN TIME. THE SECOND PART WAS I CAN COUNT THE COMMENTS, I CAN SEE WE'RE GOING. I WOULD ARGUE, I DON'T KNOW WHAT A HARDSHIP IS AS FAR AS TIMING. POLYSTYRENE WE TALKED ABOUT IT.

>> MAYOR HERSMAN: BEVERLY HILLS HAS ONE WE COULD LOOK AT. THERE IS WAYS TO LOOK AT IT.

>> MAYOR PRO TEM MONTGOMERY: IT BECOMES AN ANTI-HARDSHIP. THERE IS TWO OF US, A SMALL BUSINESS -- WE'RE SENSITIVE TO THE SMALL BUSINESS ITEM THEN THE BIG-BOX SELLERS. I'M MORE SENSITIVE. I 100% ANTI-VAPING PRODUCT. COMPLETE BAN. THAT'S NOT THE ISSUE. IF YOU PUT A BAN ON TOBACCO, I SEE WHERE YOU ARE GOING. IF YOU ARE GOING TO GIVE THEM AN EXTENSION OF TIME TO GET THEIR BUSINESS MODEL REVISED, I WOULD TAKE THE TWO YEARS, WITH A

ONE-YEAR HARDSHIP. TO GIVE THE SAME AMOUNT OR TIME. AND SAY, HERE, YOU'VE BEEN A GREAT CUSTOMER AND TAXPAYER. AND A CITY BUSINESS LICENSE FOR 20 YEARS, BY THE WAY, WE'RE GOING TO CHANGE OUT YOUR WHOLE THING IN TWO YEARS. I'M OPEN TO THAT. I'LL WAIT TO HEAR THE NEXT MOTION.

>> MAYOR HERSMAN: COUNCILMEMBER NAPOLITANO, DO YOU WANT TO MAKE A MOTION?

>> S. NAPOLITANO: I CAUTION WHEN YOU SAY WE'RE MORE THAN SOMEBODY ELSE. WE'RE ALL UP HERE IN SUPPORT OF BUSINESS. WE'RE ALL UP HERE TRYING TO DO THE BEST FOR THE COMMUNITY. EVERYONE JUST SPEAK FOR YOURSELVES. IN TERMS OF THIS, WE'RE TRYING TO FIND A WAY OUT. NO ONE IS SAYING THAT WE AREN'T LOOKING FOR A HARDSHIP EXEMPTION FOR SOME OF THE FOLKS AND WORK THROUGH THAT. IN THE MEANTIME, WE HAVE TO PUT A MOTION OUT. I WOULD SIMPLY SAY WE BAN TOBACCO ABOUT JANUARY 1, 2022. THE SALE OF TOBACCO, WITH A HARDSHIP EXEMPTION FOR THOSE THAT QUALIFY AND WE'LL COME UP WITH A CRITERIA FOR THAT. THAT CAN BE BROUGHT BACK AT A LATER DATE. I WOULD SAY THAT THIS INCLUDES AN IMMEDIATE BAN ON ALL VAPE PRODUCTS. THE SALE OF ALL VAPE PRODUCTS IN THE CITY. AND THE ELIMINATION OF ALL FLAVORS, INCLUDING MENTHOL, SPEARMINT. ALL FLAVORED TOBACCO PRODUCTS.

>> MAYOR HERSMAN: AND ALL FLAVORED, WE'VE GOTTEN RID OF SOME. WE WOULD INCLUDE THE MINTS. ALL OF THAT.

>> S. NAPOLITANO: AND SEND A LETTER TO SURROUNDING CITIES.

>> MAYOR HERSMAN: QUESTION, JANUARY 2022, LIVING A LITTLE OVER TWO YEARS, WHAT IS THE PURPOSE OF GIVING TWO YEARS?

>> S. NAPOLITANO: GIVES THE CURRENT BUSINESSES THE ABILITY TO ADAPT AS WAS TALKED ABOUT. I DON'T KNOW WHAT THE EXEMPTION RULES ARE GOING TO BE YET. BUT THOSE ARE GOING TO, I IMAGINE THESE EXEMPTIONS ARE GOING TO BE GIVEN OUT ON A TEMPORARY BASIS OR THEY WILL HAVE TO QUALIFY YEAR TO YEAR. I DON'T KNOW THE INTENTION THERE. BUT IT GIVES ENOUGH TIME, TWO YEARS, FOR THE BUSINESS OWNERS TO EITHER ADJUST OR DECIDE WHAT TO DO WITH THEIR BUSINESSES. WORKING WITH OTHERS, WORKING WITH THE CITY ON THE EXEMPTION RULES -- BUT IT GIVES ENOUGH TIME. YOU SAID 18 MONTHS FOR BEVERLY HILLS. TWO YEARS. IN THE IMMEDIATE THOUGH, GETS RID OF THE FLAVORED TOBACCO PRODUCTS, ALL FLAVORS AND THE VAPING.

>> MAYOR HERSMAN: GOT THAT.

>> S. NAPOLITANO: IT GOES FAR.

>> MAYOR HERSMAN: CAN I MAKE A FRIENDLY AMENDMENT THAT RATHER THAN GIVING A DATE RIGHT NOW, THAT WE ASK STAFF BECAUSE STAFF HAS TO COME BACK WITH AN ORDINANCE. AND WE COULD HAVE THEM LOOK AT WHETHER THIS IS YOU KNOW A REASONABLE AMOUNT OF TIME OR TO MUCH TIME TO JUST KEEP GOING. I MEAN, I JUST DON'T WANT TO GET TO THE END OF 2021 AND HAVE THEM SAY, WE HAVEN'T DONE ANYTHING. WE HAVE TO WRITE, YOU KNOW, SOMETIMES IF YOU SHORTEN THE TIME, PEOPLE HAVE A TENDENCY TO GET THINGS DONE. WE COULD

LEAVE THAT DATE OPEN AND HAVE STAFF COME BACK AND GIVE US A COUPLE OF OPTIONS ON THAT.

>> S. NAPOLITANO: SURE.

>> MAYOR HERSMAN: WE HAVE A MOTION. I'LL -- WERE YOU GOING TO SECOND THAT?

>> S. HADLEY: YEAH.

>> Q. BARROW: MAYOR, ONE ADDITIONAL QUESTION. ACTUALLY, TWO QUESTIONS. IMMEDIATE WE HAVE TWO CHOICES ON IMMEDIATE. FIRST OF ALL, IT WON'T BE TONIGHT. IT WOULD EITHER BE AN URGENCY ORDINANCE OR IMMEDIATE WOULD BE THE FIRST AND SECOND READING PLUS 30 DAYS. STEVE --

>> S. NAPOLITANO: WHATEVER MY COLLEAGUES AGREE WITH.

>> Q. BARROW: WE CAN BRING BOTH CHOICES IF THAT'S EASIER SO YOU CAN THINK ABOUT IT FOR TWO WEEKS.

>> MAYOR HERSMAN: IS THERE A WAY TO MAKE IT MORE IMMEDIATE?

>> Q. BARROW: URGENCY ORDINANCE.

>> MAYOR HERSMAN: OKAY.

>> Q. BARROW: ON VAPING YOU MIGHT MAKE THAT IMMEDIATE BUT WITH THE OTHER ISSUES --

>> MAYOR HERSMAN: WOULD YOU LIKE TWO MOTIONS, PERHAPS THE ONE BEING AN URGENCY ORDINANCE FOR THE VAPING? ALL VAPING PRODUCTS.

>> Q. BARROW: IF THE COUNCIL WANTS MORE TIME TO CONSIDER THIS, WE CAN BRING BACK BOTH. WELL, THIS IS ACTUALLY THE THIRD

QUESTION THEN. ON VAPING IT SEEMS THERE IS MORE URGENCY THERE IS A CONSENSUS WE'LL COME BACK WITH URGENCY PROVISION ON VAPING.

>> S. NAPOLITANO: THE SALE OF VAPING PRODUCTS.

>> Q. BARROW: RIGHT. ON THE SALE OF VAPING. AND THEN FLAVORED TOBACCO, DO YOU SENSE THE SAME URGENCY OR HAVE A REGULAR COURSE OF FIRST AND SECOND READING?

>> MAYOR HERSMAN: AS LONG AS THE FAVORED TOBACCO IS INCLUDED IN A VAPING. IF IT'S A MINT VAPE JUICE OVER WHATEVER. THE CIGARETTES YOU ARE TALKING ABOUT, THAT ONE CAN COME BACK.

>> Q. BARROW: ON A REGULAR COURSE. AND FINALLY, NEW LICENSES.

>> MAYOR HERSMAN: RIGHTS. I WAS GOING TO ASK.

>> Q. BARROW: MY UNDERSTANDING, WELL, IT WAS BROUGHT UP THERE WOULD BE NO NEW LICENSES ISSUED IS THAT PART OF THE MOTION?

>> MAYOR PRO TEM MONTGOMERY: YES.

>> Q. BARROW: OKAY. NOW YOU CAN VOTE.

>> MAYOR HERSMAN: ALL RIGHT. WE HAVE A MOTION AND A SECOND BY COUNCILMEMBER NAPOLITANO AND SECONDED BY COUNCILMEMBER STERN.

>> MOTION PASSES, 4-1.

>> MAYOR HERSMAN: OKAY. THANK YOU VERY MUCH.

>> Q. BARROW: WE'LL COME BACK PROBABLY A MONTH FROM NOW.

>> MAYOR HERSMAN: OKAY. ALL RIGHT. THANK YOU. ALL RIGHT. NEXT WE HAVE SOMETHING THAT NOBODY HAS HEARD OF YET IS THE TEDX.

>> S. NAPOLITANO: MOTION TO APPROVE.

>> MAYOR PRO TEM MONTGOMERY: SECOND.

>> MAYOR HERSMAN: WELL, WE DO HAVE TO HAVE PUBLIC COMMENT. ALTHOUGH, WE HAD A LOT OF THAT. DO NOT -- YET. SNITCH.

>> I'M DONE. I SAID IT ALL.

>> MAYOR HERSMAN: ALL RIGHT. DO WE NEED PUBLIC COMMENT? ANYONE WANT TO SPEAK ON THIS ISSUE? SEEING NONE, WE HAVE A MOTION TO --

>> S. NAPOLITANO: APPROVE THE INCREASE FROM 1,500 TO \$5,000 WITH THE PROVISIO, DURING BUDGET TIME, WE NEED A SPECIAL PROGRAM AGREEMENT SO WE GET THE REPORT BACK ANYWAY. THAT'S WHAT THE COUNTY DOES. YOU BROUGHT IT TO COUNTY BEFORE. WE'LL TALK.

>> MAYOR HERSMAN: WE'LL TALK. OKAY. WITH THE PROVISIO THAT NEXT BUDGET IN MAY, GOT IT.

>> [OFF MIC] EMAILS AGAIN? OKAY.

>> MAYOR HERSMAN: WE HAVE A SECOND BY PRO TEM MONTGOMERY.

>> MOTION PASSES, 5-0.

>> MAYOR HERSMAN: THANK YOU. NUMBER 13. RECEIVE THE REPORT ON THE CITY'S MUNICIPAL NATIONAL POLLUTANT DISCHARGE ELIMINATION SYSTEM. STORMWATER REQUIREMENTS, ACTIVITIES AND EXPENDITURES.

>> HELLO, GOOD EVENING. I'M GOING TO INTRODUCE SHAWN OUR UTILITIES MANAGER RESPONSIBLE FOR THE STORMWATER DEPARTMENT AND MOST OF THE ACTIVITIES THAT DON'T FALL TO OTHER DEPARTMENTS.

>> MAYOR HERSMAN: THANK YOU.

>> GOOD EVENING, MAYOR AND MEMBERS OF COUNCIL. MY NAME IS SHAWN IGOE, THE UTILITIES MANAGER FOR PUBLIC COMMENT. GOING OVER THE STORMWATER AND IMPLEMENTATION AND GENERAL OVERVIEW FOR YOU. WITH THAT, GENERAL BACKGROUND. IN 1972 WE HAD CONGRESS SET UP A PASS AMENDED THE FEDERAL WATER POLLUTION CONTROL, THE CLEAN WATER ACT TO PROHIBIT THE DISCHARGE OF POLLUTANTS INTO WATERS OF THE U.S. UNLESS AUTHORIZED THROUGH THE NPDES PROGRAM ELIMINATION SYSTEM PERMITS. IN 1997 IT WAS AMENDED TO DEFINE STORMWATER RUNOFF OF INTERSERVICE WATERS. AND FURTHER DISCUSS THE PERMITS, INCLUDING INDUSTRIAL PERMITS, INDUSTRIAL PERMANENTS, LINEAR PERMITS, AND MUNICIPAL STORMWATER SEPARATE STORM SEWER SYSTEM, MS4. READ THAT 10 TIMES FAST. SO WITH THAT, WE HAVE A REGULATORY AUTHORITY PROCESS. OUR STORMWATER PROGRAM FALLS UNDER THE FEDERAL SIDE, WHICH IS ENVIRONMENTAL PROTECTION AGENCY, THE STATE WATER RESOURCE CONTROL BOARD, AND REGIONALLY, THE REGIONAL WATER CONTROL BOARD. AND FOR US AS A CITY, WE HAVE THE MUNICIPAL CODE. AND THEN NOW WE HAVE A REGIONAL PERMIT. THERE HAVE BEEN SEVERAL ITERATIONS. INCLUDING THE 1996 AND 2001 PERMITTED AMENDED FOUR DIFFERENT TIMES. AND WE HAVE A CURRENT PERMIT ADOPTED IN 2012. SO FUNDAMENTAL ELEMENTS OF THE PERMITS INCLUDING EFFECTIVE PROHIBITION OF NON-STORMWATER DISCHARGES, IMPLEMENTATION OF CONTROL TO REDUCE THE DISCHARGE OF POLLUTANTS AND OTHER PROVISIONS OF THE REGIONAL WATER BOARD HAS DETERMINED PROMOTE FOR CONTROL OF SUCH POLLUTANTS. WITH THAT, WE HAVE SEVEN

PERMIT CATEGORIES WHICH DRIVE OUR RESOURCES AND COSTS. AND THOSE PERMIT COMPLIANCE CATEGORIES INCLUDE DISCHARGE PROHIBITION, AFFLUENT AND RECEIVING WATER LIMITATIONS, STANDARD PROVISIONS, MONITORING AND REPORTING, WATERSHED MANAGEMENT PROGRAM AND ANNUAL ASSESSMENT, MINERAL CONTROL MEASURES AND TOTAL LOADS. THROUGH THAT, THERE ARE DIFFERENT THINGS WE HAVE TO COMPLY WITH, INCLUDING MAINTAINING RECORDS, ENSURING BEST MANAGEMENT PRACTICES, ALSO KNOWN AS BMPS, REDUCING POLLUTION LOADS, ESTABLISHING A LEGAL AUTHORITY, CONDUCTING MONITORING AND GETTING A COMPREHENSIVE WATERSHED MANAGEMENT PROGRAM. WE COME UP WITH THE ENHANCED PROGRAM AND FURTHER DRILL DOWN TO THE INTEGRATED MONITORING PROGRAM OR SIM. WE LOOK AT OUR CAPITAL IMPROVEMENT PROJECTS AS PART OF THIS. IN ADDITION TO PUBLIC OUTREACH AND EDUCATION. MONITORING CONSTRUCTION ACTIVITIES AND ENSURING COMPLIANCE OF TMDL TO NAME A FEW. THIS IS DETAILED IN THE TABLE THAT WAS PROVIDED AS PART OF THE PACKAGE. AND THEN MOVING ON, WE HAVE OUR STORM DRAIN SYSTEM, OUR C.I.P.S, AND AS PART OF THE THAT IN 2013, THE CITY HAD STORMWATER SYSTEM CONDITIONAL ASSESSMENT COMPLETED. THIS INCLUDED ABOUT 14.5 MILES OF JUST OVER 16 MILES OF PIPELINE INSPECTED. SEGMENTS FROM A 1 TO 5 RATING. 5 BEING THE WORST. ONE MILE OF THE PIPELINES WERE IN THE 4 TO 5 RANGE. THE MAJORITY WERE IN THE GOOD TO FAIR CONDITION. AS PART OF THE ASSESSMENT, WE CREATED A 10-YEAR REPAIR AND REPLACEMENT PROGRAM OVER \$4 MILLION FOR THE REPAIR --

DISTRIBUTED GREEN STREETS. THESE C.I.P. PROJECTS RANGE FROM 35 MILLION TO 66 MILLION IN COST DEPENDING ON SIZE AND LOCATION OF INSTALLATION. ADDITIONALLY, SOMETHING TO NOTE IS THE COST TO OPERATE AND MAINTAIN THESE MOVING FORWARD IS 1.1 TO \$1.7 MILLION ANNUALLY. SO LOOKING AT COSTS. INTERNAL AND EXTERNAL EXPENDITURES TOTALING \$1.8 MILLION ANNUALLY INTERNAL, ABOUT \$529,000 INCLUDING STAFF RESOURCES, INTERNAL CHARGES, SUCH AS ELECTRICITY, SOFTWARE, PUMPS, MOTORS. AND EXTERNAL \$1.2 MILLION ITEMS OUTSIDE OF THE RESOURCES, STREET SWEEPING, C.I.P. AND VARIOUS CONSULTING SERVICES. OUR FUNDING SOURCES, HOW WE FUND OUR PROGRAM. WE HAVE THE STORMWATER ASSESSMENT FEE THAT COMES IN AT \$340,000 ANNUALLY AND THE GENERAL FUND THAT COMPLETES THE EXPENDITURES FOR STORMWATER PROGRAM. \$1.46 MILLION. AND HOPEFULLY NEXT YEAR, SOMETIME EARLY NEXT YEAR, WE'RE LOOKING AT BRINGING IN MEASURE W MONEY. EXPECTED TO RECEIVE \$410,000 LOCALLY. THAT BREAKS DOWN TO 30% WE CAN USE FOR OUR CURRENTS OPERATIONS AND MAINTENANCE, WHICH IS ABOUT 123 THOUSAND DOLLARS ANNUALLY WE CAN USE OUT OF THE 410 FOR OPERATIONS AND MAINTENANCE. THE REST IS USED FOR C.I.P. PROJECTS. AND THEN, WE ALSO HAVE ABOUT \$18.4 MILLION THAT WILL BE AVAILABLE FOR REGIONAL PROJECTS SUCH AS THE STORMWATER INFILTRATION PROJECTS AT THE BEACH. AND OBVIOUSLY, ALL THIS TO BE SAID, OUR OVERARCHING GOAL FOR THE PROGRAM AND PERMIT TO REDUCE POLLUTANTS IN THE WATER. SO WE CAN CONTINUE TO GET OUR RATINGS FOR A PLUS

RATINGS. AND THE GOOD IS AN A IS HOW THEY DO THEIR NOW CASTING MODELING. IS GOOD IS AN A. WITH THAT, I WILL ANSWER ANY QUESTIONS.

>> MAYOR HERSMAN: I HAD A QUICK QUESTION, THE 18.4 MILLION IS SHARED WITH OTHER?

>> CORRECT. FOR OUR REGION. THERE ARE OTHER PEOPLE THAT CAN APPLY FOR REGIONAL PRODUCTS DEPENDING ON WHERE THEY ARE AT IN THE PROCESS. SHOVEL READY, DEPENDING ON WHERE THEY ARE AT WITH THEIR DESIGN.

>> MAYOR HERSMAN: DO WE KNOW HOW MANY WE COULD GET?

>> DEPENDENT ON THE PROJECTS ANNUALLY. THE MONEY IS AVAILABLE ANNUALLY. HOPEFULLY, WE'LL BE A KEY CONTENDER.

>> MAYOR PRO TEM MONTGOMERY: CAN YOU TELL WITH THE SLIDE ARTESIA, HOW OLD THAT PIPING WAS

>> THAT I DON'T KNOW. THE '30S OR '40S.

>> MAYOR PRO TEM MONTGOMERY: 1930S? ORIGINALLY OWNED BY CALTRANS.

>> MAYOR PRO TEM MONTGOMERY: THANK YOU. GREAT TO KNOW.

>> YEAH.

>> MAYOR PRO TEM MONTGOMERY: WOW.

>> MAYOR HERSMAN: ANY OTHER COMMENTS OR QUESTIONS? THANK YOU. OKAY. THEN I WILL OPEN FOR PUBLIC. ANY PUBLIC QUESTIONS OR I'M SORRY, COMMENTS? QUESTIONS, COMMENTS, I KEEP GETTING IT WRONG. ALL RIGHT.

>> GOOD EVENING, AGAIN, CRAIG HEAD WILDER, BOTH AS A RESIDENT FOR THE SURF RIDER FOUNDATION SOUTH BAY CHAPTER. I WANTED TO SAY, ALONG WITH THE DIRECTOR HERE AND SOME OTHERS, I WAS APPOINTED TO THE STEERING COMMITTEE FOR THE SOUTH SANTA MONICA BAY WATERSHED. THE STRAND INFILTRATION AND WHAT NOT, WHICH IS SAID TO SEE WHAT HAPPENED IN OUR NEIGHBORING CITY. BUT I LOVE THE CITY CAN DO SOMETHING LIKE THAT. AND SO WE'RE GOING TO BE LOOKING AT I'M GOING TO BE A LITTLE BIASED. I HAVE SOME OTHER IDEAS, ONE OF WHICH WAS TAKEN THE FRESHWATER MARSH OUT OF BIONA AND PUTTING IT THROUGH THE WEST BASIN RECYCLING PLANT. TO TAKE THAT STORMWATER RUNOFF AND CLEAN THAT AND REUSE IT. WE'VE ONLY HAD ONE SIDE MEETING ON THIS. AND THE MAIN ONE I THINK FOR OUR AREA IS GOING TO BE OCTOBER 30TH. LOOKING FORWARD TO MOVING ON THIS. THIS IS VERY SMART TO CAPTURE THE STORMWATER RUNOFF. AND IT'S ONE OF MY ARGUMENTS FOR SAYING WE DON'T NEED THE D CELL PROJECT BECAUSE WE HAVE THIS SOURCE OF STORMWATER. IT'S A NEW SOURCE WE'RE JUST LETTING THROW AWAY. WITH THE MAYOR'S COMMENT ABOUT RECYCLING ALL OF RIPARIAN. IT'S A SOURCE OF WATER THAT DIDN'T EXIST WHEN THE D CELL PROJECT GOT PLANNED. LOOKING FORWARD TO SMART WAYS AND I LOOKED THROUGH THE STAFF REPORT. AND IT LOOKS VERY WELL DONE. I'M EXCITED FOR GOING FORWARD. THANK YOU.

>> MAYOR HERSMAN: THANK YOU.

>> I JUST WANTED TO SPEAK ON THIS ISSUE. I'M DONE WITH THE TEDXFOR NOW. I WANTED TO SAY THANK YOU SO MUCH TO PUBLIC WORKS, STEPHANIE AND SHAWN AND TRUSTING AN IDEA THAT SENIORS HAD EDUCATING A COMMUNITY. IF YOU WALKED ALONG THE STRAND YOU MIGHT SEE ART DESIGNS AROUND THE STORM DRAIN WATERS WITH THE OFFICIAL COUNTY LOGO IN THE MIDDLE. IT WAS A PROJECT WE WORKED ON WITH THEM TO HAVE DESIGNS APPROVED AND GET THE RIGHT KIND OF PAINT SO IT WOULD LAST. AND THESE HIGH SCHOOL GIRLS PAINTED 10 DIFFERENT STORM DRAINS ALONG THE STRAND FROM 2NDSTREET TO MARINE. THE MOST AMAZING THING WAS THE NUMBER OF PEOPLE WHO STOPPED AND SAID, WHAT ARE YOU DOING? THEY WOULD TELL THEM AND THEY WOULD SAY, THANK YOU SO MUCH FOR PROTECTING OUR BEACHES AND WATER. THESE GIRLS HAD NO IDEA HOW MUCH THEY COULD CHANGE THE WORLD. I WANT TO SAY THANK YOU, AND THANK YOU FOR TRUSTING IN THE RESIDENTS THAT HAVE GREAT IDEAS AND STRONG HEARTS AND GOOD WORKERS. BECAUSE I THINK THEY DID A GREAT JOB. WE COULDN'T HAVE DONE IT WITHOUT YOU. AND SHOUT-OUT TO DANA ON SUSTAINABILITY AND MARTIN BETZ. THEY WERE TERRIFIC TOO. THANK YOU.

>> MAYOR HERSMAN: THANK YOU. OKAY. ANY OTHER COMMENTS ON THIS? ALL RIGHT. CLOSE COMMENTS. THIS WAS TO RECEIVE A REPORTS. I'M SORRY. DIDN'T SEE YOU THERE. YOU WERE IN THE BACK. SURPRISE ME.

>> I'VE ONLY HAD A LITTLE TIME TO LOOK THROUGH THIS. ONE OF THE THINGS I DON'T SEE IN THIS MITIGATION THING IS GETTING ALL

THESE TREES AND BUSHES AND THINGS LIKE THAT THAT ARE DESTROYING OUR STORMWATER SYSTEM AND THE SEWERS WE'VE GOT TREES THAT ARE GOING TO GROW 40 FEET HIGH AND THE ROOTS ARE 30 FEET AND PLANTED RIGHT ON TOP OF A STORM DRAIN AND SEWER. AND ONE WAS REPLACED 10 YEARS AGO. I'M TALKING ABOUT THE SAME PROPERTY I'VE TALKED ABOUT BEFORE. THIS IS HAPPENING ALL OVER. THE WHOLE SAND AREA. I SEE TRUCKS OUT THERE EVERY DAY WORKING ON SOMEBODY'S LATERAL. I HAD A NEIGHBOR THAT ALL HER LATERAL WORKED ON SEVERAL TIMES. NOW THAT'S THE ASSESSMENT HAS BEEN DONE AND THERE IS A 150 MARKS ON THE STREET, THERE WAS THE STORM DRAIN BEING INVADED BY NEIGHBORING PLANTS. AND THAT'S WHY HER LATERAL WASN'T WORKING. I'VE SAID THIS BEFORE. WE HAVE A BUNCH OF NONNATIVE PLANTS. THEY ARE GROWING INTO OUR STORM DRAIN SYSTEM. IN ONE AREA, ONE OF THE PEOPLE HAS PLANTED A MAGNOLIA TREE ON TOP OF THE STORM DRAIN AND RIGHT NEXT TO THE SEWER DRAIN. THAT PARTICULAR HOUSE HAS HAD STORM RUN OFF THIS WINTER MANY TIMES. SEVERAL PEOPLE TALKED ABOUT THIS. THESE TREES, THEY ARE GREAT AND BUSHES ARE GREAT. WHEN THEY START TEARING OUT THE INFRASTRUCTURE THAT IS GOING TO COST US MILLIONS TO REPLACE, I THINK THE TREES TAKE A SECOND PLACE TO THAT. AND THE PEOPLE WHO ARE GOING TO HAVE THAT STORMWATER OR THAT SEWAGE WATER BACKING UP INTO THEIR HOUSE, HAVE A SAY SO TOO. AND I THINK WE HAVE THE ORDINANCES TO TAKE CARE OF THIS. WE HAVEN'T BEEN ENFORCING THEM. AS FAR AS IMPROVING OUR STORM DRAINS, I AGREE, THERE IS BRICKS DOWN IN THE

STORM DRAIN IN FRONT OF MY HOUSE THAT IS 85 OR 86 YEARS OLD.

[BEEPING]

>> IT CAN'T STAND A TREE BEING PLANTED ON TOP OF IT. THANK YOU.

>> MAYOR HERSMAN: THANK YOU. ANY OTHER COMMENTS? ALL RIGHT. THIS WAS TO JUST RECEIVE THE REPORT. THANK YOU VERY MUCH FOR THE REPORT. IT WAS VERY INFORMATIVE. ALL RIGHT. NEXT, CITY COUNCIL REQUESTS AND REPORTS INCLUDING AB1234. ANY 1234 REPORTS? NO? OKAY. AND FUTURE AGENDA ITEMS? KEEP PUSHING. IT'S NOT WORKING. COUNCILMEMBER HADLEY.

>> S. HADLEY: THANK YOU, YOUR HONOR, I WOULD LOVE TO FIND A SECOND TO MOVE THE PIECE OF MOVING ART FROM THE GREENBELT FROM 2ND AND ARDMORE TO A LESS NATURAL PLACE. I'M ALL IN FAVOR OF ART AND I LIKE THE IDEA OF MOVING IT AROUND. I DON'T LOVE, WE WOULDN'T PUT A METAL WHIRLING SCULPTURE IN THE MIDDLE OF YOSEMITE AND I WOULD RATHER NOT HAVE ONE ON THE NATURAL GREENBELT. SO OTHER THAN LIGHTING, I WOULD LOVE TO REVISIT WHERE THOSE ARE LOCATED. IN THE IMMEDIATELY TERM I WOULD LIKE TO MOVE THE ONE SCULPTURE, DO I HAVE A SECOND?

>> MAYOR PRO TEM MONTGOMERY: A QUESTION. I DON'T REMEMBER THE ACTUAL -- I CAN'T REMEMBER THE LOCATION. WAS THERE ANOTHER PIECE OF ART COMING TO WHERE THAT CAME FROM ON METLOX? IS THAT WHY IT WAS RELOCATED?

>> I BELIEVE PART OF THE MOTION WAS WE WERE TO PURCHASE THAT. SOMEONE ELSE WAS COMING IN THAT LOCATION WAS RECOMMENDED THAT CAME ON DECEMBER 18. AND WAS APPROVED AT PART OF THAT ENTIRE MOTION.

>> MAYOR PRO TEM MONTGOMERY: THE SECOND PART OF THE QUESTION, ALTERNATIVE SITES THAT WE COULD, TO COUNCILMEMBER HADLEY'S COMMENTS, ALTERNATIVES COMMENTS THAT WOULD BE LESS INTRUSIVE TO THAT LOCATION THAT WE HAVE AVAILABLE THAT WE HAVEN'T FILLED YET?

>> WE CAN LOOK FOR THAT. I CAN'T ANSWER TONIGHT. BUT WE WOULD GIVEN COUNCIL DIRECTION WE WOULD --

>> S. NAPOLITANO: I'LL BE THE SECOND.

>> MAYOR HERSMAN: DONE.

>> B. MOE: THIS DOESN'T HAVE TO GO THROUGH THE THREE STEPS

>> Q. BARROW: THREE STEP PROCESS. YOU HAD TO GO TWO STEPS. AT THE NEXT COUNCIL MEETING, OR WHENEVER WE'RE READY,

>> B. MOE: ALTERNATIVE LOCATION.

>> Q. BARROW: HE'LL HAVE OPTIONS FOR YOU. IT DOESN'T HAVE TO GO TO THE SECOND AND THIRD COUNCIL MEETING.

>> MAYOR HERSMAN: CAN I ASK, WE APPROVED BACK IN DECEMBER WHEN WE APPROVED MOVING IT THE COST TO MOVE IT WAS \$5,000? IS THAT CORRECT?

>> B. MOE: YES.

>> MAYOR HERSMAN: MOVING IT AGAIN, WOULD BE ANOTHER \$5,000 PRESUMABLY. GOT IT. DO WE HAVE ANY OTHER AGENDA ITEMS? I HAVE ONE IS ACTUALLY I HAD THOUGHT ABOUT ASKING FOR A DISCUSSION OF CITY LOT NUMBER 1, THE DOWNTOWN HAS ASKED US TO LOOK AT THE PERMIT PARKING THERE. AND I HAD SAID SOMETHING ABOUT BRINGING IT FOR A FUTURE AGENDA. HOWEVER, I UNDERSTAND IT'S A STAFF-LEVEL ISSUE. AND THEY CAN LOOK AT THE PERMITS AND COME BACK TO US ABOUT THAT.

>> S. NAPOLITANO: QUESTION. YEAH, BECAUSE I THINK ONE OF THE ISSUES WAS THAT COUNCIL PUT A CAP IN. AND SO DOESN'T THAT TAKE COUNCIL ACTION TO REMOVE THAT CAP?

>> B. MOE: I KNOW WHAT YOU ARE REFERRING TO, I'M NOT SURE I AGREED WITH THAT ASSESSMENT. I BELIEVE THAT COUNSEL SHOULD --

>> S. NAPOLITANO: I'LL BE THE SECOND.

>> MAYOR HERSMAN: THAT'S WHAT I THOUGHT I WAS TOLD. MAYBE I WAS NOT TOLD THAT.

>> B. MOE: I THINK YOU WERE TOLD THAT.

>> MAYOR HERSMAN: I WAS TOLD THAT. BUT YOU THINK WE NEED A SECOND? OKAY.

>> B. MOE: I THINK IT NEEDS TO COME BACK.

>> MAYOR PRO TEM MONTGOMERY: SHE'S GOT TWO. IT'S GOOD.

>> MAYOR HERSMAN: DO WE HAVE ANY OTHER ADDITIONAL ITEMS.

>> S. NAPOLITANO: I THINK YOU TALKED ABOUT ONE MORE.

>> MAYOR HERSMAN: GO AHEAD. BECAUSE I'M BLANKING AT THE MOMENT.

>> S. NAPOLITANO: THE FIRE STUDY?

>> MAYOR PRO TEM MONTGOMERY: YES.

>> MAYOR HERSMAN: ALL RIGHT. GO AHEAD.

>> S. NAPOLITANO: WELL, I THINK QUESTION IS WHETHER WE BRING IT BACK FOR DISCUSSION AGAIN AS TO WHETHER OR NOT TO MOVE FORWARD TO GO TO THE SECOND LEVEL. I KNOW WE'RE GOING TO HAVE A STUDY SESSION ON IT.

>> MAYOR HERSMAN: RIGHT. AND ASKING QUESTIONS.

>> S. NAPOLITANO: GIVEN THE ISSUES AND QUESTIONS RAISED BETWEEN NOW AND THEN, WHAT MIGHT BE BEFORE WE HEAR IT AGAIN.

>> MAYOR HERSMAN: OKAY. I'LL SECOND THAT.

>> S. NAPOLITANO: SHOULD WE DISCUSS WHETHER OR NOT TO GO FORWARD.

>> MAYOR HERSMAN: WE WOULD LIKE THAT TO COME BACK. WHETHER WE WANT TO GO FORWARD WITH THIS AT THIS POINT. CORRECT? ALL RIGHT. ANYTHING ELSE? CITY MANAGER REPORT?

>> NOTHING.

>> MAYOR HERSMAN: CITY ATTORNEY REPORT?

>> Q. BARROW: NOTHING.

>> MAYOR HERSMAN: DID ANYONE HAVE A COMMENT ON THE MINUTES?
COUNCILMEMBER --

>> S. NAPOLITANO: I DO.

>> MAYOR HERSMAN: YOU NEVER DO.

>> S. NAPOLITANO: I READ, IF THIS CAN BE PASSED ALONG TO THE COMMISSION, UNDER THE LIBRARY COMMISSION WE TALKED BEFORE WHEN WE HAD OUR MEETING WITH THEM, THEY RAISED THE IDEA OF HAVING AN MB WRITER AWARDS, WHICH I THINK IS FINE. GREAT. THEN I READ IN THE MINUTES THEY WERE GOING TO NARROW IT TO JUST CHILDREN. AND WHILE I THINK THAT'S GREAT AND A LOT OF THAT IS COMPULSORY THOUGH. I THINK ONE OF THE THINGS ABOUT A WRITER'S AWARD ESPECIALLY SINCE NONE I KNOW OF IN THIS AREA, IS ADULTS WHO WRITE REALLY DON'T HAVE A LOT OF OUTLETS. I THINK IT SHOULD INCLUDE AN ADULT PORTION AS WELL. THAT CAN BE I'M SURE IT WILL RESULT FROM A CLASS PROJECT OR MAYBE THEY ARE WRITING ON THEIR OWN DEPENDING ON THE AGE. I WOULD LIKE THE OPPORTUNITY FOR ADULTS TO HAVE SOME RECOGNITION AND BUILD THIS UP INTO SOMETHING WHERE WE GET SUBMITTALS FROM THE AREA. AND IF NOT, JUST MANHATTAN BEACH.

>> MAYOR HERSMAN: IS THAT SOMETHING WE NEED TO BRING BACK AS AN AGENDA? OR JUST ASK THE LIBRARY COMMISSION? I WOULD AGREE WITH THAT.

>> Q. BARROW: YOU CAN MAKE THAT DIRECTION TONIGHT.

>> S. NAPOLITANO: I GUESS I WANT TO SAVE THAT EXTRA STEP OF THEM DOING ALL THE WORK, BRING IT TO COUNSEL AND US SAYING NO, IT'S NOT EVERYTHING WE WANT, CAN YOU ADD THIS TOO. COUNCIL -- WE HAVE TO LET THEM KNOW THAT.

>> MAYOR HERSMAN: ALL RIGHT. WE HAVE -- THEY HAVE NOT COMPLETED THE BALLOTS AS OF YET. WHAT IS THAT?

>> MAYOR PRO TEM MONTGOMERY: UPDATE FROM PUBLIC WORKS.

>> MAYOR HERSMAN: YOU WILL GIVE US AN UPDATE.

>> THEY HAVE COMPLETED THE BALLOTS FOR DISTRICT 12. THEY ARE IN THE PROCESS OF COUNTING DISTRICT 14 BASED ON THE NUMBER OF BALLOTS RECEIVED, I BELIEVE IT WAS 163 FOR DISTRICT 12 AND 164 FOR DISTRICT 14. IT TOOK A LITTLE OVER AN HOUR FOR DISTRICT 12. THAT WOULD PUT US IN THE BALLPARK OF 10:00 P.M. OR SOONER.

>> MAYOR HERSMAN: THAT IS INCORRECT. IT'S 9:15. SURPRISE. I LOVE THAT GIFT. WOW.

>> ARE YOU SURE IT'S NOT TWO HOURS AHEAD. THEY WILL BRING BOTH SETS OVER AND WE'LL PROBABLY ASK FOR -- WE'LL ALREADY BE IN RECESS AND BRING YOU THE TALLIES AND YOU CAN ANNOUNCE THOSE AND BASED ON THE RESULTS OF THE THOSE YOU DECIDE WHETHER TO FORM THE DISTRICT OR NOT.

>> MAYOR HERSMAN: GOT IT. WE'RE GOING TO TAKE A RECESS. WE COULD SEE. WE'LL RECESS UNTIL WE HEAR BACK FROM OUR BALLOTS. THANK YOU. [GAVEL] [COUNCIL IS IN RECESS] [COUNCIL IS IN RECESS] [PLEASE STAND BY] ¶[MUSIC]¶¶ [CITY COUNCIL IS IN RECESS] [PLEASE STAND BY] [CITY COUNCIL IS IN RECESS] [PLEASE STAND BY] [CITY COUNCIL IS IN RECESS] [PLEASE STAND BY] ¶[MUSIC]¶¶ [CITY COUNCIL IS IN RECESS] [PLEASE STAND BY] ¶[MUSIC]¶¶ [CITY COUNCIL IS IN RECESS] [PLEASE STAND BY] ¶[MUSIC]¶¶ [CITY COUNCIL IS IN

RECESS] [PLEASE STAND BY] ¶[MUSIC]¶¶ [CITY COUNCIL IS IN RECESS]
[PLEASE STAND BY] ¶[MUSIC]¶¶ [CITY COUNCIL IS IN RECESS] [PLEASE
STAND BY]

>> MAYOR HERSMAN: ALL RIGHT. ARE WE READY? ALL RIGHT. WE
ARE BACK FROM RECESS. AND DO WE HAVE -- AHA. HERE WE ARE. PUBLIC
WORKS DIRECTOR KATSOULEAS, ARE YOU GOING TO MAKE AN ANNOUNCEMENT
OR AM I OR WHO? LOOKS LIKE YOU ARE. OKAY. ON BOTH OF THESE. ALL
RIGHTY. OKAY. SO WE HAVE THE BALLOTS DONE. DISTRICT 12, 7 3.2%
RETURNED THE BALLOTS IN DISTRICT 12. THEY HAD 105 PARCELS, YES.
62 PARCELS, NO. OF THE YES, THAT IS 62.27%. SO IT -- OF THE
WEIGHTED RETURN. THAT FOR YES. AND NO, WAS 37.73%. SO DISTRICT
12 PASSED. ALL IT NEEDED WAS 51% AND GOT 62.27%. DISTRICT 14,
71.3% RETURN. 114 PARCELS, YES. FOR 64.19% WEIGHTED RETURN.
RIGHT? IS THAT CORRECT? 60 PARCELS NO. 31.85% NO. SO DISTRICT 14
ALSO PASSED. NEXT, WE HAVE TO DETERMINE NOW THAT WE HAVE BOTH OF
THOSE PASSED, OKAY, SO WE NEED A MOTION TO APPROVE RESOLUTION
19-0091, CONFIRMING THE ASSESSMENT. IS THAT CORRECT? I'M SORRY?

>> [OFF MIC]

>> S. KATSOULEAS: IF YOU ADOPT THE RESOLUTION YOU ARE NOT
ONLY CONFIRMING THE ASSESSMENTS THE BUT THE DISTRICT TO MOVE
FORWARD WITH CASH COLLECTION AND ULTIMATELY CONSTRUCTION.

>> MAYOR HERSMAN: ADOPT RESOLUTION 19-0091 APPROVING
ASSESSMENT ENGINEERING REPORT AND CONFIRMING ASSESSMENTS PERIOD.
STOP. OKAY. AND WE HAVE A MOTION BY COUNCILMEMBER HADLEY, A

SECOND BY MAYOR PRO TEM MONTGOMERY. DO WE NEED TO HAVE PUBLIC COMMENT ON THIS? NO. WE'VE DONE THAT. OKAY. WE VOTE.

>> MOTION PASSES, 5-0.

>> MAYOR HERSMAN: OKAY. THEN WE HAVE SINCE DISTRICT 14 PASSED WE HAVE ADOPTED RESOLUTION 19-0092 FOR DISTRICT 19-14, APPROVING ASSESSMENT ENGINEERING REPORT AND CONFIRMING ASSESSMENTS. WE HAVE A MOTION BY COUNCILMEMBER HADLEY. AND A SECOND BY MAYOR PRO TEM MONTGOMERY.

>> Q. BARROW: TO BE CLEAR, THAT'S ESTABLISHING THE SPECIAL FUND FOR DISTRICT 14.

>> MOTION PASSES, 5-0.

>> Q. BARROW: THE RESOLUTION WAS MORE THAN JUST APPROVING THE RESULTS. IT WAS TO ESTABLISH THE SPECIAL FUND. YOU SEE THE TITLE?

>> MAYOR HERSMAN: OKAY. ALL RIGHT.

>> Q. BARROW: THE RESOLUTION 19-0092.

>> MAYOR HERSMAN: OKAY. GOT IT.

>> Q. BARROW: OKAY. THAT WAS TRUE FOR BOTH 12 AND 14.

>> MAYOR HERSMAN: OKAY. ALL RIGHT. THEN I GUESS THAT'S IT.

DO WE NEED TO DO ANYTHING MORE? WE ADJOURN THE MEETING.

EVERYTHING ELSE WE HAVE DONE. SO MEETING IS ADJOURNED. [GAVEL]

>> MAYOR HERSMAN: UNTIL TOMORROW MORNING AT 9:00 A.M., WE HAVE A REGULAR MEETING AT THE WESTDRIFT. THANK YOU. [MEETING ADJOURNED]