



Minutes
Redondo Beach City Council
Tuesday, August 20, 2024
Closed Session - Adjourned Regular Meeting 4:30 p.m.
Open Session –Regular Meeting 6:00 p.m.

4:30 PM - CLOSED SESSION – ADJOURNED REGULAR MEETING

A. CALL MEETING TO ORDER

An Adjourned Regular Meeting of the Redondo Beach City Council was called to order at 4:30 p.m. by Mayor Light in the City Hall Council Chambers, 415 Diamond Street, Redondo Beach, California.

B. ROLL CALL

Councilmembers Present: Behrendt, Kaluderovic, Loewenstein, Nehenheim, Obagi, Mayor Light

Officials Present: Mike Witzansky, City Manager
Melissa Villa, Analyst

C. SALUTE TO THE FLAG AND INVOCATION - NONE

D. BLUE FOLDER ITEMS – ADDITIONAL BACK UP MATERIALS

There were no Blue Folder Items for Closed Session.

E. PUBLIC COMMUNICATIONS ON CLOSED SESSION ITEMS AND NON-AGENDA ITEMS

There were no public communications on Closed Session items and non-agenda items.

F. RECESS TO CLOSED – 4:34 p.m.

Analyst Villa read title to the items to be considered in Closed Session.

City Manager Witzansky announced that the following would be participating in Closed Session: City Manager Mike Witzansky, City Attorney Mike Webb, Assistant City Attorney Cheryl Park, W.E.D. Director Greg Kapovich, Human Resources Director Diane Strickfaden, Outside Leasing Agent Brian Campbell, Outside Legal Counsel Phil Toomey and Aleena Hashmi from the City Attorney's Office.

Motion by Councilmember Kaluderovic, seconded by Councilmember Obagi, and approved by voice vote, to recess to Closed Session at 4:34 p.m.

Motion carried, 5-0.

- F.1. CONFERENCE WITH REAL PROPERTY NEGOTIATOR -The Closed Session is authorized by the Government Code Section 54956.8.**

AGENCY NEGOTIATOR:

Mike Witzansky, City Manager

Greg Kapovich, Waterfront & Economic Development Director

PROPERTY:

International Boardwalk Suite #160

(a portion of APN: 7503-029-902)

NEGOTIATING PARTIES:

Rashel Mereness & Randy LaFaye - Owners of Dingy Deli

Under Negotiation:

Lease Status, Price, and Terms

- F.2. CONFERENCE WITH LEGAL COUNSEL - EXISTING LITIGATION - The Closed Session is authorized by the attorney-client privilege, Government Code Section 54956.9(d)(1).**

Name of case:

Yes in My Back Yard, a California nonprofit corporation; SONJA TRAUSS, an individual v. City of Redondo Beach; City Council of the City of Redondo Beach; City of Redondo Beach Department of Community Development, and DOES 1 through 25 inclusive

Case Number: 23TRCP00325

- F.3. CONFERENCE WITH LEGAL COUNSEL - EXISTING LITIGATION - The Closed Session is authorized by the attorney-client privilege, Government Code Section 54956.9(d)(1).**

Name of case:

City of Redondo Beach, et al. v. California State Water Resources Control Board

Case Number: 20STCP03193

- F.4. CONFERENCE WITH LEGAL COUNSEL - EXISTING LITIGATION - The Closed Session is authorized by the attorney-client privilege,**

Government Code Section 54956.9(d)(1).

Name of case:

**New Commune DTLA, LLC and Leonid Pustilnikov v. City of Redondo Beach and City Council of the City of Redondo Beach
Case Number: 22TRCP00203**

- F.5. CONFERENCE WITH LEGAL COUNSEL - EXISTING LITIGATION - The Closed Session is authorized by the attorney-client privilege, Government Code Section 54956.9(d)(1).**

Name of case:

**New Commune DTLA, LLC v. City of Redondo Beach; City Council of the City of Redondo Beach; City of Redondo Beach Department of Community Development, et al.
Case Number: 23STCP00426**

- F.6. CONFERENCE WITH LEGAL COUNSEL - EXISTING LITIGATION - The Closed Session is authorized by the attorney-client privilege, Government Code Section 54956.9(d)(1).**

Name of case:

**New Commune DTLA LLC v. City of Redondo Beach; City Council of the City of Redondo Beach; and DOES 1 through 100, inclusive
Case Number: 23STCV10146**

- F.7. CONFERENCE WITH LEGAL COUNSEL - EXISTING LITIGATION - The Closed Session is authorized by the attorney-client privilege, Government Code Section 54956.9(d)(1).**

Name of case:

**9300 Wilshire, LLC v. City of Redondo Beach; City Council of the City of Redondo Beach; City of Redondo Beach Department of Community Development; and DOES 1 through 100, inclusive
Case Number: 23STCP02189**

- F.8. CONFERENCE WITH LEGAL COUNSEL - EXISTING LITIGATION - The Closed Session is authorized by the attorney-client privilege, Government Code Section 54956.9(d)(1).**

Name of case:

**In re 9300 Wilshire LLC
Bankruptcy C.D. Cal. Case Number: 2:23-bk-10918-ER**

- F.9. CONFERENCE WITH LEGAL COUNSEL - EXISTING LITIGATION - The Closed Session is authorized by the attorney-client privilege,**

Government Code Section 54956.9(d)(1).

Name of case:

**Catherine Garcia v. City of Redondo Beach, Redondo Beach Police Department and DOES 1 through 100, inclusive
Case Number: 24STCV19409**

G. RECONVENE TO OPEN SESSION – 6:00 p.m.

Mayor Light reconvened to Open Session at 6:00 p.m.

H. ROLL CALL

Councilmembers Present: Behrendt, Kaluderovic, Loewenstein, Nehrenheim, Obagi, Mayor Light

Officials Present: Eleanor Manzano, City Clerk
Mike Webb, City Attorney
Mike Witzansky, City Manager
Lucie Colombo, Chief Deputy City Clerk

I. ANNOUNCEMENT OF CLOSED SESSION ACTIONS

City Manager Witzansky announced that related to Item No. F.9, City Council unanimously authorized the City Attorney to defend the City in the case.

J. ADJOURN TO REGULAR MEETING

Motion by Councilmember Loewenstein, seconded by Councilmember Kaluderovic, and approved by voice vote, to adjourn to the regular meeting at 6:00 p.m.

Motion carried, 5-0.

6:00 PM - OPEN SESSION – REGULAR MEETING

A. CALL TO ORDER

A Regular Meeting of the Redondo Beach City Council was called to order at 6:00 p.m. by Mayor Light in the City Hall Council Chambers, 415 Diamond Street, Redondo Beach, California.

B. ROLL CALL

Councilmembers Present: Behrendt, Kaluderovic, Loewenstein, Nehrenheim, Obagi, Mayor Light

Officials Present: Eleanor Manzano, City Clerk
Mike Webb, City Attorney
Mike Witzansky, City Manager
Lucie Colombo, Chief Deputy City Clerk

C. SALUTE TO THE FLAG AND INVOCATION

Mayor Light invited Veterans and Active-Duty Military to stand and recognized them for their service.

Luca, Senior, Redondo Union High School, and Marine Corps ROTC, led in the salute to the flag.

Mayor Light called for a moment of silence.

D. PRESENTATIONS/PROCLAMATIONS/ANNOUNCEMENTS

Councilmember Nehrenheim wished all a Happy Labor Day.

Councilmember Loewenstein announced the District 2 Community Meeting to be held via Zoom on August 28, 2024 between 6:00 – 7:30 p.m. He will be joined by Community Development Director Marc Wiener and by one or two members of Public Safety to talk about Measure FP.

Councilmember Kaluderovic thanked candidates who participated in commission interviews last week; reported interviewing several candidates for the Youth Commission; spoke about filling in for Back to School at Redondo Union for the Mayor; announced the District 3 Community Meeting will be online on Thursday, August 29, 2024 starting at 6:00 p.m.; mentioned they will be discussing Strategic Plan items for the upcoming year.

Councilmember Obagi announced the District 4 Community Meeting on August 29, 2024 starting at 6:30 p.m. at Perry Park. He will be joined by Community Services Director Elizabeth Hause.

Mayor Light spoke about attending the South Bay Parkland Conservancy Volunteer Appreciation Day at Wilderness Park and provided a brief update of planting projects going on there.

E. APPROVE ORDER OF AGENDA

Motion by Councilmember Loewenstein, seconded by Councilmember Nehrenheim, and approved by voice vote, the order of the agenda, as presented.

Motion carried, 5-0.

F. AGENCY RECESS - None

G. BLUE FOLDER ITEMS – ADDITIONAL BACK UP MATERIALS

G.1 For Blue Folder Documents Approved at the City Council Meeting

City Clerk Manzano announced Blue Folder Items for Items No. J.1, N.1, N.2, N.3 and P.1.

Motion by Councilmember Kaluderovic, seconded by Councilmember Obagi, and approved by voice vote, to receive and file Blue Folder Items.

Motion carried, 5-0.

H. CONSENT CALENDAR

H.1. APPROVE AFFIDAVIT OF POSTING FOR THE CITY COUNCIL REGULAR MEETING OF AUGUST 30, 2024

CONTACT: ELEANOR MANZANO, CITY CLERK

H.2. APPROVE MOTION TO READ BY TITLE ONLY AND WAIVE FURTHER READING OF ALL ORDINANCES AND RESOLUTIONS LISTED ON THE AGENDA

CONTACT: ELEANOR MANZANO, CITY CLERK

H.3. APPROVE THE FOLLOWING CITY COUNCIL MINUTES: NONE

CONTACT: ELEANOR MANZANO, CITY CLERK

H.4. PAYROLL DEMANDS

**CHECKS 29878-29899 IN THE AMOUNT OF \$16,289.02, PD. 8/2/24
DIRECT DEPOSIT 282093-282724 IN THE AMOUNT OF \$2,389,636.62, PD. 8/2/24**

**CHECKS 29900-29919 IN THE AMOUNT OF \$15,458.07, PD. 8/16/24
DIRECT DEPOSIT 282725-283351 IN THE AMOUNT OF \$2,315,466.47, PD. 8/16/24**

EFT/ACH \$9,246.68, PD. 7/5/24 (PP2414)

EFT/ACH \$9,246.68, PD. 7/19/24 (PP2415)

EFT/ACH \$437,990.52, PD. 7/23/24 (PP2414)

EFT/ACH \$445,446.82, PD. 8/8/24 (PP2415)

ACCOUNTS PAYABLE DEMANDS

**CHECKS 115400-115680 IN THE AMOUNT OF \$3,685,232.15
REPLACEMENT DEMAND 115399**

CONTACT: WENDY COLLAZO, FINANCE DIRECTOR

H.5. APPROVE CONTRACTS UNDER \$35,000:

1. APPROVE AN AGREEMENT WITH CREATIVE EMPIRE, LLC DBA MANGO LANGUAGES FOR SOFTWARE SUBSCRIPTION SERVICES TO PROVIDE ONLINE LANGUAGE LEARNING TO LIBRARY PATRONS IN AN AMOUNT NOT TO EXCEED \$14,040 FOR THE TERM SEPTEMBER 1, 2024 TO AUGUST 31, 2027

2. APPROVE A THIRD AMENDMENT TO THE AGREEMENT WITH MUNISERVICES, LLC FOR CITY-SPECIFIC AUDIT SERVICES FOR AN AMOUNT NOT TO EXCEED \$10,000 ANNUALLY AND TO EXTEND THE TERM TO AUGUST 31, 2025

3. APPROVE AN AGREEMENT WITH LIEBERT CASSIDY WHITMORE FOR SPECIAL SERVICES TO PROVIDE GROUP TRAINING AS A MEMBER OF THE EMPLOYMENT RELATIONS CONSORTIUM IN AN AMOUNT NOT TO EXCEED \$4,015 FOR THE TERM JULY 1, 2024 TO JUNE 30, 2025

4. APPROVE A VOTE CENTER FACILITY USE AGREEMENT AND THE ELECTION AND SAFETY PLANS FOR USE OF THE ALTA VISTA PARK COMMUNITY CENTER AND PERRY PARK TEEN CENTER WITH THE LOS ANGELES COUNTY REGISTRAR-RECORDER/COUNTY CLERK FOR THE PRESIDENTIAL GENERAL ELECTION AT NO COST TO THE CITY FOR THE TERM AUGUST 20, 2024 THROUGH NOVEMBER 12, 2024

5. APPROVE A LETTER OF AGENCY AUTHORIZING THE CORPORATION FOR EDUCATION NETWORK INITIATIVES IN CALIFORNIA (CENIC) (E-RATE ENTITY NO. 225495) ASSOCIATED WITH THE EXISTING AGREEMENT WITH THE IMPERIAL COUNTY OFFICE OF EDUCATION (ICOE) TO ACT ON BEHALF OF THE CITY OF REDONDO BEACH PUBLIC LIBRARY IN MATTERS RELATED TO THE FEDERAL E-RATE DISCOUNT PROGRAM FOR THE PURPOSES OF SECURING THOSE DISCOUNTS FOR THE FOLLOWING E-RATE FUNDING YEARS: 2024-25 AND 2025-26

CONTACT: WENDY COLLAZO, FINANCE DIRECTOR

H.6. This Item was pulled from Consent by Councilmember Kaluderovic.

H.7. This Item was pulled from Consent by Councilmember Kaluderovic.

H.8. RECEIVE AND FILE THE CITY TREASURER'S QUARTER 4 FISCAL YEAR

2023-2024 REPORT

CONTACT: EUGENE SOLOMON, CITY TREASURER

- H.9. APPROVE THE SOLE SOURCE PURCHASE OF POLICE DEPARTMENT DUTY AND PRACTICE AMMUNITION FROM DOOLEY ENTERPRISES, INC. IN THE AMOUNT OF \$41,591**

CONTACT: JOE HOFFMAN, CHIEF OF POLICE

- H.10. ACCEPT AS COMPLETE THE KING HARBOR MAINTENANCE DREDGING PROJECT, JOB NO. 70660 AND AUTHORIZE THE CITY ENGINEER TO FILE A NOTICE OF COMPLETION FOR THE PROJECT WITH THE LOS ANGELES COUNTY RECORDER AND AUTHORIZE THE RELEASE OF RETENTION FUNDS IN THE AMOUNT OF \$149,996 TO MANSON CONSTRUCTION CO. UPON EXPIRATION OF THE 35-DAY LIEN PERIOD AFTER SAID RECORDATION AND NO CLAIMS BEING FILED UPON THE PROJECT**

CONTACT: ANDREW WINJE, PUBLIC WORKS DIRECTOR

- H.11. APPROVE A GRANT AGREEMENT BETWEEN THE CITY OF REDONDO BEACH AND BOO'S TREASURES, LLC IN THE AMOUNT OF \$7,158 FOR THE COMPLETION OF STOREFRONT IMPROVEMENTS AT 108 INTERNATIONAL BOARDWALK**

CONTACT: GREG KAPOVICH, W.E.D. DIRECTOR

- H.12. APPROVE THE CONSENT TO HK PACIFIC, LLC'S SUBLEASE WITH JORGE-ANTHONY HERNANDEZ, DBA NADORA JEWELERS, FOR PROPERTY LOCATED AT 112 FISHERMAN'S WHARF**

CONTACT: GREG KAPOVICH, W.E.D. DIRECTOR

- H.13. This Item was pulled from the Consent Calendar by Councilmember Nehrenheim.**

- H.14. This Item was pulled from the Consent Calendar by Councilmember Nehrenheim.**

- H.15. This Item was pulled from the Consent Calendar by Councilmember Nehrenheim.**

- H.16. This Item was pulled from the Consent Calendar by Councilmember Nehrenheim.**

H.17. RECEIVE AND FILE THE MONTHLY UPDATE TO THE TWELVE-MONTH STRATEGIC PLAN OBJECTIVES ADOPTED BY CITY COUNCIL ON MAY 30, 2023

CONTACT: MIKE WITZANSKY, CITY MANAGER

Councilmember Nehrenheim pulled Items No. H.13 through H.16 from the Consent Calendar, for separate consideration.

Councilmember Loewenstein commented on Item No. H.10, the dredging completion in the Harbor and thanked City staff and Public Works for getting it done.

Councilmember Kaluderovic pulled Items No. H.6 and H.7 from the Consent Calendar, for separate consideration.

Councilmember Obagi commented on Item No. H.11; thanked the W.E.D. Department for getting the recent grant.

There were no public comments on the Consent Calendar.

Motion by Councilmember Nehrenheim, seconded by Councilmember Loewenstein, and approved by voice vote, to approve the Consent Calendar except Items No. H.6, H.7, H.13 through H.16, which were pulled for separate consideration.

Motion carried, 5-0.

I. EXCLUDED CONSENT CALENDAR ITEMS

H.6. EXCUSED ABSENCES FROM VARIOUS COMMISSION AND COMMITTEE MEETINGS

CONTACT: ELEANOR MANZANO, CITY CLERK

Councilmember Kaluderovic noted H.6 and H.7 has to do with Commissioner attendance; mentioned there is an issue with tracking attendance as well as attendance in general; asserted that having a position as a Commissioner is an important job and their attendance is important; spoke about having a Council discussion about Council expectations and what policies will be needed so that it makes it clear to everyone going forward; pointed out that Council is not being advised about multiple, unexcused attendance; noted the need for the information for Council to make informed decisions; stated she will make the referral later in the meeting.

Mayor Light agreed with Councilmember Kaluderovic; added that according to the data, if the City had been enforcing the Charter, many Commissioners would be dismissed; stated there is a need to establish policy going forward; noted there are many people in the community that would like an opportunity to be involved.

Motion by Councilmember Kaluderovic, seconded by Councilmember Nehrenheim, to approve Item No. H.6 and H.7.

H.7. RECEIVE AND FILE COMMISSION ATTENDANCE REPORT FROM JANUARY 1, 2024 TO JULY 31, 2024; AND UPDATE 2023 REPORT TO INCLUDE NOVEMBER AND DECEMBER 2023

CONTACT: ELEANOR MANZANO, CITY CLERK

Councilmember Nehrenheim thanked the City Clerk for including the percentages in the report; City Clerk Manzano explained that is how the report is generated now. He agreed that Commission attendance has been atrocious and read the policy in the Charter; noted it is not fair for people who want to get involved; stressed that the Commissions are the first line of input from the public to City Council and spoke about the importance of attendance.

Mayor Light pointed out that it can be deceptive to rely just on the percentages as there have been many cancelled commission meetings.

Councilmember Kaluderovic left the Chambers at 6:16 p.m. and returned at 6:17 p.m.

Councilmember Obagi spoke about his Slide 2B; noted the dedication and attendance of the Planning Commission and thanked them for service; highlighted Wayne Craig for showing up to all the meetings.

There were no public comments or eComments on Items No. H.6 or H.7.

The motions carried, 5-0, by voice vote.

H.13. APPROVE GRANT AGREEMENT WITH THE COUNTY OF LOS ANGELES FOR THE EXPANSION OF THE REDONDO BEACH PALLET SHELTER FOR THE AMOUNT NOT TO EXCEED \$800,000 FOR THE TERM FROM THE DATE THE COUNTY'S CEO OR HER DESIGNEE FULLY EXECUTES THE AGREEMENT TO JUNE 30, 2025.

ADOPT BY 4/5 VOTE AND BY TITLE ONLY RESOLUTION NO. CC-2408-069, A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF REDONDO BEACH, CALIFORNIA, AUTHORIZING A FISCAL YEAR 2024-2025 BUDGET MODIFICATION TO APPROPRIATE \$800,000 OF LOS ANGELES COUNTY DISTRICT TWO HOMELESSNESS GRANT FUNDS TO THE INTERGOVERNMENTAL GRANTS FUND FOR THE EXPANSION OF THE REDONDO BEACH PALLET SHELTER.

CONTACT: MICHAEL W. WEBB, CITY ATTORNEY

Councilmember Nehrenheim requested a status update on the item; clarified it is the pallet shelter program.

City Attorney Webb reported the motion would be only to accept the Grant; noted Council recently approved an agreement with the architectural firm to design it; he was unsure of the revised date and commented on the old timeline.

City Manager Witzansky reported hiring David Evans and Associates, Inc. to prepare the project plans; stated Public Works Director Winje would have specific timelines.

City Attorney Webb added that design is important to minimize ongoing costs; stated it is crucial for the residents that there is ongoing 24-hour a day, 7-days a week security at the site; commenting on Councilmember Nehrenheim's question regarding reporting, he clarified reports go to the COG; noted that although it is the City's land, the pallet shelter is run by the County and they selected and hired the security firm Harbor Interfaith; stated the City pays a portion of the cost to operate it; stated the City has significant control and limitations regarding use of the land since the City owns it; stated if the City chose to repurpose the land, the City has a relatively short window to end the agreement.

City Attorney Webb added that the pallet shelter operation is contracted through the County and the City pays a portion and negotiates the agreement yearly; noted that until the site is built some questions cannot be answered. He commented on surplus units, noting it is up to the City as to whether all of them will fit safely onto the site; noted there are new state laws governing pallet shelters such as distance requirements and addressed participation by his Office in the Public Safety Commission.

Councilmember Nehrenheim talked about reports that would be helpful; Quality of Life Prosecutor Ford explained that Harbor Interfaith is not mandated to send reports to the City Attorney's office; stated that occasionally reports are sent to them but not on a regular basis for them to get a clear picture of what is happening.

There were no public comments on this item.

Motion by Councilmember Nehrenheim, seconded by Councilmember Obagi, and approved by voice vote, Item No. H.13.

The motion carried 5-0.

City Clerk Manzano read title to Resolution No. CC-2408-069.

H.14. APPROVE THE AGREEMENT FOR LEGAL SERVICES WITH INNOVENT LAW, P.C., A PROFESSIONAL CORPORATION

CONTACT: MICHAEL W. WEBB, CITY ATTORNEY

Councilmember Nehrenheim explained the agreement is to hire a new law firm to execute a trademark for the new City logo and wondered if the City Attorney's office could do this instead of paying an outside firm.

City Attorney Webb explained it is a very specialized field; discussed service classes for each item trademarked; mentioned that the City did not trademark their previous logo and it was used in a lot of situations where the public found it misleading; stated it is a policy and budgetary call for the Council; stated his office could gain the expertise in trademark instead of hiring an outside legal firm but that will take time away from what Council would otherwise have him do; reported the cost is not only for the attorney but for the trademark being put into the correct classes and the upkeep in protecting the logo.

City Manager Witzansky added that half of the estimated costs for the trademark are for application fees; felt this is the most efficient way for the City to execute trademarking as possible and recommended moving forward with the agreement.

In response to Councilmember Obagi's question, City Attorney Webb confirmed that if the City were not to trademark the City logo, people would be free to use it in campaign materials.

Councilmember Obagi noted it is a nominal amount of money to protect the City's intellectual property so that it is not used improperly by people trying to associate themselves with the City in an improper context.

There were no public comments on this item.

Motion by Councilmember Nehrenheim, seconded by Councilmember Behrendt, and approved by voice vote, Item No. H.14.

The motion carried 5-0.

H.15. APPROVE THE AGREEMENT FOR LEGAL SERVICES WITH MILLER HEALTH LAW GROUP, A PROFESSIONAL LAW CORPORATION

CONTACT: MICHAEL W. WEBB, CITY ATTORNEY

Councilmember Nehrenheim referenced discussions in May 2023 to bring on a Mental Health Clinician and talked about incurring HIPAA and related health/medical records requests.

City Attorney Webb talked about spending months pursuing contracting with the County for a county mental health clinician; noted a county mental health clinician has additional powers that a city mental health clinician does not; provided a brief history of the item; stated that after many months, the County responded that they

do not have the capacity to provide one; mentioned his office is following up with the MET portion of County Mental Health that provides services to the City to see if the City can contract with them for additional overtime. He reported the City received a grant to fund a Mental Health Clinician to help with homelessness; recommended approving the agreement for legal services to address this matter as there is some potential liability and the City needs an expert in this field.

Councilmember Nehrenheim expressed concerns that going down this path opens the City to a tremendous amount of liability; mentioned potential conflicts; commented that the law firm's hourly rate is \$625 per hour; felt that Council should have a larger discussion and voiced his opposition.

City Attorney Webb mentioned that Council has had these discussions; felt it is a priority need; stated there are not many choices that are available and noted the importance of having someone that can properly advise the City.

There were no public comments on this item.

Motion by Councilmember Kaluderovic, seconded by Councilmember Behrendt, and approved by voice vote, Item No. H.15.

The motion carried 4-1. Councilmember Nehrenheim was opposed.

Councilmember Loewenstein left the Chambers at 6:48 p.m. and returned at 6:51 p.m.

H.16. APPROVE AGREEMENT FOR LEGAL SERVICES WITH MICHEL & ASSOCIATES, PC

CONTACT: MICHAEL W. WEBB, CITY ATTORNEY

Councilmember Nehrenheim commented on the item; reported this is a contract update with one of the law firms the City currently uses; asked for more information in terms of whether the City is getting the best value and deal for its money.

City Attorney Webb reported this is a legal services contract; noted there is no requirement to go out to bid; stated it is amazing that they have not changed their hourly rate since 2008; mentioned their positive issuance of a published opinion regarding the City and the quality of their work; believed the City would be hard pressed to find anyone gives such a small increase in rate over 15 years.

There were no public comments on this item.

Motion by Councilmember Nehrenheim, seconded by Councilmember Behrendt, and approved by voice vote, Item No. H.16.

The motion carried 5-0.

J. PUBLIC PARTICIPATION ON NON-AGENDA ITEMS

J.1 For eComments and Emails Received from the Public

Mayor Light invited public comments.

Brad Waller, Keep the Esplanade Beautiful, announced their annual mixer on October 16, 2024 from 5:00 p.m. to 7:30 p.m. at HT Grill; invited Council, staff and members of the public to attend and submitted flyers to the City Clerk; mentioned that there are open positions for the Board of Directors for Keep the Esplanade Beautiful; noted that the First Saturday Sweep will be on September 7, 2024 at 9:00 a.m. at Avenue I and Esplanade.

Motion by Councilmember Nehrenheim, seconded by Councilmember Loewenstein, and approved by voice vote, to receive and file the flyers submitted by Brad Waller.

The motion carried 5-0.

Holly Osborne, District 5, spoke about attending a Planning Commission meeting and addressed double FARs and the various lot sizes along Artesia Boulevard; proposed a solution for determining parking requirements as some of the lots in North Redondo are narrow.

Wayne Craig spoke about the importance of taking Commission positions seriously; suggested committee positions be taken as seriously; urged Council to consider whether people will attend meetings when they are appointed and whether there is any conflicts of interest.

City Clerk Manzano reported receiving two eComments.

There were no other public comments and Mayor Light closed this portion of the meeting.

K. EX PARTE COMMUNICATIONS - None

L. PUBLIC HEARINGS - None

M. ITEMS CONTINUED FROM PREVIOUS AGENDAS – None

N. ITEMS FOR DISCUSSION PRIOR TO ACTION

N.1. DISCUSSION AND POSSIBLE ACTION BY THE CITY COUNCIL TO MAKE FINAL SELECTIONS OF ITEMS IN THE ORDINANCE,

INTRODUCE THE ORDINANCE FOR FIRST READING, AND PRESENTATION

OF THE ELECTION VOTER OUTREACH PLAN FOR RANKED CHOICE VOTING. INTRODUCE BY TITLE ONLY ORDINANCE NO. 3275-24, AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF REDONDO BEACH, CALIFORNIA, REPEAL TITLE 2, CHAPTER 2, ARTICLE 2, SECTION 2-2.202 (NOTICES OF RUNOFF ELECTIONS) AND ADDING ARTICLE 4 TO MUNICIPAL CODE TITLE 2, CHAPTER 2, TO PROVIDE FOR INSTANT RUNOFF VOTING RELATED TO RANKED CHOICE VOTING; AND

RECEIVE AND FILE THE VOTER OUTREACH PLAN TO EDUCATE THE VOTERS REGARDING RANKED CHOICE VOTING.

CONTACT: ELEANOR MANZANO, CITY CLERK

City Clerk Manzano introduced herself, Analyst Melissa Villa, and Chief Deputy City Clerk Lucie Colombo.

City Clerk Manzano showed a video explaining ranked choice voting (RCV); explained ranked choice voting versus round of counting; highlighted areas where Council needs to make decisions which included maximum number of rankings, write in, overvote, and single or batch eliminations.

Discussion followed regarding determining the number of candidates, having a larger number of candidates, placing in the ordinance, “the maximum number of candidates allowed by the equipment used by the City” and using batch elimination.

City Attorney Webb noted this is not a Charter amendment, but rather an ordinance and the City has the option to change it in the future.

Following discussion and a straw poll, Council proposed having six candidates.

City Clerk Manzano discussed write-ins.

City Attorney Webb commented on write-in candidates; spoke about cases where a write-in candidate does not qualify and there are others to replace him/her, those votes will get disenfranchised if there is only one.

Mayor Light clarified the number of write-ins would be for each election.

Councilmember Obagi commented on a past recall election; noted most people do not qualify as write-in candidates and expressed concerns that people will just start writing names if there are empty blanks on the ballot.

Discussion followed regarding the procedure for qualifying as a write-in candidate and having one spot for every qualified write-in candidate for each race.

An informal poll of Council resulted in a preference of a maximum of two write-ins.

City Clerk Manzano described and explained overvotes.

Discussion followed regarding the various options for counting the votes correctly; challenges with determining the voter's intent; the current language that, in cases of overvotes, those ballots would not count; the need to be crystal clear in terms of voter education.

City Clerk Manzano confirmed City Council chooses to move ahead with Option B in regards to overvotes (the ballot becomes exhausted).

City Clerk Manzano reviewed single and batch eliminations; noted that best practice would be to move ahead with batch eliminations when there are ten or more candidates; she presented Option A and Option B to choose from.

City Attorney Webb provided a brief history of the topic and suggested it may not be wise to add complexity in terms of batch eliminations.

Councilmember Behrendt asked whether the result is the same if the City goes with either single or batch elimination; felt it important to learn about it if it were to result in a different outcome; City Attorney Webb suggested they bring on one of the consultants.

Chris Hughes (via Zoom), RCV Resource Center, explained the result will be the same; explained the difference is the number of rounds that are counted because you are either eliminating people one at a time or in a batch; reported that as there are more candidates in an election there will be more rounds of counting, so doing a batch elimination in that scenario helps to cut down on too many rounds.

A straw poll of Council resulted in a preference for single elimination.

City Clerk Manzano continued with the presentation addressing skipped votes.

Councilmember Behrendt noted that in the example provided, it is artificially giving the Pelican candidate a vote in Round 1 when the person did not vote for the Pelican in Round 1 and felt this is a problem; stressed this will ultimately come down to education.

Discussion followed regarding treating it the same as an overvote and treating it as an invalid ballot.

Chris Hughes (via Zoom), RCV Resource Center, explained every ballot must be counted in every round; if a ballot is declared invalid it will not be counted in future rounds. He reported that their software can handle a variety of adjudication rules; suggested not being super strict and not declaring a ballot exhausted after a single skip, as it is likely that a voter may skip a ranking. He suggested that a ballot exhaust

after two consecutive skip rankings.

Councilmember Behrendt spoke in support of exhausting the ballot after one skipped ranking and noted the need to be clear to voters to not skip rankings.

City Clerk Manzano read language in Section 2-2.407 of the ordinance relative to exhausted ballots; in cases of overvotes and undervotes and remaining exhausted in subsequent rounds.

In response to Councilmember Obagi's question, City Attorney Webb explained that as the ordinance is currently written, an undervote is treated the same as an overvote and listed what qualifies as an undervote.

Chief Deputy City Clerk Colombo explained that if a voter does not choose a candidate in the first ranking, per the ordinance, it shall not count towards any candidate in the round or in subsequent rounds, so that ballot would be exhausted (eliminated).

Councilmember Obagi referenced 2-2.406 where in a skipping case, the next one is counted; suggested there is an ambiguity in the ordinance and read the definition of an undervote as a ballot that has no candidates indicated at any ranking.

More discussion ensued; City Attorney Webb felt the definitions of undervote, overvote, and skipping had some gray areas and could be confusing; commented the education of this would be tricky.

Councilmember Behrendt acknowledged that Sections 2-2.406 and 2-2.407 may be inconsistent.

Councilmember Nehrenheim left the Chambers briefly and returned at 7:39 p.m.

Councilmember Loewenstein left the Chambers at 7:40 p.m. and returned at 7:42 p.m.

Mayor Light left the Chambers at 7:43 p.m. and returned at 7:46 p.m.

Councilmember Obagi stated that skipped ranking does not create an undervote and understood Councilmember Behrendt is advocating for the elimination of 2-2.406 and include in 2-2.407, undervotes, overvotes, skipped rankings and exhausted ballots.

City Attorney Webb agreed that makes it cleaner for this exercise.

Discussion followed regarding the various interpretations; stressed communicating to voters that if they do not fill in the ballot properly it will not be counted; stated that voters need to rank their choices in order and can stop ranking if they do not want to choose any other candidates.

Councilmember Behrendt proposed adding the following language, "Voters are not obligated to rank any candidate he/she does not want to vote for. When ranking candidates, select a different candidate for each ranking. You may rank as many and as few candidates as you choose."

Councilmember Obagi asked about data regarding skipped rankings; Chris Hughes, RCV Resource Center, via Zoom, stated he does not have that data but guessed it is a relatively low number (1%). He noted that a lot of the text in the ordinance was drawn from the California Secretary of State's Guidelines on Ranked Choice Voting and suggested it may be worthwhile stating "Aligned with the California Secretary of State's Guidelines".

City Attorney Webb added that a vast majority of cities use the State's definitions.

Responding to Councilmember Obagi's question, Chris Hughes, RCV Resource Center, via Zoom, reported the software processes the ballot and counts markings until it runs into a mismatching and provided examples.

Councilmember Obagi preferred to count as far as the ballot is properly filled out and discard the rest.

City Attorney Webb stated it would essentially eliminate skipped ballots and once it reaches that point it is an exhausted ballot.

Councilmember Obagi interjected it would be exhausted, not voided.

Councilmember Nehrenheim asserted it should stop there and talked about people trying to game the system.

Mayor Light mentioned an example of wanting to vote for three candidates, ranking them as 1, 2, 3 and exhausting the ballot for subsequent rounds and felt that sounds consistent.

Councilmember Obagi reiterated it would eliminate 2.2-406 and include skipped rankings in 2.2-407 and would be renumbered.

City Clerk Manzano reviewed undervotes and exhausted ballots.

Discussion followed regarding voters not being obligated to rank every candidate, and not being able to rank two in a round or skip a round.

City Attorney Webb stated Council can make further revisions to the ordinance tonight and still adopt it at your next meeting; warned that if Council makes further revisions next meeting Council will need to bring it back for second reading and adoption.

Councilmember Behrendt addressed 2.2-403C and wondered whether that adequately covers what was discussed tonight and whether it should be included in the ordinance or in the educational materials.

City Attorney Webb felt that the language would make it better given the amendments that Council has already made.

Discussion followed regarding keeping it simple and keeping the language in the educational materials; advising voters not to skip any round of ranking since once a round is skipped it will no longer count for future rounds.

Councilmember Obagi claimed that nothing after skipping a ranking will count.

Councilmember Behrendt noted the ordinance dictates that the language has to be included as part of instructions provided to voters.

Councilmember Obagi suggested asking the City Clerk to return with language that she intends to put on the ballot for Council's review at the next meeting.

City Attorney Webb explained that tonight is when Council needs to discuss and recommend changes to the ordinance.

Councilmember Obagi recommended language, "The instructions provided to the voter shall conform substantially to the ordinance" and then work with the City Clerk on the language until the day the City has to publish a ballot with RCV.

Discussion followed that creating the language tonight is best; more suggestions were given on language and how to make it more clear to voters.

Councilmember Kaluderovic suggested, "Vote by ranking candidates in your order of choice start with rank one. "Mayor Light and City Attorney Webb suggested including, "Do not skip a round of ranking." Councilmember Kaluderovic continued with, "You may rank as many or as few candidates as you choose." City Attorney Webb added "but do not skip a round of ranking."

City Attorney Webb suggested to, in that case, include the language in 2.2-403C.

Discussion followed regarding suggestions for the appropriate language to use.

Councilmember Behrendt offered the following language, "Vote by ranking candidates in your order of choice. You may rank as many candidates as you choose. You are not obligated to rank a candidate that you do not want to vote for. When ranking candidates, select a different candidate for each ranking, select only one candidate in each ranking. You must list at least a first ranked candidate. If you vote for more than one candidate in a ranking your ballot will become invalid.

Ranking more candidates will not hurt your higher ranked candidates. All rankings must be listed consecutively. Do not skip rankings.”

Councilmember Obagi wondered if that is disingenuous because ranking more candidates does hurt the voter’s number one ranking.

Councilmember Nehrenheim felt it is too long and several Councilmembers agreed.

Councilmember Kaluderovic felt it should state, “Start with rank one.”

Councilmember Behrendt suggested stating that, “You must list, at least, a first ranked candidate”.

City Attorney Webb spoke about challenges in cases where voters only show up to vote for a particular race and reported there is no obligation for them to cast a ballot for another candidate.

Councilmember Behrendt suggested adding, “for each elected office”.

Councilmember Obagi left the Chambers at 8:33 p.m. and returned at 8:35 p.m.

Councilmember Nehrenheim brought up 2.2-405 regarding to ties; wanted clarification on deciding a tie by a “lot” and asked if that could be defined.

City Attorney Webb explained if there is a tie, except for the last final two candidates, the decision would be reached by lot. If it involves the final two candidates, the decision would be the candidate who had more first-place votes; reported the first-place vote is a voter’s best indication of who their top priority is.

In reply to Councilmember Nehrenheim’s question regarding the definition of “lots”, City Clerk Manzano reported it is in the resolution which says a coin flip or draw lots.

Discussion followed regarding determining the method to determine a tie.

City Clerk Manzano reported her office will need to do further research on the matter.

City Attorney Webb addressed the section of the resolution in relation to lots as shown in Exhibit “A” of the resolution and stated it is up to Council whether to leave it per the resolution or define in the ordinance how the tie will be broken.

Mayor Light noted it is clear in terms of what to do in first round but questioned the subsequent steps and talked about the time it will take for a result.

City Attorney Webb pointed out that the resolution was not written with the idea of RCV; added that Council does not have to change the resolution tonight; stressed that Council direction will be necessary regarding the ordinance. He suggested it

may be best to specify that the City Clerk, or designee, choose names out of an envelope (in public), with an alternative method of breaking the tie if the City Clerk is in the race.

Councilmember Nehrenheim felt it should be in the ordinance.

City Attorney Webb offered options for Council actions.

Councilmember Behrendt displayed Slide 3B and suggested edits to the language in the resolution as he previously discussed.

City Attorney Webb and Councilmember Nehrenheim provided more language suggestions to try to keep the ordinance clear.

Councilmember Obagi suggested wording as, "Vote by ranking candidates in your order of choice. You may rank as many or as few candidates as you choose as long as you start with Rank 1. If you continue casting rankings after Rank 1, continue to Rank 2 and so on, consecutively, until you have completed ranking your preferred candidates. You must select a different candidate for each ranking. Select only one candidate in each ranking. Do not skip rankings, but you need not rank each candidate."

Councilmember Loewenstein felt that is good and Councilmember Obagi noted that it is rules-based.

Discussion followed regarding whether or not to include information about a ballot becoming invalid if it is not properly filled out or placing that information in the educational materials.

Council continued wordsmithing the language suggested by Councilmember Obagi and reached concurrence with the wording.

Mayor Light returned to the issue of defining "lot" in relation to deciding tie votes.

Chris Hughes (via Zoom), RCV Resource Center, stated every jurisdiction he is aware of uses lots for breaking tie votes in RCV; commenting it is used in an early round to determine elimination or to determine winners at the conclusion of tabulation.

Mayor Light stated that since the City Clerk is an elected position, it should be conducted by the Chief Deputy City Clerk.

Councilmember Nehrenheim opined that lot should only be for the first round and the rest to the candidate that received more votes in the first ranking.

Chris Hughes (via Zoom), RCV Resource Center, explained the limitations of the

software.

Mayor Light stated a manual input will be necessary.

Chris Hughes asserted that the results are provided after completion of the tabulation and ties need to be broken in order to get the results of the election; noted that tabulation is done all at once and takes five seconds to process the results; reported the system was designed assuming the tie would be broken by lot.

Mayor Light commented that the City has no choice in terms of the way the system is set up and will not produce interim results.

Councilmember Nehrenheim mentioned that is why it cannot be audited properly.

Mayor Light stated Council will just need to go with “by lot” and define “lot” in the resolution.

Councilmember Nehrenheim reiterated his concern about not being able to audit the 1% tally.

City Attorney Webb reported RCV is certified by the Secretary of State; stated lot is the most common means of breaking a tie; expressed concerns about the software not being able to generate a report after the first round; reiterated this section was copied from another city that uses RCV.

Councilmember Obagi mentioned Council needs to know what options exist for breaking a tie by lot.

Mayor Light mentioned Council does not need to define it in the ordinance but can do so in a resolution.

City Attorney Webb suggested language, “as defined in Council resolution” or just leave it “by lot”.

Mayor Light summarized the discussion as: six ranks, two write-ins, overvotes are exhausted (Option B), single elimination, skipped votes are exhausted, ties to be broken “by lot” and the wording agreed to as edited in Councilmember Obagi’s slide 3B.

Motion by Councilmember Loewenstein, seconded by Councilmember Obagi, to approve the ordinance as amended per Council discussion.

Mayor Light invited public comments.

Steve Chessin, President, Californians for Electoral Reform, spoke in support of the original ordinance drafted by the City Clerk; expressed concerns regarding one of

the changes made by City Council tonight regarding to skipped rankings; asserted it is best practice, in California, to ignore skipped rankings and go to the next ranked candidate; noted that skipped rankings and overvotes are not the same and quoted State Law indicating that, "Each ballot is counted if the intent of the voter can be determined, regardless of whether the voter has complied with the voting instructions" and the Secretary of State RCV Guidelines state that, "Skipped rankings should be ignored, they do not cause the ballot to become invalid at that point". He claimed that the proposed change violates those guidelines and goes against California Law but pointed out that a Charter City does not have to follow California Law in all cases. Additionally, he stated CER recommends declaring a ballot invalid when an overvote is reached, but not before; CER recommends to rank as many candidates as they want, up to the limit of the equipment and allowing just one write-in space. He continued reporting that best practice is single elimination; spoke in support of the City Clerk's Voter Outreach Plan and offered help in educating voters as well as candidates.

Steve Chessin responded to questions from Council regarding skipped rankings in all instances; discussed difficulties in determining voter intent; reported that in the first round every voter's highest ranking is counted.

In response to Councilmember Obagi's question regarding whether the City can do what it has proposed to do, City Attorney Webb responded affirmatively and noted Redondo Beach is a Charter City.

Marcela Miranda-Caballero, Executive Director, California Ranked Choice Voting Coalition; urged Council to approve the ordinance as originally presented by the City Council; voiced support for Mr. Chessin's comments; mentioned that RCV motivates more candidates to run for office; thanked City Clerk Manzano for the presentation and her work creating an implementation process and the Voter Education Outreach Plan; stated her organization is willing to help the City with any questions or concerns.

Wayne Craig, District 1, gave an example showcasing the confusion of RCV ballots; stated the need for a strong education process; opined that the instructions Councilmember Obagi drafted was too long; talked about keeping ballot instructions simple and suggested testing RCV at Redondo Union High School in select classes or sports teams; he hopes the best but stated he has some concerns.

Rolf Strutzenberg, District 1, mentioned that, in the past, there was a process where voters were given the chance to reconcile mistakes and wondered if there is a chance for such a process under RCV rather than eliminating ballots. Additionally, he mentioned language regarding ties in 2-2.204/205 and by lot and wanted clarification that was being struck from the resolution. Mayor Light confirmed it was being struck.

In response to Rolf Strutzenberg's question as to whether voters can be given the opportunity to reconcile; City Clerk Manzano stated RCV cannot as everything is

secret; stated no one knows who voted from what address and explained the process of receiving ballots.

City Attorney Webb stated that the City Clerk's office can correct things that do not affect the secrecy of the ballot.

Arend Castelein (via Zoom), Los Angeles resident, Production Lead for Equal Vote Coalition, spoke about forming a working group to fully consider the options and choices of RCV; mentioned City Council owes it to the voters to get this right; suggested the City begin the process of certifying STAR voting to increase its options in the future; he commented on statements made by prior speakers; recommended reading "Ballot Marking Errors in Ranked Choice Voting" by Stephen Pettigrew and Dylan Bradley; talked about increases in ballot invalidation rates and breaking ties.

Mike Feinstein (via Zoom), Former Santa Monica Mayor and Councilmember, congratulated Council on moving ahead with the ordinance and complimented City Clerk Manzano on the Staff Report; referenced prior comments about RCV in Ireland and corrected the Mayor's response at the time noting that Ireland has used RCV for single seat presidents since 1924; discussed an upcoming Charter Reform Measure by the L.A. County Board of Supervisors on the November ballot using the outmoded, two-round contingent runoff system and the possible formation of a Charter Review Commission to consider additional changes; opined that what the City Council of Redondo Beach does with this election can impact that of LA County.

Diane Silver (via Zoom), FairVote, spoke in support of RCV; clarified the difference between rounds vs rankings and wanting rules that enfranchise voters as much as possible; reported that in an instant runoff the voter's vote continues to count for the first choice as long as the candidate continues to be in the race. It is only if they are eliminated that the second choice comes into play. She added that if the voter's preference can be interpreted, then their intent should be honored; encouraged City Council to reconsider its choice about exhausting a ballot if there are skipped rankings and addressed subsequent rankings.

Steven Hill (via Zoom), one of the originators of the idea of instant runoff and RCV, encouraged Council to remove the wording regarding skipped rankings as the City may be stepping into areas of State and Federal Law that have to do with the intent of a voter; noted there are limits to what a Charter City can do; addressed the rigorous certification process; stated that how skipped rankings are handled was probably part of the Secretary of State's certification order for the Hart and the RCV blended system; urged Council to take its time to make the right decision.

Sarah Wolk (via Zoom), Executive Director, Equal Vote Coalition, spoke in opposition of RCV; felt that counting some people's votes while ignoring others is fundamentally unfair; talked about the lack of details and clarity around details with respect to RCV; suggested that the City form a committee to look into implementation best practices and look at STAR voting as another option; talked about RCV having a lack of

auditability and issues with wasted votes; referenced challenges in Alameda County; stated RCV does not count all the rankings and cannot confirm that votes were tallied correctly; commented on the benefits of STAR voting.

Tom Charron (via Zoom), Co-founder, California Ranked Choice Voting Coalition, thanked Council and the City Clerk for all the work it has done regarding this item; talked about RCV being used all over the country; commented that voters love RCV, it has been proven to work and people like having an additional choice.

There were no other public comments on this item.

City Clerk Manzano presented details of the Voter Outreach Plan; went over goals, strategies, and timelines.

Councilmember Obagi asked the City Clerk to use the new City logo on the materials as well as the new font for added consistency.

Councilmember Nehrenheim displayed his slide 1A; talked about questions from residents during the District 1 community meetings regarding this topic; displayed California Form 410 and commented on how complicated the form is; commented they are going from a majority vote of 50% plus one, to a more plurality vote; showed form 460 filed by the California Ranked Choice Voting Coalition and their collection of over \$30,000; commented that most of the money was from outside the State and reported there was not a single person from Redondo Beach that contributed money toward RCV. He acknowledged that voters asked for an instant-runoff system but did not ask for RCV; mentioned his motion tonight will be to approve the ordinance but to direct Staff to move forward with getting STAR voting certified to provide options for residents and spoke about the added complexities for RCV.

Substitute motion by Councilmember Nehrenheim, to approve the ordinance as amended per Council discussion and direct staff to return with a discussion about the STAR voting system and possibly moving forward with certification.

City Attorney Webb pointed out the STAR voting system is not part of the agenda item; reported that Council may make a referral to do so; stated that it would not be incumbent on the City Clerk to do it, but on the Secretary of State and they have a whole process; noted that Council would need to have a full discussion of what that process is and what it would cost; stated he does not know what the process is and discussion would need to be done by Council on the topic of STAR voting.

The substitute motion died for lack of a second.

Mayor Light agreed with the need to consider other voting options.

Councilmember Obagi reported that whenever new systems are considered in a city, money flows in to try to get the City to use those systems and provide an educational

campaign; noted the whole move to RCV started with the CRAC which discussed the issue, ad nauseum, and recommended it to Council.

Councilmember Loewenstein asked for a call of the vote.

Mayor Light summarized the items concurred to by Council.

City Clerk Manzano offered a friendly amendment to receive and file the Voter Outreach Plan.

Councilmembers Loewenstein and Obagi agreed.

The motion carried 5-0 by voice vote.

City Clerk Manzano read title to Ordinance No. 3275-24.

RECESS/RECONVENE

Motion by Councilmember Behrendt, seconded by Councilmember Obagi, and approved by voice vote, to recess for six minutes at approximately 9:07 p.m.

Motion carried, 5-0.

Mayor Light reconvened the meeting at approximately 9:13 p.m.

ROLL CALL

Councilmembers Present: Behrendt, Kaluderovic, Loewenstein, Nehrenheim, Obagi, Mayor Light

N.2. DISCUSSION AND POSSIBLE ACTION REGARDING A CONSULTING SERVICES AGREEMENT TO DESIGN AND PERFORM NECESSARY STUDIES FOR A PUBLIC BOAT LAUNCH PROJECT ON MOLE D IN KING HARBOR APPROVE AN AGREEMENT WITH MOFFATT & NICHOL TO DESIGN A PUBLIC BOAT LAUNCH ON MOLE D OF KING HARBOR FOR AN AMOUNT NOT-TO-EXCEED \$649,648 AND THE TERM AUGUST 20, 2024 THROUGH DECEMBER 31, 2026 PROVIDE DIRECTION ON WHETHER TO INCLUDE A REPLACEMENT BOAT HOIST AS PART OF THE PROJECT STUDIES

CONTACT: GREG KAPOVICH, W.E.D. DIRECTOR

W.E.D. Director Kapovich introduced Senior Management Analyst Dave Charobee and deferred to him for a report.

Senior Management Analyst Charobee narrated a PowerPoint presentation with details

of the Boat Launch Project; noted after multiple discussions Staff recommends Moffatt & Nichol to be awarded the contract; stated they are seeking Council's approval to move forward with the contract and discussion for inclusion of a boat hoist in the project.

Councilmember Nehrenheim noted that Council has discussed this matter thoroughly and completely.

Motion by Councilmember Obagi, seconded by Councilmember Nehrenheim, to approve the contract with Moffatt & Nichol with the elimination of the boat hoist option.

Mayor Light invited public comments.

Roger Carlson, District 3, Harbor Commissioner, Amenities Plan Subcommittee and Boat Ramp Subcommittee Member, speaking on his own behalf, offered to respond to questions from City Council regarding the boat hoist; reported that the Commission discussed not keeping the hoist in the project but chose to leave it up to City Council to make the decision; noted the area may be too small for a hoist.

Mark Hanson, King Harbor boater, spoke in support of locating the boat ramp at Mole D; reported he will work on community engagement and talked about the boat hoist.

There were no other public comments on this item.

The motion carried, 5-0, by voice vote.

N.3. DISCUSSION AND POSSIBLE ACTION REGARDING CONSIDERATION OF A SALARY ADJUSTMENT FOR THE ELECTED CITY ATTORNEY POSITION IN ADVANCE OF THE MARCH 2025 MUNICIPAL ELECTION RECEIVE AND FILE THE LETTER PROVIDED BY THE BUDGET AND FINANCE COMMISSION REGARDING THE SALARY FOR THE CITY ATTORNEY POSITION

CONTACT: DIANE STRICKFADEN, DIRECTOR OF HUMAN RESOURCES

Director of Human Resources Diane Strickfaden narrated a PowerPoint presentation of the City's process to review and consider salary adjustments for elected officials, specifically for the City Attorney position; noted that any salary changes need to be adopted by Council at least 30 days prior or concluded by the council meeting on October 8, 2024; noted that any changes to the ordinance would need to be made that evening so Staff could prepare an ordinance to bring back next month.

Councilmember Obagi opined that the City Manager's position should be the highest paid in the City of Redondo Beach; felt the City Manager should be the Chief Executive of the City and that the City Attorney should be responsive to the directives of the City Manager; stated he felt the City Attorney's salary should be just below the City Manager; noted discussions with Councilmember Behrendt and the City Attorney regarding the City Attorney's immense workload; he displayed his slide 3B illustrating a proposed pay

schedule; added that once the City Attorney is in office, Council cannot raise the salary and that is why they are proposing an increase without knowing who the elected attorney will be because they want to attract some good candidates.

Motion by Councilmember Obagi, seconded by Councilmember Behrendt, to approve a salary adjustment for the elected City Attorney position according to the proposed pay schedule in slide 3B.

Councilmember Nehrenheim displayed his Slide 1B; talked about the difference between an elected and appointed City Attorney; discussed focusing on elected City Attorneys; noted that voters decide on the qualifications of the City Attorney; pointed out comparisons in compensation throughout California for elected City Attorneys; talked about base pay and other benefits and contributions; discussed costs per resident and the need to add pension pay; mentioned comparative cities and proposed a \$238,000 base pay plus 3% per year subsequently.

Substitute motion by Councilmember Nehrenheim, to reset the base pay to \$238,000 in line with the City of San Diego and the California Superior Court Judge and 3% compensation per year for the following years.

Councilmember Nehrenheim explained it is a reduction and will put Redondo Beach in line with other cities.

Councilmember Obagi noted it would be a \$36,452 reduction.

Councilmember Nehrenheim stated it is only \$500 reduction per thousand residents.

The substitute motion died for a lack of a second.

Councilmember Obagi stated he is not dead set on 3% per year and is open to other suggestions.

Councilmember Loewenstein suggested a 2% increase per year.

Councilmember Obagi suggested a 2.5% increase per year.

Councilmember Kaluderovic pointed out that Council moved to discuss the City Manager salary in January 2025; clarified that this proposed salary for the City Attorney has taken that into account since Councilmember Obagi noted the City Manager should be the highest paid.

In response to Mayor Light's question regarding the reason for escalating the salary this year, Councilmember Obagi reported that he has received feedback from several people that the salary is below market and the workload is huge; noted only one person has announced their candidacy and believed it is worthwhile to make the position appealing for the workload; mentioned Councilmember Behrendt is an attorney and would be

perfect for the position but he will not run.

Councilmember Behrendt agreed that the workload is intense.

Councilmember Kaluderovic stated that while the City Attorney is an elected official, he is an employee of the City; felt it seems odd to not give the same financial appreciation that has been extended to every other group in every other decision that has come before Council; talked about the cost of living increases from 2020 until now; stated she was more comfortable with Councilmember Obagi's original motion.

Mayor Light commented on the possibility of going to a cost-of-living (COLA) increase for subsequent years.

City Manager Witzansky opined that would complicate things as calculations would be needed year over year and it would be better to define the number now.

Councilmember Obagi explained the rationale behind his suggestion of a 2.5% increase year over year.

Councilmember Loewenstein spoke about showing appreciation for the City Attorney's work; talked about the workload; felt Councilmember Obagi's motion is a good compromise.

Discussion followed regarding the original motion.

City Clerk Manzano reported receiving four eComments opposing this matter.

Councilmember Nehrenheim asked Councilmember Behrendt if he is planning on running for the City Attorney position.

Councilmember Behrendt stated he is not planning to run for City Attorney.

The motion carried 4-1. Councilmember Nehrenheim was opposed.

O. CITY MANAGER ITEMS

City Manager Witzansky reported Staff and City Council will not meet next week; announced meetings will return on September 3, 2024; addressed items to be considered in future agendas and noted the meeting of September 10, 2024 will be a strategic planning meeting.

P. MAYOR AND COUNCIL ITEMS

P.1. DISCUSSION AND POSSIBLE DIRECTION TO STAFF REGARDING CHRONICALLY VACANT COMMERCIAL AND RESIDENTIAL PROPERTIES THAT ADD TO BLIGHT AND NUISANCE IN THE COMMUNITY

**CONTACT: MICHAEL W. WEBB, CITY ATTORNEY
JOY FORD, QUALITY OF LIFE PROSECUTOR**

Quality of Life Prosecutor Ford narrated a PowerPoint presentation regarding chronically vacant commercial and residential properties that add blight and nuisance in the community; noted she used Code Enforcement's case management system to pull up any cases in the last three years that had the term abandoned or vacant; showed slides of examples of properties; stated that if the City of Redondo Beach would like to adopt and ordinance she suggests it has definitions, registration requirements, monthly or annual registration fee, enforcement and violations with penalties.

City Attorney Webb added this is a Council policy call in terms of what to include; reported the vast majority of complaints received about the topic have ancillary complaints that the City's Municipal Code already covers; discussed enforcement, the possibility of a storefront improvement program and the good deeds fund.

Mayor Light reiterated the City Attorney's request for direction to establish an ordinance.

Discussion followed regarding Code Enforcement considerations.

Councilmember Obagi spoke about having the ordinance address commercial properties but not private properties; stated he would not be inclined to pass any laws for residential zones at this time.

City Attorney Webb spoke about vacant commercial properties along Artesia; noted the City now has a full Quality of Life team; discussed the need to consider unintended consequences. He added that Council needs to consider what it is trying to correct and direct him to work on an ordinance to meet those goals.

Councilmember Kaluderovic understood that there are residents noticing blight in the area; noted the circumstances as to why that is plays a role in how to address it; noted that 70% of the issues that have been brought up were resolved through Code Enforcement and talked about the progress that has been made with the current laws in the books. Additionally, she mentioned receiving an email from a resident who runs a program called "Coastline Cares", a volunteer program looking to help residents who are elderly or disabled clean their lawns and perform minor repairs in their homes.

Councilmember Loewenstein talked about being beyond blight and reduced property values, but it also includes public health concerns.

City Attorney Webb reported the City already has laws covering most issues but if there are items that the law does not cover, he suggested Council put that in their direction for the ordinance.

Councilmember Loewenstein talked about cases where blight is due to City permitting

delays and issues.

Councilmember Nehrenheim talked about the small number of yearly requests; discussed fire issues, health and safety issues and vagrancy issues related to blight; agreed with the need to address commercial properties; commented on the Torrance and Manhattan Beach ordinances; felt the City has enough tools in its toolbox to address the matter appropriately.

Mayor Light invited public comments.

Jim Mueller talked about the Torrance and Manhattan Beach ordinances; discussed existing chronically vacant and blighted properties; addressed a significant vacancy rate in Redondo Beach; referenced the code he proposed and submitted under Blue Folder Items. Additionally, he talked about reasons people may have blight; spoke about possible financial benefits to the City of addressing blight.

Motion by Councilmember Obagi, seconded by Councilmember Nehrenheim, and carried by voice vote, to grant Jim Mueller additional time to comment.

Motion carried 5-0.

Jim Mueller said that much of the blight is related to property owners that do not live in the City and have no interest in it; spoke about complaints and wondered about the appeal process for Code Enforcement decisions.

Wayne Craig, District 1, agreed about the importance of focusing on commercial properties for an ordinance; mentioned residential enforcement is being looked at by many realtors and that the City does not know the situation with residential properties and the owners' circumstances.

There were no other public comments.

Motion by Councilmember Nehrenheim, seconded by Councilmember Loewenstein, and carried by voice vote, to receive and file the report.

The motion carried 5-0.

Q. MAYOR AND COUNCIL REFERRALS TO STAFF

Councilmember Nehrenheim commented on Mayor Light's Harbor Commercial Plan.

Motion by Councilmember Nehrenheim, seconded by Councilmember Loewenstein, and carried by voice vote, to forward Mayor Light's Harbor Commercial Plan to the Harbor Commission for their review.

The motion carried 5-0.

Councilmember Behrendt stated he would like to comment on the item.

Motion by Councilmember Nehrenheim to place on an upcoming agenda, discussion and possible action to authorize City staff to request certification of the STAR voting system both directly and via the County as provided by the State of California and as per the example ordinance he provided during the first meeting in August under Blue Folder Items.

The motion died for lack of a second.

Councilmember Behrendt suggested waiting on the STAR voting since Council has many other pressing issues to address.

Councilmember Obagi favored placing the item on the Strategic Plan after the next municipal election.

Motion by Councilmember Kaluderovic, to place on an upcoming agenda, sometime in October, a discussion of Council's policies regarding attendance.

Councilmember Nehrenheim offered a friendly amendment to add training regarding use of City emails.

Discussion followed regarding the large number of items scheduled for Council consideration in September and October.

Councilmember Kaluderovic offered to work in a subcommittee on this topic and asked for consideration before the end of the year.

Councilmember Obagi and Mayor Light offered to work with Councilmember Kaluderovic offline regarding this matter.

City Attorney Webb expressed concerns with the number of items scheduled for Council consideration.

City Manager Witzansky confirmed it will be a busy Fall for City Council and listed issues to be considered.

Amended motion by Councilmember Kaluderovic, seconded by Councilmember Nehrenheim, and carried by voice vote, to place on an upcoming agenda, sometime before the end of the year, a discussion of Council's policies regarding attendance for Commission/Committee meetings and training on the use of City emails.

The amended motion carried 5-0, by voice vote.

Motion by Councilmember Kaluderovic, seconded by Councilmember Loewenstein, to

place on an upcoming agenda, a discussion to consider a budget modification designating the Kings 5K as a signature event.

Councilmember Nehrenheim voiced his opposition.

The motion carried 4-1. Councilmember Nehrenheim was opposed.

Councilmember Obagi confirmed the strategic plan session will be on September 10, 2024 and there will be no Council meeting next week; asked about the mural that was supposed to be done at the Skate Park.

City Manager Witzansky and City Attorney Webb provided a brief background and status of the project; mentioned the delay was not on the part of the Kings but more to do with the liability insurance.

R. RECESS TO CLOSED SESSION – None

The Closed Session meeting was cancelled.

S. RECONVENE TO OPEN SESSION – None

The Closed Session meeting was cancelled.

T. ADJOURNMENT – 11:11 p.m.

City Attorney Webb requested adjourning tonight's meeting in memory of Kenton Moore and spoke about him representing the City years ago; spoke very highly of the person he was and how everyone that worked with him felt he was a great guy.

There being no further business to come before the City Council, motion by Councilmember Obagi, seconded by Councilmember Behrendt, to adjourn the meeting at 11:11 p.m. in memory of Kenton Moore, to an Adjourned Regular meeting to be held at 4:30 p.m. (Closed Session) and a Regular meeting to be held at 6:00 p.m. (Open Session) on Tuesday, September 3, 2024 in the Redondo Beach City Hall Council Chambers, 415 Diamond Street, Redondo Beach, California.

Motion carried, 5-0.

All written comments submitted via eComment are included in the record and available for public review on the City website.

Respectfully submitted:

Eleanor Manzano, CMC
City Clerk