

BLUE FOLDER ITEM

Blue folder items are additional back up material to administrative reports and/or public comments received after the printing and distribution of the agenda packet for receive and file.

CITY COUNCIL MEETING DECEMBER 10, 2024

H.8 DECLARING THE RESULTS OF THE NOVEMBER 5, 2024 ELECTION

CONTACT: ELEANOR MANZANO, CITY CLERK

- **REVISED TITLE TO INCLUDE RESOLUTION CC-2412-116. *NOTE- RESOLUTION WAS ORIGINALLY INCLUDED IN THE STAFF REPORT AND ATTACHED TO AGENDA PACKET***

REVISED TITLE:

DECLARING THE RESULTS OF THE NOVEMBER 5, 2024 ELECTION

ADOPT BY TITLE ONLY RESOLUTION NO. CC-2412-116, A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF REDONDO BEACH, CALIFORNIA, RECITING THE FACT OF THE SPECIAL MUNICIPAL ELECTION CONSOLIDATED WITH THE COUNTY OF LOS ANGELES HELD ON TUESDAY, NOVEMBER 5, 2024, DECLARING THE RESULT AND SUCH OTHER MATTERS AS PROVIDED BY LAW

RESOLUTION NO. CC-2412-116

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF REDONDO BEACH, CALIFORNIA, RECITING THE FACT OF THE SPECIAL MUNICIPAL ELECTION CONSOLIDATED WITH THE COUNTY OF LOS ANGELES HELD ON TUESDAY, NOVEMBER 5, 2024, DECLARING THE RESULT AND SUCH OTHER MATTERS AS PROVIDED BY LAW.

WHEREAS, a Special Municipal Election consolidated with Los Angeles County was held and conducted in the City of Redondo Beach, California, on Tuesday, November 4, 2024, as required by law; and

WHEREAS, notice of the election was given in time, form, and manner as provided by law; that voting precincts were properly established; that election officers were appointed and that in all respects the election was held and conducted and the votes were cast, received and canvassed and the returns made and declared in time, form, and manner as required by the provisions of the City Charter and California State law; and

WHEREAS, the Los Angeles Register Recorder/County Clerk has canvassed the returns of the election and has certified the results to this City Council, which are received, attached, and made a part hereof as Exhibit "A".

NOW, THEREFORE, THE CITY COUNCIL OF THE CITY OF REDONDO BEACH, CALIFORNIA, DOES HEREBY RESOLVE AS FOLLOWS:

SECTION 1. That the whole number of ballots cast at the precincts except vote by mail ballots was 8,521; that the whole number of vote by mail ballots cast was 30,358, making a total of 38,879 ballots cast in the City.

SECTION 2. That the measures voted upon at the election are as follows:

MEASURE FP

To recruit/retain qualified firefighters/paramedics/police, improve Redondo Beach's ability to provide fire/police protection and 911 response, help keep Redondo Beach safe by repairing/replacing/upgrading deteriorated fire/police stations/facilities, including removing asbestos and mold, shall Redondo Beach's measure authorizing \$93,350,000 in bonds at legal rates, levying on average \$17.45 per \$100,000 of assessed valuation, generating approximately \$6,280,000 annually while bonds are outstanding, requiring oversight, spending disclosure, and all funds spent locally, be adopted?

MEASURE RB

PROPOSED CHARTER AMENDMENT. Shall the measure be adopted (1) amending the Redondo Beach City Charter sections relating to "Major Changes in Allowable Land Use" in conformity with a Superior Court ruling that the voter approval requirement of the City Charter shall not apply to an amendment to, or update of, the Housing Element of the City's General Plan, or the zoning changes contemplated by the Draft Housing Element; and (2) changing the requirement that sample ballot materials be "mailed" to "made available"?

MEASURE SD

PROPOSED CHARTER AMENDMENT. Shall Article XVI Redondo Beach Unified School District pertaining to Section 16.1, Board Members, remove the language “without compensation, except necessary expenses when acting as a designated representative of the Board of Education as provided in the Education Code of the State of California”?

SECTION 3. That the number of votes given at each precinct and the number of votes given in the City for and against the measures are as listed in Exhibit “A” attached hereto and incorporated herein.

SECTION 4. That as a result of the election, a 2/3rds vote of the voters voting on the aforementioned **Measure FP**, adopted Ordinance No. 3274-24, an Ordinance of the submission of a proposition incurring bonded indebtedness to the qualified voters of the City of Redondo Beach, California at the Statewide General Municipal election held on November 5, 2024, for the purpose of financing the costs of the acquisition, construction, reconstruction, rehabilitation or replaced of certain municipal improvement projects constituting public infrastructure of the City amending the Redondo Beach Municipal Code to authorize the City of Redondo Beach, and shall be deemed adopted upon the date that the votes are declared by the legislative body; attached hereto and incorporated herein as Exhibit “B”; and

SECTION 5. Tax Rate Statement. That the estimates and projections contained in the measure and in the tax rate statement required by Section 9401 of the California Elections Code and prepared in connection with the measure, have been made based on currently available information, but depend on a number of variables which are subject to variation. Such estimates and projections have been made in good faith, and are not binding or intended to be limitations on the terms of the Bonds which will be mailed to voters, and filed the tax rate statement and any other documents required for the Bond measure with the Los Angeles County Registrar of Voters; attached hereto and incorporated herein as Exhibit “C”.

SECTION 6. That as a result of the election, a majority of the voters voting on **Measures RB** and **SB** did vote in favor of them, and that the measures were carried, shall be deemed adopted and ratified; attached hereto and incorporated herein as Exhibit “D and E, respectively”.

SECTION. 7. That the City Council does hereby direct the City Clerk to file one certified copy of said charter amendments -- Measures RB and SB, with the Secretary of State, one certified copy with the Los Angeles County Registrar-Recorder for recordation, and one certified copy of said charter amendments in the archives of the City of Redondo Beach in accordance with the provisions of the California Government Code Section 34460 as soon as practicable after the adoption of this resolution.

SECTION 8. That the City Clerk shall enter on the records of the City Council of the City, a statement of the result of the election, showing: (1) The whole number of ballots cast in the City; (2) the measures voted upon; (4) the number of votes given at each

precinct for and against each measure; (6) the total number of votes to each for and against each measure. (Exhibit "A")

SECTION 9. That the City Clerk shall certify to the passage and adoption of this Resolution and enter it into the book of original Resolutions.

PASSED, APPROVED AND ADOPTED this 10th day of December, 2024.

James A. Light, Mayor

APPROVED AS TO FORM:

ATTEST:

Michael W. Webb, City Attorney

Eleanor Manzano, CMC, City Clerk

CERTIFICATION

STATE OF CALIFORNIA)
COUNTY OF LOS ANGELES) SS
CITY OF REDONDO BEACH)

I, Eleanor Manzano, City Clerk of the City of Redondo Beach, California, do hereby certify that Resolution No. CC-2412-116 was passed and adopted by the City Council of the City of Redondo Beach, California, at a regular meeting of said City Council held on the 10th day of December 2024, and thereafter signed and approved by the Mayor and attested by the City Clerk, and that said resolution was adopted by the following vote:

AYES:

NOES:

ABSENT:

ABSTAIN:

Eleanor Manzano, CMC
City Clerk

**EXHIBIT "B"
MEASURE FP**

ORDINANCE NO. 3274-24

AN ORDINANCE OF THE CITY OF REDONDO BEACH ORDERING THE SUBMISSION OF A PROPOSITION INCURRING BONDED INDEBTEDNESS TO THE QUALIFIED VOTERS OF THE CITY OF REDONDO BEACH AT THE STATEWIDE GENERAL ELECTION TO BE HELD ON NOVEMBER 5, 2024, FOR THE PURPOSE OF FINANCING THE COSTS OF THE ACQUISITION, CONSTRUCTION, RECONSTRUCTION, REHABILITATION OR REPLACEMENT OF CERTAIN MUNICIPAL IMPROVEMENT PROJECTS CONSTITUTING PUBLIC INFRASTRUCTURE OF THE CITY

WHEREAS, the City of Redondo Beach (the "City") is a charter city duly organized and existing under the Constitution and laws of the State of California; and

WHEREAS, as mentioned in the City's Capital Improvement Program (CIP), the City desires to undertake the acquisition, construction, reconstruction, rehabilitation or replacement of the City's police and fire facilities (together, the "Improvements"); and

WHEREAS, the City has outgrown its aging police and fire facilities, which were built in the 1950s when the City's population was approximately one-third of the current population; and

WHEREAS the current fire stations, where constructed in 1959 for a total staff of 39 firefighters serving a population of 50,000. Today the fire department responds to over 8,000 annual emergency calls with a total staff of 69 personnel serving a population of 70,000 in the same facilities. These stations lack adequate space for personnel and paramedic equipment, hindering operational efficiency; and

WHEREAS on June 28, 2024, the Los Angeles Civil Grand Jury issued a report on *Earthquake Safety Readiness* directing cities to prioritize government building resilience and to initiate retrofitting and rebuilding of these buildings to ensure earthquake resilience; and

WHEREAS, the City falls within a region that is susceptible to earthquakes due to its proximity to several active fault lines which includes the Palos Verdes Fault, Newport-Inglewood Fault and San Andreas Fault. Redondo Beach is part of the broader Los Angeles area, which is classified as Seismic Zone 4. This is the highest seismic risk zone in the United States, indicating a high potential for significant seismic activity; and

WHEREAS, the City's 911 communication center, police station and fire stations are critical infrastructure and critical components of the emergency response system and must adhere to stringent building codes designed to enhance earthquake resilience and ensure readiness in a disaster. This includes requirements for seismic retrofitting and/or replacement of older buildings to enhance the earthquake resilience of these buildings. These centers are the first point of contact in emergencies, providing immediate response and coordination in any disaster; and

WHEREAS, the fire stations are in need of repair, replacement and upgrades, including but not limited to, addressing structural cracking, seismic retrofitting, mold, asbestos and outdated

plumbing and electrical systems, and adding or updating female sleeping quarters and restrooms in order to help recruit and retain fire fighters and paramedics; and

WHEREAS, the police station, which was constructed in 1957 for a total staff of 48, lacks adequate space for current personnel and equipment, hindering operational efficiency for the now roughly 240 Police Department employees; and

WHEREAS the current police station is in need of repair, replacement and upgrades, including but not limited to, mold, asbestos and lead, outdated plumbing and electrical systems, meeting California Structural Performance Category (SPC) requirements to survive a strong earthquake, addressing significant roof leaks during storms, updating inadequate restrooms to meet ADA requirements, and updating facilities to utilize more efficient, economical and environmentally friendly energy systems; and

WHEREAS a new police station would be able to accommodate space for new state-of-the-art technology to enhance the communications center, drone operations, jail operations, and a more contemporary Emergency Operations Center to keep the City secure during the management of emergency incidents; and

WHEREAS a new police station will incorporate modern security measures to better protect officers and arrestees, allow for community integration and meeting spaces, and foster positive relationships between law enforcement and residents to better accommodate the needs of the community; and

WHEREAS, the undertaking of the Improvements by the City constitutes the acquisition, construction, reconstruction, rehabilitation or replacement of “municipal improvements” and “public infrastructure” because the Improvements are (1) part of the structures, facilities and equipment owned and operated under the control of the City, (2) part of the basic, underlying features of the City’s physical landscape, community identity, and organization, (3) once completed, open to the public for use and/or benefiting the public, and (4) necessary or convenient to carry out the objects, purposes and powers of the City; and

WHEREAS, the City intends to issue its general obligation bonds (the “Bonds”) to finance the cost of the acquisition, construction, reconstruction, rehabilitation or replacement of the Improvements; and

WHEREAS, under existing law, approval of the Bonds requires 2/3 of the voters in the City voting on the proposition to vote in favor; and

WHEREAS, Assembly Constitutional Amendment No. 1, as amended by Assembly Constitutional Amendment No. 10, has qualified for the November 5, 2024 Statewide ballot as “Proposition 5” and would, among other things, change existing law to authorize a city, county, city and county, or special district to levy an ad valorem tax to service bonded indebtedness incurred to fund the construction, reconstruction, rehabilitation, or replacement of public infrastructure if the proposition proposing that tax is approved by 55% of the voters of the city, county, city and county, or special district, as applicable, and the proposition includes specified accountability requirements; and

WHEREAS, the foregoing amendments effectuated by Proposition 5, if approved at the November 5, 2024 Statewide ballot, would apply to any proposition authorizing general obligation bonds of a city that is submitted at the same election as Proposition 5; and

WHEREAS, the proposition to approve the Bonds complies with all the provisions of Proposition 5, including all of its accountability requirements, so that, if Proposition 5 is approved on November 5, 2024, approval of the Bonds shall require that 55% (not 2/3) of the voters in the City voting on the proposition vote in favor; and

WHEREAS, if the ballot measure authorizing issuance of the Bonds is approved by the requisite number of affirmative votes, the City will be authorized to issue the Bonds.

NOW, THEREFORE, the City Council of the City of Redondo Beach does hereby ordain as follows:

SECTION 1. PURPOSE AND INTENT. Pursuant to the authority provided by the California Government Code and California Elections Code, the City Council proposes to order the submission of a proposition authorizing the City to issue general obligation bonds (the "Bonds") to the qualified voters of the City at the Statewide general election to be held on November 5, 2024.

SECTION 2. FINDINGS. The City Council hereby makes the following findings with respect to the proposed measure for the Bonds:

- (i) On July 30, 2024, the City Council adopted, by a two-thirds vote of all its members, a resolution entitled "A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF REDONDO BEACH DETERMINING THAT THE PUBLIC INTEREST AND NECESSITY DEMAND THE ACQUISITION, CONSTRUCTION, RECONSTRUCTION, REHABILITATION OR REPLACEMENT OF MUNICIPAL IMPROVEMENT PROJECTS CONSTITUTING PUBLIC INFRASTRUCTURE OF THE CITY, AND THEIR FINANCING THROUGH THE ISSUANCE OF GENERAL OBLIGATION BONDS," pursuant to which the City Council has found and determined that the public interest and necessity demand the issuance of general obligation bonds to finance the Improvements, which are municipal improvement projects constituting public infrastructure of the City.
- (ii) In order to provide for the issuance by the City of general obligation bonds to provide financing for the Improvements, it is necessary for the City Council to adopt an ordinance ordering the submission of the proposition of incurring bonded indebtedness for such purpose to the qualified voters of the City at a municipal election.
- (iii) The City Council desires to submit said ballot measure to the qualified voters of the City at the Statewide general election to be held in the City on November 5, 2024, and to consolidate the bond election with other elections held within the City on that date.

SECTION 3. CALL FOR ELECTION. The City Council hereby orders that there be submitted to the qualified voters of the City a proposition on incurring bonded indebtedness for the purposes set forth in this Ordinance, at the Statewide general election to be held on November 5, 2024.

SECTION 4. BALLOT PROPOSITION. The City Council hereby submits to the qualified voters of the City, at the Statewide general election to be held on November 5, 2024, a proposition on issuing the Bonds. The statement of the measure shall be in substantially the form set forth in the resolution of the City placing the measure on the ballot.

SECTION 5. OBJECT AND PURPOSE OF BONDS. The object and purpose of the Bonds is to finance some or all of the costs of the Improvements. The authorized Improvements also include all work, facilities and expenditures necessary and incidental to the projects described above. Examples of such work, facilities, and expenditures include, but are not limited to: costs of design, engineering, architect and other professional services, inspections, site preparation, utilities, landscaping, construction management and other planning and permitting, legal, accounting and similar costs; a customary construction contingency; demolition and disposal of existing structures; rental or construction of storage facilities and other space on an interim basis for materials and other equipment and furnishings displaced during construction; addressing unforeseen conditions revealed by construction or renovation, and other necessary improvements required to comply with existing building codes and other applicable law, including the Americans with Disabilities Act; costs of the bond election; bond issuance costs; project administration during the duration of such projects; and financing and interest costs on the Bonds.

The final costs, locations, designs, layouts and other components of the Improvements will be determined as plans are finalized, construction bids are awarded, and projects are completed. Therefore, the City Council cannot guarantee that the Bonds will provide sufficient funds to allow completion of all needed Improvements.

SECTION 6. ESTIMATED COSTS OF IMPROVEMENTS. The estimated costs of the Improvements is \$93,350,000. The estimated cost includes legal or other fees, the costs of printing the Bonds, and other costs and expenses incidental to or connected with the authorization, issuance and sale of the Bonds. To the extent the Improvements financed are revenue-producing public works, the cost of the Improvements may also include bond interest estimated to accrue during the construction period and for a period of not to exceed 12 months after completion of construction.

SECTION 7. PRINCIPAL AMOUNT OF BONDS. The amount of the principal of the Bonds shall not exceed \$93,350,000.

SECTION 8. MAXIMUM INTEREST RATE. The maximum rate of interest to be paid on the Bonds shall be the statutory maximum of 12% per annum. Said interest shall be payable semiannually, except that interest for the first year after the date of the Bonds may be made payable at the end of said year.

SECTION 9. ISSUANCE AND SALE OF BONDS. The City proposes to issue and sell the Bonds pursuant to Article 1, commencing with Section 43600, of Chapter 4 of Division 4 of Title 4 of the California Government Code, and Article 4.5, commencing with Section 53506, of Chapter 3 of Part 1 of Division 2 of Title 5 of the California Government Code, in one or more series, in the maximum amount and for the objects and purposes set forth above if the requisite number of qualified voters voting on the proposition vote in favor thereof. The Bonds will be general obligations of the City payable from and secured by ad valorem taxes levied and collected in the manner prescribed by the laws of the State of California. The revenue generated from the ad valorem tax levied and collected will be used for the payment of debt service on the Bonds. All of the Bonds shall be equally and ratably secured, without priority, by the taxing power of the City.

SECTION 10. MANNER OF CONDUCTING ELECTION. The election on the Bonds held on November 5, 2024 shall be held and conducted, election officers appointed, voting precincts designated, ballots printed, polls opened and closed, ballots counted, and returned, returns

canvassed, results declared, and all other proceedings incidental to and connected with the election shall be regulated and done in accordance with the provisions of law regulating the election with which it is consolidated.

SECTION 11. PROCEDURE FOR VOTING ON PROPOSITION. Ballots for the election shall be provided in the form and in the number provided by law. Voters shall be provided an opportunity to vote for or against the proposition on the ballot, in accordance with procedures to be adopted by the authorized officers of the County of Los Angeles (the “County”) charged with conducting the election.

SECTION 12. ACCOUNTABILITY REQUIREMENTS. In accordance with Proposition 5 and Sections 53410 and 53411 of the California Government Code, the City Council hereby adopts the following accountability requirements relating to the Bonds:

- (i) The proceeds from the sale of the Bonds shall be used only for the purposes specified in this Ordinance, and not for any other purpose, including City employee salaries and other operating expenses. The administrative cost of the City for the Improvements shall not exceed 5% of the proceeds from the sale of the Bonds.
- (ii) The proceeds from the sale of the Bonds shall only be spent on projects and programs that serve the jurisdiction of the City.
- (iii) This Ordinance shall be the ordinance through which projects will be funded and the City hereby certifies that it has evaluated alternative funding sources.
- (iv) The City shall conduct an annual, independent performance audit to ensure that the Bond funds are expended pursuant to the local program specified in clause (iii).
- (v) The City shall conduct an annual, independent financial audit of the proceeds from the sale of the Bonds until all of those proceeds have been expended for the Improvements.
- (vi) The City shall post the audits required by clauses (iv) and (v) in a manner that is easily accessible to the public.
- (vii) The City shall submit the audits required by clauses (iv) and (v) to the California State Auditor for review.
- (viii) The City shall appoint a citizens' oversight committee to ensure that Bond proceeds are expended only for the purposes described in the measure approved by the voters. Members appointed to the oversight committee shall receive educational training about bonds and fiscal oversight.
- (ix) Any entity owned or controlled by a member of the City Council shall be prohibited from bidding on any work funded by the proposition.
- (x) A separate account shall be created and held by the City, into which the proceeds of the Bonds shall be deposited and applied solely for the purpose of financing the Improvements.

- (xi) The Finance Director of the City shall file a report with the City Council at least annually showing the amount of Bond proceeds collected and expended, and the status of the Improvements.

SECTION 13. IDENTIFICATION OF TAX. The tax imposed by this measure is an ad valorem tax levied upon taxable real property in the City, and will be used to pay the principal and interest on the Bonds.

SECTION 14. OFFICIAL ACTIONS. The Mayor, the City Manager, the Finance Director, the City Clerk, and any of their designees, are hereby authorized to execute any documents and to perform all acts necessary to place the Bond measure on the ballot.

SECTION 15. INTERPRETATION. The provisions of this Ordinance, being necessary for the health, welfare, and safety of the City and its residents, is to be liberally interpreted to carry out its purposes. No error, irregularity or informality, and no neglect or omission of any officer, in any proceeding taken related to the submission of the proposition incurring bonded indebtedness to the qualified voters of the City shall void or invalidate any such proceeding, any Bonds issued by the City or any levy of ad valorem taxes to pay principal of and interest on the Bonds.

SECTION 16. SEVERABILITY. If any provision of this Ordinance or the application thereof to any person or circumstance is held invalid, such invalidity shall not affect any other provisions or applications, and to this end the provisions this Ordinance are declared to be severable.

SECTION 17. PUBLICATION OF ORDINANCE. This Ordinance shall be published once a day for at least seven days in a newspaper published at least six days a week in the City, or once a week for two weeks in a newspaper published less than six days a week in the City. The first of said publications shall, in either event, be within 15 days after the adoption of this Ordinance. If there are no such newspapers, it shall be posted in three public places in the City for two succeeding weeks. No other notice need be given.

SECTION 18. EFFECTIVE DATE. In accordance with Section 36937(a) of the California Government Code and Section 9.16(a) of the City's Charter, this Ordinance shall become effective immediately, as an ordinance relating to an election, upon its adoption by two-thirds vote of all the members of this City Council.

EXHIBIT “C”

TAX RATE STATEMENT

An election will be held in the City of Redondo Beach (the “City”) on November 5, 2024, to authorize the sale of up to \$93,350,000 in bonds of the City to finance the project listed in the bond measure. If such bonds are authorized, the City expects to sell the bonds in one or more series. Principal and interest on the bonds will be payable solely from the proceeds of ad valorem tax levies made upon the taxable property in the City. The following information is provided in compliance with applicable provisions of the California Elections Code. Such information is based upon the best estimates and projections presently available from official sources, and other demonstrable factors.

Based upon the foregoing and projections of the City’s assessed valuation:

1. The best estimate of the average annual tax rate that would be required to be levied to fund the bond issue over the entire duration of the bond debt service, based on assessed valuations available at the time of filing of this statement is \$0.01745 per \$100 (or \$17.45 per \$100,000) of assessed valuation of all property to be taxed. The best estimate of the final fiscal year in which the tax is anticipated to be collected is 2053-54.

2. The best estimate of the highest tax rate that would be required to be levied to fund the bond issue, based on assessed valuations available at the time of filing this statement is \$0.02832 per \$100 (or \$28.32 per \$100,000) of assessed valuation of all property to be taxed. The best estimate of the first fiscal year in which the highest tax rate will apply is 2025-26.

3. The best estimate of the total debt service, including the principal and interest, that would be required to be repaid if all the bonds are issued and sold is \$182,004,931.

Voters should note that such estimated tax rates are specific to the repayment of bonds issued under this authorization and are and will be in addition to tax rates levied in connection with other bond authorizations approved or to be approved by the voters of the City or any other overlapping public agency.

Voters should note that estimated tax rate is based on the ASSESSED VALUE of taxable property within the City as shown on Los Angeles County’s official tax rolls, not on the property’s market value. In addition, taxpayers eligible for a property tax exemption, such as the homeowner’s exemption, will be taxed at a lower effective tax rate than described above. Property owners should consult their own property tax bills to determine their property’s assessed value and any applicable tax exemptions.

Attention of all voters is directed to the fact that the foregoing information is based upon projections and estimates only, which amounts are not maximum amounts or durations and are not binding upon the City. The actual debt service amounts, tax rates and the years in which they will apply may vary from those presently estimated, due to variations from these estimates in the rating for the bonds, the timing of bond sales, the amount of bonds sold and market interest rates at the time of each sale, and actual assessed valuations over the term of repayment of the bonds. The dates of sale and the amount of bonds sold at any given time will be determined by the City based on need for funds and other factors. The actual interest rates at which the bonds will be

sold will depend on the bond market at the time of each sale. Actual future assessed valuation will depend upon the amount and value of taxable property within the City as determined by the Los Angeles County assessor in the annual assessment and the equalization process.

/s/ Mike Witzansky, City Manager
City of Redondo Beach

August 8, 2024

EXHIBIT "D"
PROPOSED CHARTER AMENDMENT MEASURE RB

THE PEOPLE OF THE CITY OF REDONDO BEACH, CALIFORNIA, HEREBY AMEND ARTICLE XXVII MAJOR CHANGE IN ALLOWABLE AND LAND USE SECTIONS 27.2, 27.4 (b), AND 27.6 (h) & (i) OF THE CITY OF REDONDO BEACH CHARTER TO READ AS FOLLOWS:

(NOTE: New provisions or language added to the existing Charter section are shown in **BOLDFACE type**; words and figures deleted from the existing charter section are shown in ~~strikeout type~~.)

§ 27.2 Definitions.

The definitions set forth in this section apply to the provisions of this article only and do not affect any other provision of law.

(a) "Aggrieved person" means the proponent of a major change in allowable land use, any property owner or City resident, and any other person entitled to CEQA notice pursuant to Public Resources Code Section 21092.2.

(b) "As built condition" means the dwelling units, office and other nonresidential units, buildings and baseline traffic conditions existing at the time the City issues the notice of preparation of an environmental impact report for the major change in allowable land use, or, where no such notice is issued, when the City commences environmental analysis for the major change. Illegal dwellings and other conditions that exist in violation of the City's zoning ordinance or its local coastal program and are subject to the City's power of abatement, may not be accounted for in the as built condition for the purpose of determining a "significant increase," as defined in subdivision (c) below.

~~"Significantly increase" or "Significant Increase" means any one or more of the following increases over or changes compared to the as built condition of a neighborhood:~~

- ~~(1) The traffic generated by the project produces: (i) more than 150 additional morning or evening peak hour trips; or (ii) an increase in intersection capacity utilization (ICU) of 0.01 or more at any critical intersection operating at a level of service (LOS) of "E" or worse or having an ICU of 0.9 or higher; or (iii) any increase in ICU at any City intersection from less than 0.9 to 0.9 or higher; or (iv) any change in LOS at any critical intersection or on any critical corridor from better than "E" to "E" or worse. For purposes of determining traffic increases attributable to a major change in allowable land use, baseline and projected ICU and LOS conditions shall be determined considering weekday peak hour conditions at such time of the year when local public schools are in session.~~
- ~~(2) The density increase generated by the project produces more than twenty-five (25) additional residential dwelling units.~~
- ~~(3) The intensity of use generated by the project produces more than 40,000 additional square feet of residential, office or other nonresidential floor area.~~

~~The voters declare that dividing a major change in allowable land use that would otherwise~~

~~require their approval into partial changes that would not by themselves require their approval, frustrates their intent to have control over major changes in allowable land use and is contrary to the purposes of this article. For the purposes of this article, a "significant increase" occurs if the combination of a proposed minor change in allowable land use with one or more other minor or major changes in allowable land use in the same neighborhood approved within eight (8) years preceding issuance of the notice of preparation of an environmental impact report for the proposed minor change, or, where no such notice is issued, within eight (8) years preceding commencement of the City's environmental analysis for the proposed minor change, meets any increase or change threshold for traffic, density or intensity of use defined in this subdivision.~~

(c) "Critical corridors" and "Critical intersections," as used herein, refer to:

- (1) Pacific Coast Highway corridor from Prospect Avenue to Artesia Boulevard;
- (2) Aviation Boulevard within or bordering Redondo Beach;
- (3) Prospect Avenue within or bordering Redondo Beach;
- (4) Hawthorne Boulevard where it borders Redondo Beach;
- (5) Herondo/Anita/190th Streets within or bordering Redondo Beach;
- (6) Artesia Boulevard within or bordering Redondo Beach;
- (7) Torrance Boulevard within Redondo Beach;
- (8) Catalina Avenue within Redondo Beach;
- (9) Intersection of Aviation Boulevard and Artesia Boulevard;
- (10) Intersection of Herondo/Anita Streets and Pacific Coast Highway;
- (11) Intersection of Torrance Boulevard and Pacific Coast Highway;
- (12) Intersection of Palos Verdes Boulevard and Pacific Coast Highway;
- (13) Intersection of Artesia Boulevard and Inglewood Avenue;
- (14) Intersection of 190th Street and Inglewood Avenue;
- (15) Intersection of Torrance Boulevard and Prospect Avenue;
- (16) Intersection of Catalina Avenue and Torrance Boulevard;
- (17) Intersection of Catalina Avenue and Beryl Street;
- (18) Intersection of Catalina Avenue and Esplanade;
- (19) Intersection of Catalina Avenue and Pacific Coast Highway;
- (20) Any other corridor operating at ninety (90%) percent of capacity or worse; and

(21) Any other intersection operating a LOS "E" or worse.

(d) "General plan" means the General Plan of the City of Redondo Beach.

(e) "Major change in allowable land use" means any proposed amendment ~~proposed amendment~~, change, or replacement of the General Plan (including its local coastal element, as defined in Public Resources Code Section 30108.55), of the City's zoning ordinance (as defined and contained in Title 10, Chapter 2 of the Redondo Beach Municipal Code) or of the zoning ordinance for the coastal zone (as defined and contained in Title 10, Chapter 5 of the Redondo Beach Municipal Code) meeting any one or more of the following conditions:

~~"Peak hour trips" means the number of peak hour vehicle trips a major change in allowable land use would generate on a daily basis. Peak hour trips generated shall be calculated by using the most recent version of the Trip Generation Manual of the Institute of Transportation Engineers (ITE) in effect on the date the City issued the notice of preparation of an environmental impact report for a major change in allowable land use, or, where no such notice is issued, when the City commences environmental analysis for the major change.~~

- (1) The proposed changed in allowable land use would significantly increase traffic, density or intensity of use above the as built condition in the neighborhood where the major change is proposed.
- (2) The proposed change in allowable land use would change a public use to a private use. A major change in allowable land use in this category shall include a change of use on (i) land designated for a public use or a public right-of-way; (ii) land designated as utility right-of-way; (iii) land donated, bequeathed or otherwise granted to the City; (iv) land used or designated for Redondo Beach school property; (v) land allocated to the Beach Cities Health District; (vi) land owned, controlled or managed by the City, including all land and water within the City's Harbor Enterprise; (vii) the beaches, as defined in subdivision (a)(4) of Section 10-5.2204 of the Redondo Beach Municipal Code; and (viii) the tidelands and all other public trust lands, as defined in subdivision (a)(139) of Section 10-5.402 of the Redondo Beach Municipal Code.
- (3) The proposed change in allowable land use would change a nonresidential use to residential or a mixed use resulting in a density of a greater than 8.8 dwelling units per acre whether or not any such unit is used exclusively for residential purposes.

(f) "Minor change in allowable land use" means any proposed amendment to the General Plan (including its local coastal element, as defined in Public Resources Code Section 30108.55), the City's zoning ordinance (as defined and contained in Title 10, Chapter 2 of the Redondo Beach Municipal Code), the zoning ordinance for the coastal zone (as defined and contained in Title 10, Chapter 5 of the Redondo Beach Municipal Code) that does not fall within the definition of a major change in allowable land use.

(g) "Neighborhood" means all properties located either entirely or partially within 1,000 feet of any parcel or lot that is subject to a proposed change in allowable land use.

(h) "Peak hour trips" means the number of peak hour vehicle trips a major change in allowable land use would generate on a daily basis. Peak hour trips generated shall be calculated by using the most recent version of the Trip Generation Manual of the Institute of Transportation

Engineers (ITE) in effect on the date the City issued the notice of preparation of an environmental impact report for a major change in allowable land use, or, where no such notice is issued, when the City commences environmental analysis for the major change

(i) "Proponent" means any individual, firm, association, syndicate, partnership, corporation, trust or any other legal entity applying with the City for a change in allowable land use. If the City itself initiates the change, it shall be deemed the proponent for the purposes of this article.

(j) "Significantly increase" or "Significant Increase" means any one or more of the following increases over or changes compared to the as built condition of a neighborhood:

- (1)** The traffic generated by the project produces: (i) more than 150 additional morning or evening peak hour trips; or (ii) an increase in intersection capacity utilization (ICU) of 0.01 or more at any critical intersection operating at a level of service (LOS) of "E" or worse or having an ICU of 0.9 or higher; or (iii) any increase in ICU at any City intersection from less than 0.9 to 0.9 or higher; or (iv) any change in LOS at any critical intersection or on any critical corridor from better than "E" to "E" or worse. For purposes of determining traffic increases attributable to a major change in allowable land use, baseline and projected ICU and LOS conditions shall be determined considering weekday peak hour conditions at such time of the year when local public schools are in session.
- (2)** The density increase generated by the project produces more than twenty-five (25) additional residential dwelling units.
- (3)** The intensity of use generated by the project produces more than 40,000 additional square feet of residential, office or other nonresidential floor area.

The voters declare that dividing a major change in allowable land use that would otherwise require their approval into partial changes that would not by themselves require their approval, frustrates their intent to have control over major changes in allowable land use and is contrary to the purposes of this article. For the purposes of this article, a "significant increase" occurs if the combination of a proposed minor change in allowable land use with one or more other minor or major changes in allowable land use in the same neighborhood approved within eight (8) years preceding issuance of the notice of preparation of an environmental impact report for the proposed minor change, or, where no such notice is issued, within eight (8) years preceding commencement of the City's environmental analysis for the proposed minor change, meets any increase or change threshold for traffic, density or intensity of use defined in this subdivision.

§ 27.4 Vote of the People on major change in allowable land use.

- (a)** Each major change in allowable land use shall be put to a vote of the People; provided, however, that no such change shall be submitted to the voters unless the City Council has first approved it. A major change in allowable land use shall become effective only after approval by the City Council and a majority of the voters of the City voting "YES" on a ballot measure proposing such change at either a regular or special municipal election. An advisory election does not satisfy the voter approval requirement.

- (b) The sample ballot materials ~~mailed~~ **made available** to the registered voters prior to an election shall describe any major change in allowable land use in a manner that clearly discloses both the scope and main features of the project (including sequencing or phasing, as may be the case) that the major change in allowable land use consists of or depends on, and the location and the acreage of the project site. The description shall include the text of the proposed amendment to the General Plan, to the City's zoning ordinance or to the zoning ordinance for the coastal zone, or of any proposed adoption of, or amendment to, a specific plan. The description shall clearly compare the project and its traffic impacts both to the as built condition, and to existing applicable land use designations and zoning classifications, providing accurate comparative data concerning existing as well as proposed densities (in units per acre) and intensities of use (in square footage, types of use and traffic impacts). If a site-specific development is proposed in connection with a major change in allowable land use, and densities or intensities of use in such site-specific development are less than the densities or intensities the major change proposes, the text of the ballot shall clearly disclose the maximum total residential, commercial, industrial or other nonresidential buildout potential, and traffic impacts under buildout, compared to the as built condition. Easily readable maps shall be used to assist the voters in the project description. All of the information called for by this subdivision shall be posted on the City's website no later than thirty (30) days prior to the City Council's action on a major change in allowable land use, and such information shall be updated no later than ten (10) days following the City Council's approval, if the Council has changed the project.
- (c) For all major changes in allowable land use approved by the City Council after the effective date of this article of the City Charter, the election required by this article shall be set for the general municipal election next following City Council approval of the major change; or, by mutual agreement with the proponent, the City Council may call a special municipal election, with the cost of the special election being borne solely by the proponent. For all major changes in allowable land use approved by the City Council on or after the date of publication, pursuant to Election Code Section 9205, of the notice of intention to circulate the initiative petition to add this article to the City Charter, but before the effective date of this article, the election required by this article shall be set for the general municipal election next following the effective date of this article; or, by mutual agreement with the proponent, the City Council may call a special municipal election, with the cost of the special election being borne solely by the proponent.
- (d) The popular vote required by this article shall be in addition to all other applicable review and approval requirements for such major change, including environmental review in compliance with the California Environmental Quality Act (CEQA).
- (e) All subsequent City permits and approvals necessary to implement all or part of a major change in allowable land use shall conform to the voter-approved change. Under no circumstances shall any subsequent permit or approval authorize, allow or otherwise accommodate higher densities, intensities of use, or trip generation than the densities, intensities and trip generation approved by the City Council and the voters. No certificate of occupancy for any structure built as part of a project that depends on a major change in allowable land use shall issue until all mitigations of traffic impacts, including control signals, increases in right-of-way capacity via widening roads, or other right-of-way or intersection improvements, as may be required by the City Council, have been developed and implemented, and the City Engineer has certified completion and operation of all traffic impact mitigations in full compliance with the City Council's approval action.

§ 27.6 Exceptions.

- (a) This article shall not apply to any major change in allowable land use that is limited to allowing the development of a public school or a hospital. Nor shall this article apply to preclude completion of a site-specific development that depends on a major change in allowable land use approved before the effective date of this article, if before such date, the holder of any permit or other entitlement for use for such development has lawfully and in-good faith acquired a vested right, under state law, to carry out the development to completion.
- (b) The provisions of this article shall not apply to the extent that they would violate state or federal laws.
- (c) This article shall not be applied in a manner that would result in the unconstitutional taking of private property.
- (d) This article shall not apply to affordable housing projects required by state or federal law.
- (e) This article shall not apply to any major change in allowable land use of property with non-conforming residential units that were occupied on the date of publication, pursuant to Elections Code Section 9205, of the notice of intention to circulate the initiative petition adding Article XXVII to the City Charter so long as the proposed change in allowable land use meets the following conditions: the existing residential units are rendered conforming under the proposed change; the proposed change does not allow an increase in the number of residential units on the property; and the proposed change does not create a significant increase in traffic or intensity of use.
- (f) This article shall not apply to affordable housing projects for low and moderate income housing as defined by state law.
- (g) If modifications to the Local Coastal Program ("LCP") are suggested or required as a result of the California Coastal Commission's review of the LCP amendments for the Kensington Assisted Living Facility Project, any such modifications adopted by the City Council shall not be subject to this article and shall not require further voter approval. Should such modifications to the LCP also require that the City Council adopt any other legislative amendments to ensure consistency, the City Council's adoption of those legislative amendments shall not be subject to this Article and shall not require further voter approval.
- (h) **This article shall not apply to an amendment to or update of the housing element of the City's General Plan.**
- (i) **This article shall not apply to an amendment to or update of any other element of the General Plan (including its local coastal element, as defined in Public Resources Code Section 30108.55), of the City's zoning ordinance (as defined and contained in Title 10, Chapter 2 of the Redondo Beach Municipal Code) or of the zoning ordinance for the coastal zone (as defined and contained in Title 10, Chapter 5 of the Redondo Beach Municipal Code) that implements a program in the City's General plan housing element. This includes, but is not limited to, an action required to meet the City's obligation to accommodate its Regional Housing Needs Assessment ("RHNA") allocation. However, this article shall apply to amendments or updates that are not made in connection with the required housing element update process**

of the City's obligation to maintain adequate capacity to meet its RHNA allocation. - This subdivision (i) shall be effective until the earlier of (1) the date that Government Code section 65913.4 is repealed or (2) January 1, 2036.

EXHIBIT "E"
PROPOSED CHARTER AMENDMENT MEASURE SD

THE PEOPLE OF THE CITY OF REDONDO BEACH, CALIFORNIA, HEREBY AMEND SECTION 16.1 BOARD MEMBERS OF ARTICLE XVI REDONDO BEACH UNIFIED SCHOOL DISTRICT OF THE CHARTER OF THE CITY OF REDONDO BEACH TO READ AS FOLLOWS:

(NOTE: New provisions or language added to the existing Charter section are shown in **BOLDFACE** type; words and figures deleted from the existing charter section are shown in ~~strikeout~~ type.)

§ 16.1 Board members.

The government and control of the public schools shall be vested in the Board of Education, consisting of five (5) members. No person shall be eligible to hold the office of member of the Board of Education unless such person shall have been a resident of the territory included in the Redondo Beach Unified School District for at least thirty (30) days immediately preceding the date of filing such person's declaration of candidacy. They shall be elected at large by the registered voters of the district and shall serve for a four (4) year term.~~, without compensation, except necessary expenses when acting as a designated representative of the Board of Education as provided in the Education Code of the State of California.~~

*18.4—as added by election 11-4-80; as amended by election 11-6-84, 3-7-95 and 3-7-23.