



Minutes  
Redondo Beach City Council  
Tuesday, September 17, 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, Nehrenheim, Obagi,  
Mayor Light

Councilmembers Absent: Loewenstein

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 – 4:32 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, Deputy City Attorney Aleena Hashmi, Deputy City Attorney Cristine Shin, Human Resources Director Dianne Strickfaden, Outside Legal Counsel Alexander Frank and Community Services Director Elizabeth Hause.

Motion by Councilmember Nehrenheim, seconded by Councilmember Kaluderovic, and

approved by voice vote, to recess to Closed Session at 4:32 p.m.

Motion carried, 4-0. Councilmember Loewenstein was absent.

- F.1. 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: Diana Trejo v. County of Los Angeles; City of Los Angeles; City of Redondo Beach, and DOES 1 to 25  
Case Number: 23TRCV01219**

- 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: Don B. Laughton v. City of Redondo Beach; Redondo Beach Unified School District, DOES 1-50  
Case No: 23TRCV00414**

- 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: Debra Barker v. City of Redondo Beach, VLMD, LLC, dba Abbracci Med Spa, Abbracci Aesthetics, P.C., et al.  
Case Number: 21STCV38177**

- 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: Cornelia Blakely v. City of Redondo Beach, and DOES 1 through 25, inclusive  
Case Number: 24TRCV02937**

- 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: Rosa Rivas v. City of Redondo Beach, County of Los Angeles, State of California, and DOES 1 to 50, inclusive  
Case Number: 23STCV01528**

- F.6. CONFERENCE WITH REAL PROPERTY NEGOTIATOR - The Closed Session is authorized by the Government Code Section 54956.8.**

**AGENCY NEGOTIATOR:**  
**Mike Witzansky, City Manager**  
**Elizabeth Hause, Community Services Director**

**PROPERTY:**  
**1922 Artesia Blvd. (APN 4156-003-022)**

**NEGOTIATING PARTIES:**  
**The John Chuka Family Trust**

**UNDER NEGOTIATION:**  
**Lease Status, Price, and Terms**

**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, Nehrenheim, Obagi,  
Mayor Light

Councilmembers Absent: Loewenstein

Officials Present: Eleanor Manzano, City Clerk  
Mike Webb, City Attorney  
Mike Witzansky, City Manager  
Melissa Villa, Analyst

**I. ANNOUNCEMENT OF CLOSED SESSION ACTIONS**

City Manager Witzansky announced that regarding Item No. F.4, the Council authorized the City Attorney's Office, on behalf of the City, to defend the City under the case listed and in regards to Item No. F.5, the City Council unanimously authorized the City Attorney's Office to defend the City and cross claim as appropriate.

**J. ADJOURN TO REGULAR MEETING**

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

Motion carried, 4-0. Councilmember Loewenstein was absent.

**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, Nehrenheim, Obagi,  
Mayor Light

Councilmembers Absent: Loewenstein

Officials Present: Eleanor Manzano, City Clerk  
Mike Webb, City Attorney  
Mike Witzansky, City Manager  
Melissa Villa, Analyst

**C. SALUTE TO THE FLAG AND INVOCATION**

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

Kiera, 8th Grader, Adams Middle School, led in the salute to the flag.

Mayor Light called for a moment of silence.

Mayor Light announced that any young viewers can sign up on the City’s website at [www.redondo.org/youthpledgeprogram](http://www.redondo.org/youthpledgeprogram) if they are interested in participating in leading the Pledge of Allegiance in future Council meetings.

**D. PRESENTATIONS/PROCLAMATIONS/ANNOUNCEMENTS**

**D.1. MAYOR’S PROCLAMATION OF SEPTEMBER 21 TO 27, 2024 AS UNITED AGAINST HATE WEEK IN REDONDO BEACH**

On behalf of City Council, Mayor Light presented a proclamation declaring September 21 to 27, 2024 as United Against Hate Week in Redondo Beach to members of the South Bay Community Coalition Against Hate, who provided information about the group; discussed upcoming events and expressed their appreciation for the recognition.

Mayor Light invited new City Commissioners to the front; thanked and welcomed everyone and spoke about monitoring attendance and the restart of the Youth Commission.

City Clerk Manzano administered the Oath of Office to City Commissioners and congratulated and welcomed each.

Councilmember Nehrenheim announced the District 1 online Community Meeting will be held September 25, 2024 at 6:30 p.m. and noted the in-person meeting had to be cancelled.

Councilmember Kaluderovic announced a Community Forum to discuss local bonds which will be hosted at the Redondo Union High School Auditorium at 6:00 p.m. on September 23, 2024; reported the District 3 Community Meeting will be held on September 28, 2024 in the morning, location to be determined.

Mayor Light spoke about having the opportunity to speak at the Kings 5K in Riviera Village; addressed the upcoming (sold out) Dine Around Artesia.

#### **E. APPROVE ORDER OF AGENDA**

City Manager Witzansky asked to defer Item No. H.5.3 to the Council Meeting on October 1, 2024.

Motion by Councilmember Kaluderovic, seconded by Councilmember Obagi, and approved by voice vote, the order of the agenda, as amended, continuing Item No. H.5.3 to the October 1, 2024 City Council meeting.

Motion carried, 4-0. Councilmember Loewenstein was absent.

Motion by Councilmember Obagi, seconded by Councilmember Nehrenheim, and approved by voice vote, the order of the agenda, as amended to move Item No. P.1 before Item No. N.1.

Motion carried, 4-0. Councilmember Loewenstein was absent.

#### **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. H.20, J.1 and N.1.

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

Motion carried, 4-0. Councilmember Loewenstein was absent.

**H. CONSENT CALENDAR**

**H.1. APPROVE AFFIDAVIT OF POSTING FOR THE CITY COUNCIL  
ADJOURNED AND REGULAR MEETING OF SEPTEMBER 17, 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: JUNE 4, 2024**

**CONTACT: ELEANOR MANZANO, CITY CLERK**

**H.4. PAYROLL DEMANDS CHECKS 29943-29965 IN THE AMOUNT OF  
\$17,908.88, PD. 9/13/24 DIRECT DEPOSIT 283990-284623 IN THE  
AMOUNT OF \$2,299,468.77, PD. 9/13/24**

**ACCOUNTS PAYABLE DEMANDS CHECKS 115921-116141 IN THE  
AMOUNT OF \$2,137,806.26**

**CONTACT: STEPHANIE MEYER, INTERIM FINANCE DIRECTOR**

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

**1. APPROVE FIRST AMENDMENT TO THE AGREEMENT WITH CANNON  
CORPORATION FOR CONSTRUCTION SUPPORT SERVICES FOR THE  
MANHATTAN BEACH BOULEVARD RESURFACING - AVIATION  
BOULEVARD TO INGLEWOOD AVE PROJECT, JOB NO. 41160 FOR AN  
ADDITIONAL AMOUNT OF \$10,460 FOR THE EXISTING TERM THROUGH  
NOVEMBER 20, 2025 WITH AN ADDITIONAL ONE-YEAR EXTENSION**

**2. APPROVE A CHECK-IN CENTER PLAN AGREEMENT WITH THE LOS  
ANGELES COUNTY REGISTRAR-RECORDER/COUNTY CLERK FOR  
USE OF THE REDONDO BEACH PERFORMING ARTS CENTER  
PARKING LOT (5 SPACES) FOR ELECTION WORKERS TO CHECK IN  
ELECTION MATERIALS FOR THE NOVEMBER 5, 2024 GENERAL  
ELECTION AT NO COST TO THE CITY FOR THE TERM OCTOBER 26,  
2024 TO NOVEMBER 5, 2024**

**3. This Item was continued to the City Council meeting of October 1,  
2024.**

**CONTACT:** STEPHANIE MEYER, INTERIM FINANCE DIRECTOR

- H.6. REGRETFULLY ACCEPT THE RESIGNATION OF COMMISSIONER DANNY JIMENEZ FROM THE HOUSING AUTHORITY AND AUTHORIZE THE CITY CLERK TO POST THE VACANCY**

**CONTACT:** ELEANOR MANZANO, CITY CLERK

- H.7. APPROVE AN ON-CALL PROFESSIONAL SERVICES AGREEMENT WITH JENNIFER DUNBAR, DBA DUNBAR ARCHITECTURE, A CALIFORNIA CORPORATION, FOR PROFESSIONAL ARCHITECTURAL SERVICES FOR AN AMOUNT NOT TO EXCEED \$100,000 AND THE TERM ENDING SEPTEMBER 2, 2026**

**CONTACT:** ANDREW WINJE, PUBLIC WORKS DIRECTOR

- H.8. APPROVE A CHANGE TO THE PURCHASE OF A GAPVAX 2023 MC1309-3S#S COMBINATION VACUUM/JETTER TRUCK USED BY THE PUBLIC WORKS DEPARTMENT ADJUSTING THE VEHICLE SPECIFICATION FROM A COMPRESSED NATURAL GAS FUELED ENGINE TO A DIESEL FUELED ENGINE FROM PLUMBER'S DEPOT AND REDUCING THE COST BY \$56,857 LOWERING THE AMOUNT TO \$785,152**

**CONTACT:** ANDREW WINJE, PUBLIC WORKS DIRECTOR

- H.9. Councilmember Obagi pulled this item for separate discussion.**

- H.10. APPROVE AN AGREEMENT WITH TDG ENGINEERING, INC. TO CONDUCT TRAFFIC ENGINEERING, DESIGN, AND COMMUNITY ENGAGEMENT SERVICES FOR PROPOSED TRAFFIC STRIPING AND TRAFFIC FLOW IMPROVEMENTS ALONG DIAMOND STREET AND EL REDONDO AVENUE FOR AN AMOUNT NOT-TO-EXCEED \$84,965 AND THE TERM SEPTEMBER 17, 2024 TO JUNE 30, 2027**

**CONTACT:** ANDREW WINJE, PUBLIC WORKS DIRECTOR

- H.11. Councilmember Nehrenheim pulled this item for separate discussion.**

- H.12. ADOPT BY TITLE ONLY, RESOLUTION NO. CC-2409-081, A RESOLUTION OF THE CITY OF REDONDO BEACH, CALIFORNIA, DECLARING ITS INTENTION TO LEVY AN ASSESSMENT AGAINST BUSINESSES WITHIN THE RIVIERA VILLAGE BUSINESS IMPROVEMENT DISTRICT FOR THE CALENDAR YEAR 2025 AND SETTING A TIME AND PLACE FOR HEARING OBJECTIONS THERETO; AND SET NOVEMBER 5, 2024 AT 6:00 PM AS THE DATE AND TIME FOR THE PUBLIC HEARING ON THE LEVY OF THE PROPOSED**

## **ASSESSMENTS**

**CONTACT: GREG KAPOVICH, WATERFRONT & ECONOMIC  
DEVELOPMENT DIRECTOR**

- H.13. ADOPT BY TITLE ONLY ORDINANCE NO. 3277-24 AN ORDINANCE OF THE CITY OF REDONDO BEACH, CALIFORNIA, AMENDING TITLE 3, CHAPTER 7, SECTION 3-7.1308 OF THE REDONDO BEACH MUNICIPAL CODE PERTAINING TO PARKING RESTRICTIONS DURING VARIOUS HOURS FOR STREET SWEEPING, FOR SECOND READING AND ADOPTION**

**CONTACT: JOE HOFFMAN, CHIEF OF POLICE**

- H.14. APPROVE AN AMENDMENT TO THE AGREEMENT WITH ROBERT HALF, INC. FOR STAFF AUGMENTATION SERVICES TO PROVIDE A TEMPORARY ASSISTANT PLANNER AND A TEMPORARY ADMINISTRATIVE ASSISTANT FOR THE COMMUNITY DEVELOPMENT DEPARTMENT FOR A COST OF \$45,000, INCREASING THE TOTAL NOT TO EXCEED AMOUNT FOR THE AGREEMENT TO \$79,999 AND EXTENDING THE TERM TO DECEMBER 31, 2024**

**CONTACT: MARC WIENER, COMMUNITY DEVELOPMENT DIRECTOR**

- H.15. APPROVE AN AMENDMENT TO THE AGREEMENT WITH BOWMAN INFRASTRUCTURE ENGINEERS LTD. FOR BUILDING PLAN CHECK REVIEW SERVICES INCREASING THE AMOUNT BY \$40,000 FOR A NEW NOT TO EXCEED TOTAL OF \$150,000 AND THE EXISTING TERM THROUGH APRIL 1, 2028**

**CONTACT: MARC WIENER, COMMUNITY DEVELOPMENT DIRECTOR**

- H.16. ADOPT BY TITLE ONLY RESOLUTION NO. CC-2409-082, A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF REDONDO BEACH, CALIFORNIA APPROVING THE FILING OF A CLAIM WITH THE LOS ANGELES COUNTY METROPOLITAN TRANSPORTATION AUTHORITY FOR FISCAL YEAR 2024-2025**

**CONTACT: ELIZABETH HAUSE, COMMUNITY SERVICES DIRECTOR**

- H.17. ADOPT BY TITLE ONLY RESOLUTION NO. CC-2409-083, A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF REDONDO BEACH, CALIFORNIA, DECLARING THE REPAIR OF THE WILDERNESS PARK LOWER POND AS "REPAIR" AND EXEMPTING IT FROM BIDDING REQUIREMENTS PURSUANT TO SECTIONS 19 AND 19.1(A) OF THE CITY CHARTER OF REDONDO BEACH**



**CONTACT: ELIZABETH HAUSE, COMMUNITY SERVICES DIRECTOR**

**H.18. Councilmember Nehrenheim pulled this item for separate discussion.**

**H.19. INTRODUCE BY TITLE ONLY ORDINANCE NO. 3278-24, AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF REDONDO BEACH, CALIFORNIA, AMENDING TITLE 2, CHAPTER 9, ARTICLE 14, SECTIONS 2-9.1401, 2-9.1403, AND 2-9.1404, AND TITLE 10, CHAPTER 6, SECTIONS 10-6.02, 10-6.03 AND 10-6.08 OF THE REDONDO BEACH MUNICIPAL CODE REGARDING THE PUBLIC ART COMMISSION. FOR INTRODUCTION AND FIRST READING. THE ORDINANCE WOULD AMEND THE NAME OF THE PUBLIC ART COMMISSION TO THE CULTURAL ARTS COMMISSION.**

**CONTACT: LUKE SMUDE, ASSISTANT TO THE CITY MANAGER**

**H.20. ADOPT 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. FOR SECOND READING AND ADOPTION**

**CONTACT: ELEANOR MANZANO, CITY CLERK**

**H.21. ADOPT BY TITLE ONLY RESOLUTION NO. CC-2409-086, A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF REDONDO BEACH, CALIFORNIA ADOPTING THE CITY OF REDONDO BEACH CONFLICT OF INTEREST CODE AND REPEALING ALL OTHER CONFLICT OF INTEREST CODES**

**CONTACT: ELEANOR MANZANO, CITY CLERK**

**H.22. ADOPT BY 4/5 VOTE AND BY TITLE ONLY RESOLUTION NO. CC-2409-084, A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF REDONDO BEACH, CALIFORNIA, AUTHORIZING A FISCAL YEAR 2024-2025 BUDGET MODIFICATION TO APPROPRIATE \$245,000 FROM THE SOUTH BAY CITIES COUNCIL OF GOVERNMENTS COUNTY ALLOCATED LOCAL SOLUTIONS GRANT FUNDS TO THE INTERGOVERNMENTAL GRANT FUND TO LEASE MOTEL AND SINGLE-ROOM OCCUPANCY (SRO) BEDS**

**ADOPT BY 4/5 VOTE AND BY TITLE ONLY RESOLUTION NO. CC-2409-085, A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF REDONDO**

**BEACH, CALIFORNIA, AUTHORIZING A FISCAL YEAR 2024-2025 BUDGET MODIFICATION TO APPROPRIATE \$100,000 FROM THE SOUTH BAY CITIES COUNCIL OF GOVERNMENTS COUNTY ALLOCATED LOCAL SOLUTIONS GRANT FUNDS TO THE INTERGOVERNMENTAL GRANT FUND TO IMPLEMENT THE CITY'S HOMELESS COURT EXPANSION AND INTERIM BED PROJECT**

**CONTACT:** MICHAEL W. WEBB, CITY ATTORNEY

Councilmember Nehrenheim pulled Items No. H.11 and H.18 from the Consent Calendar for separate discussion.

Councilmember Obagi pulled Item No. H.9 for separate discussion.

Mayor Light invited public comments.

Wayne Craig, District 1, expressed concerns regarding Item No. H.13; spoke about exceptions for parking on street sweeping days, recent fee increases, and added regulations; pointed out that tonight the vote is to reduce the workload of parking enforcement but still have open positions to fill for two additional part-time parking enforcement officers; felt this is contradictory; asked Council to reconsider the motion.

Georgette Gantner, District 2, spoke in opposition to renaming the Public Art Commission to the Cultural Arts Commission under Item No. H.19; provided a brief history of the group; believed Cultural Arts Manager Margolis is doing an excellent job; felt the Public Art Commission does not need to be burdened with other tasks; noted members of the Public Art Commission are against the change and listed reasons why it should not be changed.

Orhan Taner, District 5 and member of the Public Arts Commission, spoke in support of changing the name of the Public Art Commission to the Cultural Arts Commission; noted the Public Art Commission did not unanimously agree against changing the name and that he was absent during that meeting; felt this would be good for Redondo Beach and spoke about cultural arts activities in the City; stated the need for providing support to the Cultural Arts Manager.

Kristina M. Christian-Kelly, member of the Public Arts Commission, spoke about the Commission's discussion regarding this matter; referenced and read a letter to City Council from the Commission dated July 25, 2024 which listed challenges with changing the name of the PAC to the CAC and asked Council to maintain the PAC.

Ashish Sharma, District 5 and former member of the PAC, addressed discussion of the matter by the Commission and its decision to write a letter to City Council opposing the renaming to the CAC; hoped City Council will not veto the Commission's recommendations.

There were no other public comments on the Consent Calendar.

Motion by Councilmember Nehrenheim, seconded by Councilmember Obagi, and approved by voice vote, the Consent Calendar except Items No. H.9, H.11 and H.18, which were excluded from the Consent Calendar for separate discussion and the removal of Item No. H.5.3 which was continued per Approval of the Agenda.

Motion carried, 4-0. Councilmember Loewenstein was absent.

City Clerk Manzano read title to Resolutions No. CC-2409-081, CC-2409-082, CC-2409-083, CC-2409-084, CC-2409-085 and CC-2409-086 and Ordinances No. 3278-24 and 3275-24.

## **I. EXCLUDED CONSENT CALENDAR ITEMS**

**H.9. ADOPT BY TITLE ONLY RESOLUTION NO. CC-2409-078, A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF REDONDO BEACH, CALIFORNIA, AWARDED A PUBLIC WORKS CONTRACT TO CALPROMAX ENGINEERING INC., A CALIFORNIA CORPORATION, IN THE AMOUNT OF \$1,041,335 FOR THE CONSTRUCTION OF THE ARTESIA BOULEVARD SAFETY IMPROVEMENTS PROJECT, JOB NO. 41330.**

**ADOPT BY 4/5 VOTE AND TITLE ONLY RESOLUTION NO. CC-2409-079, A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF REDONDO BEACH, CALIFORNIA AUTHORIZING A FISCAL YEAR 2024-2025 BUDGET MODIFICATION TO TRANSFER \$500,000 TO THE ARTESIA BOULEVARD SAFETY IMPROVEMENTS PROJECT, JOB NO. 41330 FROM THE AVIATION RESURFACING PROJECT, JOB NO. 41440**

**CONTACT: ANDREW WINJE, PUBLIC WORKS DIRECTOR**

Councilmember Obagi asked for a brief report.

Public Works Director Winje addressed details of the contract for the construction of the Artesia Boulevard Safety Improvements Project and described the budget modification request.

Councilmember Obagi listed other elements of improvements involved with the project; noted it was made possible by moving funds from the Aviation Re-Pavement Plan to this project.

There were no public comments on this item.

Motion by Councilmember Obagi, seconded by Councilmember Kaluderovic, and approved by voice vote, Item No. H.9, as presented.

Motion carried, 4-0. Councilmember Loewenstein was absent.

City Clerk Manzano read title to Resolutions No. CC-2409-078 and CC-2409-079.

**H.11. ADOPT BY TITLE ONLY RESOLUTION NO. CC-2409-080, A RESOLUTION REPEALING RESOLUTION NO. CC-1101-419 OF THE CITY COUNCIL OF THE CITY OF REDONDO BEACH, CALIFORNIA, APPROVING A RESOLUTION ORDERING THE VACATION OF SURPLUS PORTIONS OF THE PUBLIC RIGHT-OF-WAY OF DIAMOND STREET AND FLAGLER LANE**

**CONTACT:** ANDREW WINJE, PUBLIC WORKS DIRECTOR

Councilmember Nehrenheim asked for clarification of this item.

City Manager Witzansky reported this is a housekeeping item, the City took action in 2011 to complete it, but the resolution had an error in it and noted this will fix the error and clarify the property that was vacated.

In reply to Councilmember Nehrenheim's question, Public Works Director Winje reported that the City committed the error by improperly describing the area that did not allow the mathematical closure of the parcel; explained the process of "perfecting" with Beach Cities Health District accepting the vacation and recording the acceptance.

Discussion followed regarding property improvements made by Beach Cities Health District and "perfecting" the deed when it involves government property, location of the subject vacated property, the need to record formal receipt of the vacated property and making sure that site control is properly enforced when private operators encroach on City ROWs.

There were no public comments on this item.

Motion by Councilmember Nehrenheim, seconded by Councilmember Kaluderovic, and approved by voice vote, Item No. H.11, as presented.

Motion carried, 4-0. Councilmember Loewenstein was absent.

City Clerk Manzano read title to Resolution No. CC-2409-080.

**H.18. ADOPT BY TITLE ONLY ORDINANCE NO. 3276-24, AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF REDONDO BEACH, CALIFORNIA, AMENDING SECTION 2-3.904 OF ARTICLE 9, TITLE 2 OF THE REDONDO BEACH MUNICIPAL CODE UPDATING THE SALARY AND BENEFITS OF THE CITY ATTORNEY. FOR SECOND READING AND ADOPTION.**

**CONTACT: DIANE STRICKFADEN, DIRECTOR OF HUMAN RESOURCES**

Councilmember Nehrenheim thanked Budget and Finance Commissioners for their work on this matter; mentioned the high pay rate for the Redondo Beach elected City Attorney compared with other cities; discussed per resident costs per base; felt the pay should be tied directly to what judges are paid in the State of California; talked about the voters deciding on the qualifications and urged Council not to approve the item.

Councilmember Obagi referenced an article in the Daily Journal from September 5, 2024, where a Sacramento Court Judge filed a suit in L.A. County claiming that judges are underpaid; spoke about the tremendous amount of work both civil and criminal done by the Redondo Beach City Attorney.

Mayor Light invited public comments.

Rolf Strutzenberg reported that the Charter Review Advisory Committee recommended that the position should be removed from the Charter and should not be an elected position; opined that the City rewards its City Attorney when he violates the City Charter and stated his opposition to the item.

Nancy Skiba (via Zoom), District 4, voiced her opposition and felt that the City Attorney should be appointed and not elected.

Councilmember Nehrenheim commented that of the money raised by previous candidates in the last campaign 55% was self-funded and about 21% were contributed by vendors that were possibly related somehow to the candidate; talked about the importance of keeping independence in that position moving forward.

Gil Escontrias, District 1, talked about the City Attorney being a public servant/public employee; expressed concerns about the excessive salary for the Redondo Beach City Attorney compared with the City of Los Angeles; opined that much of the work is being "farmed out"; suggested Council should have given a 16% raise to the Rbfd; talked about Public Works employees making 26% less than most other agencies; addressed pension costs and urged Council to do the right thing.

There were no other public comments on this item.

Motion by Councilmember Obagi, seconded by Councilmember Kaluderovic, and approved by voice vote, Item No. H.18, as presented.

Motion carried, 3-1. Councilmember Nehrenheim voted against. Councilmember Loewenstein was absent.

City Clerk Manzano read title to Ordinance No. 3276-24.

## **J. PUBLIC PARTICIPATION ON NON-AGENDA ITEMS**

### **J.1 For eComments and Emails Received from the Public**

Mayor Light invited public comments.

Joan Irvine, District 1, spoke about the recent anniversary of 9/11; talked about the 9/11 Memorial piece in Redondo Beach created by the Leadership Redondo Class of 2007 and encouraged everyone to visit it and reflect. In addition, she thanked RBF D Chief Butler and RBPD Chief Hoffman for organizing a ceremony to honor First Responders and victims of 9/11; noted that attendance was low, and many people did not know of the event and asked that the City make this an annual event and actively promote it.

Gil Escontrias, Public Safety Commissioner, spoke about this month being Suicide Awareness Month and the importance of First Responder wellness and the need for direct and clear policies concerning employees in crisis; noted increased rates of suicide among First Responders and listed recommended actions needed to address the seriousness of the problem. In reply to questions from Mayor Light, Gil Escontrias reported he has discussed this matter with the Commission for the last year and added that First Responders require specialized mental health care.

Holly Osborne referenced Blue Folder Items she submitted; discussed the proposed 405 Freeway Widening Project and efforts to avoid having to do an Environmental Impact Report; urged Council not to support it.

Georgette Gantner referenced a study she did on Artesia Boulevard and distributed copies for Council; disclosed she has applied for the Art Consultant position; indicated she would like to continue to contribute information to help with the beautification and art on Artesia whether she is awarded the job or not.

Motion by Councilmember Nehrenheim, seconded by Councilmember Kaluderovic, and approved by voice vote, to receive and file documents submitted by Georgette Gantner.

Motion carried, 4-0. Councilmember Loewenstein was absent.

Jonatan Cvetko, District 1, expressed concerns regarding intoxicating hemp products; gave some background on his experience on the topic; presented examples of some products that are currently being sold that contain illegal amounts of THC; talked about the lack of enforcement in Redondo Beach; advocated for placing a tax on hemp products; stated that if the City moves forward with cannabis regulation it needs to clean up the current retailers in order to have a successful regulated and safe market.

Councilmember Obagi explained to Jonatan Cvetko that the Council does not enforce laws they just pass them; suggested he contact RBPd to report the retailers selling the illegal products.

Jessalyn Waldren, 2<sup>nd</sup> supervisorial district of Los Angeles County, provided an update of two activities from Supervisor Holly Mitchell's Office: the first, is a racial justice learning exchange and the other is to potentially have Councilmember Nehrenheim at their LA County Beneficial Sediment Meeting about coastal resilience and invited everyone to attend.

Austin Carmichael, District 5 and Public Safety Commissioner, clarified comments regarding the Public Safety Commission meeting held on Monday; encouraged Council to watch the video on the latest meeting to understand the concern regarding First Responders; spoke about the mistreatment of Chief Regan; explained he volunteered to do further research to present to the Commission and employees regarding the culture around mental health for First Responders.

Councilmember Kaluderovic thanked Commissioner Carmichael and spoke about a meeting she had with RBPd Chief Hoffman and RBFd Chief Butler to explore mental health resources peer-to-peer for First Responders; welcomed any assistance and research from the Commissioners.

Andy Porkchop came to the podium with Phil Garner written on a paper; he addressed Council as if he were Phil Garner; referenced power outages during a heatwave that affected Del Amo Shopping Center.

Wayne Craig, District 1, spoke about Agenda Item H.13 and wanted to remind everyone of the upcoming Planning Commission meeting; stated the meeting will be reviewing the General Plan for the whole city of Redondo Beach; urged everyone to pay attention as it will impact the City for decades to come.

Phil Garner (via Zoom), Torrance, spoke about Andy Porkchop (aka Andras Turda) and against Council encouraging him to speak publicly.

Councilmembers Obagi and Nehrenheim left the Chambers and there was no quorum.

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

Councilmembers Obagi and Nehrenheim returned to the Chambers.

**K. EX PARTE COMMUNICATIONS - None**

**L. PUBLIC HEARINGS - None**

**M. ITEMS CONTINUED FROM PREVIOUS AGENDAS – None**

Mayor Light moved to Item No. P.1 per Approval of the Agenda.

**N. ITEMS FOR DISCUSSION PRIOR TO ACTION**

**N.1. DISCUSSION AND POSSIBLE ACTION ON THE DRAFT CANNABIS REGULATORY ORDINANCE AND APPLICATION GUIDELINES**

**CONTACT:** ELIZABETH HAUSE, COMMUNITY SERVICES DIRECTOR

City Manager Witzansky acknowledged and thanked Community Services Director Hause for her hard work on this ordinance and deferred to her for a report.

Community Services Director Hause introduced consultants John Yonai and Jason Chiang from Tierra West Advisors; reviewed the most recent Council direction and incorporation of Council recommendations into the draft ordinance; addressed the discussion agenda for this item and narrated a PowerPoint presentation with details of the ordinance.

City Attorney Webb discussed the Community Benefit Plan including litigation risks; addressed typical lawsuits including failure to follow the process or to meet timelines, increased public records requests, and Council's choice to be the final decision-maker; noted there are no standards by which Council is making that decision; talked about potentially perceived bias, being as objective as possible and reported that litigation is likely. He spoke about the results of related lawsuits in other cities; talked about challenges with the grading of successful and unsuccessful applicants, non-profits, charges of bias, and allegations against City staff; reported the need for direction from Council as to where it wants the community benefit to go. Additionally, he stated that Staff recommends eliminating this item from the scoring rubric and fold the percentage in the tax rate; referenced a Blue Folder Item from a dispensary with an alternate view.

Councilmember Behrendt confirmed that Staff does not recommend including the requirement for a Community Benefit Plan in the ordinance; noted education and outreach could be performed by the City, BCHD and RBUSD; opposed increasing the tax.

City Attorney Webb spoke about making it clear that Council can increase the tax rate at any time.

Community Services Director Hause addressed the final selection of permittees.

City Attorney Webb discussed the process for evaluating and selecting permittees; addressed options and criteria; noted the problem is that no standards exist by which Council may make a decision; expressed concerns with how the initial scoring is done; listed actions that Council should take including deciding the criteria for scoring the initial



application, looking at the scoring rubric, prioritizing goals and reviewing factors to include in the ordinance; recommended an idea he took from West Hollywood where a minimum of three people with no business contacts with cannabis dealers in Redondo Beach, but have experience in city government independently score the system; stated this would limit any biased allegations; mentioned that Staff is already overloaded and to add scoring applications to their duties may delay deadlines; stated the way to defend and protect the City is to have objective standards by which Council is making their decisions.

City Attorney Webb reported that the more discretion the City has, the less risk of litigation and vice versa and reiterated the importance of having objective standards on which to base decisions.

Community Services Director Hause addressed Council's direction regarding setting a tax rate of 3% and rules pertaining to the relocation of a cannabis business within the City.

City Attorney Webb reiterated wanting objective standards; reported language was added to clarify relocation standards.

Community Services Director Hause continued with the presentation with information about the application scoring method.

City Attorney Webb urged Council to look at the application scoring selection process; felt Council should use the same standards that the initial scoring body uses and suggested requiring a 30-minute presentation from each finalist.

Community Services Director Hause addressed the appeals process, the need to select a Hearing Officer, and options available to Council.

City Attorney Webb favored having an appointed Hearing Officer appointed by City Council.

Community Services Director Hause discussed the appeals timeline.

Discussion followed regarding setting a reasonable timeline.

City Manager Witzansky opined the City cannot have an early date setting of 15 calendar days with a 15-day notice sequence; stated the earliest the hearing could be is 30 days and set the outside data date at least 60 to 90 days to give Staff time if needed and give a 15-day notice.

City Attorney Webb spoke in support of Council providing Tierra West, Community Services Director Hause and himself the standards Council considers important, who should do the scoring and who should do the appeal; felt Council should discuss this at least twice a month; noted Council could be close to a solution by eliminating the

requirement for a Community Benefit Plan, having Council do traditional appeals based on the same standards used in the original decision and spending time on what those standards should be.

Regarding the Community Benefit Plan, Councilmember Nehrenheim listed reasons for keeping it in the ordinance including providing an ability to fact check and showing that retailers care about the community and that they are responsible.

Councilmember Kaluderovic mentioned she understood Councilmember Nehrenheim's point; opined that their constituents will communicate their needs to the City; supported elimination of the Community Benefit Plan and rolling it into a percent tax.

Councilmember Obagi spoke about recent decisions made by City Council since May; urged Council to consider how it looks to residents if they give cannabis retailers a break while everyone else is getting a hike.

Councilmember Nehrenheim agreed with an additional 2% tax hike for a total of 5% if Council eliminates the requirement for a Community Benefit Plan.

Councilmember Obagi suggested setting up a community history criterion.

Mayor Light spoke about the importance of having a clear criterion for judging applicants; stated he would be fine with eliminating or keeping the requirement for a Community Benefit Plan but not making it part of the selection criteria; addressed challenges with comparing Community Benefit Plans.

Councilmember Nehrenheim spoke about having the past history of the business that applies for a permit and determining whether they complied or not with permit requirements.

In reply to Councilmember Obagi's question regarding the criteria for the Administrator versus City Council, City Attorney Webb talked about findings from the Planning Commission and City Council being based on the same law; spoke about Staff standards being ministerial and giving Council discretion; stated Council needs to provide clear standards as to what will be scored.

City Attorney Webb mentioned it would be good to hear from Tierra West and added that the ultimate goal has to be clear.

Councilmember Obagi displayed Slide 2B; listed criteria for Council and the final arbiter selection of licensees; asked for the City Attorney's comments.

City Attorney Webb agreed it seems like good criteria; stated the City will likely be challenged on it but it is easier to defend when there are objective standards with clearly defined goals; mentioned not wanting to invite challenges.

City Manager Witzansky talked about the use of the “ministerial duty” phrase which implies a yes/no or pass/fail calculation; pointed out Council is also using phrasing “up to” a certain amount of points, but that implies discretion or more of a qualitative review by committee members; asked Tierra West to identify which scoring criteria subjects better lend themselves to the more objective review.

Consultants John Yonai and Jason Chiang, Tierra West, reported the criteria they established is customary in the industry; talked about ministerial criteria being black and white and about evaluation of applications being more discretionary; noted that with greater objectivity there is less risk of litigation; discussed identifying which components of the criteria are discretionary; noted the criteria was designed to expedite the application process by separating the “cream from the crop” and getting the top applicants to City Council.

Discussion followed regarding assigning points, identifying the basis of the criteria (whether ministerial or discretionary) and using the appropriate phrasing.

City Attorney Webb added it would be helpful to get input from Council regarding preferred standards and their priority so that Staff can develop a draft and return to Council in a couple of weeks.

Mayor Light mentioned basic processes need to be set up.

Councilmember Nehrenheim suggested forming a committee to manage and perform preliminary reviews of applications, provide scoring according to the set criteria and return to Council with recommendations of their top five applicants.

Mayor Light felt it would be cleaner to appoint a selection team and have the team make a recommendation to Council based on a mix of pass/fail and scored criteria against standards; stated applicants who scored low could appeal to Council if they choose. He added that having two scales of measurements, one for the team and another for Council, would leave Council open to attacks on items it did not score.

Councilmember Nehrenheim spoke about the EIR and RFP processes.

Regarding the Community Benefit Plan, Councilmember Behrendt asked about the percentage attached to it and Community Services Director Hause stated Tierra West’s initial recommendation was 1%. Councilmember Behrendt suggested a good compromise would be to raise the tax to 3% or 4% instead of just 1%.

Mayor Light took a straw vote regarding whether Council should make the final selection or act as the appealable body.

City Attorney Webb noted the intent is to have a mix of pass/fail and scorable standards; noted Council can make a decision if standards are clear and there is less discretion.

Discussion followed regarding the following: clarification of the appeals process, waiting to proceed with a contract until the appeal process has been completed, allowing the Selection Committee to make the decision, the need for discretionary criteria based in the rubric, the need to have the top five as there are five districts in the City and ensuring the selected applicants are from different districts (preferably one in North Redondo and one in South Redondo).

City Manager Witzansky detailed the process he would follow including assigning three to five Staff members to serve on the Selection Committee and appointing a Permit Administrator.

Mayor Light recommended augmenting Staff with consultants.

Councilmembers Obagi and Nehrenheim disagreed.

City Attorney Webb clarified that the Permit Administrator would appoint the three to five Staff members; stated that whoever is chosen needs to make sure they will follow the ordinance; opined this will be an unpleasant process and a lot of work for whoever is assigned to it.

Mayor Light noted that Staff can discuss and deliberate without limitations but everything Council does has to be done on the dais.

Councilmember Nehrenheim mentioned that not all cities get sued, but should Redondo Beach be sued, the two top applicants would pay the legal fees.

In reply to Councilmember Obagi's inquiry regarding Staff's capacity, City Manager Witzansky opined there is no question that this will be a deviation from other work efforts and will impact Staff's productivity during that time; noted it will require some of the City's most capable Staff members but asserted it is an important matter.

Discussion followed regarding the possibility of bringing on part-time administrative help, the amount of paperwork associated with this subject, bringing in experts to evaluate depending on the scorable criteria such as engaging the RBPD if the security plan is scorable.

City Manager Witzansky envisioned having to choose department heads from the City Staff that would have expertise in the different scorable criteria.

Mayor Light felt that it will be tough to construct the Selection Committee until after Council selects the criteria.

City Attorney Webb talked about the City of Oxnard having to redo its process because of legal challenges.

Mayor Light added that the criteria must be set before accepting applications and that

discussions should be controlled.

City Manager Witzansky mentioned a blackout resolution where there shall be no contact with anyone other than the Permit Administrator.

City Attorney Webb advised Council to focus on the standards.

Mayor Light invited public comments on this item.

Councilmember Obagi stated he is specifically interested in learning total liquid assets on hand, average store revenue per year and whether a 5% sales tax would be acceptable.

Penny Wirsing, District 2 and Library Commissioner, spoke about how long it has taken the City to allow a legal industry to operate in it; referenced approval of Proposition 64 in 2016; noted there are many cities that have figured it out and are taking advantage of the tax income and jobs; felt Redondo Beach could use them and asked Council to move this forward quickly and make it happen.

Joan Irvine, District 1, discussed the City's focus on protecting itself and disregard for what residents need and want; addressed the benefits of cannabis for special needs people and seniors; announced the attendance of Sue Taylor, a retired Catholic School Principal and Co-Founder and Executive Director of The Farmacy Berkeley, a well-respected cannabis dispensary focused on seniors.

Mayor Light stated Council is deliberating this the proper way and reported that lawsuits will only delay the process.

Sue Taylor, Executive Director of The Farmacy Berkeley, talked about her business being geared toward the needs of seniors; noted seniors are the largest demographic; addressed the medical benefits of cannabis; appreciated Council's efforts in terms of making it safe; asserted that Council does not need to "reinvent the wheel" as there are many cities with successful businesses; addressed forming a Cannabis Commission and claimed that the money will come.

In reply to Councilmember Obagi's inquiry, Sue Taylor explained they provide free webinars for seniors with information about cannabis, and they provide buses for seniors to have transportation to the shop; noted the importance of education in the cannabis industry.

In reply to Councilmember Nehrenheim's question, Sue Taylor reported she does not intend to apply for a license in Redondo Beach and only came at the request of her friend, Joan Irvine. She added that she defines seniors as 55+.

Courtney Caron, Adamant Law Group (specializing in cannabis) and cannabis store owner, talked about needing to look at the data requested on a single-story basis;

mentioned that a 5% tax is neither bad nor good; spoke in opposition of a Community Benefit Plan; suggested contacting other cities to find out what people are doing in their communities; discussed placing a cap on contributions; addressed delivery and recommended focusing on retail and not delivery only. She added that to open one store, at least \$1 million will be required upfront; mentioned having six months of operating costs plus buildout costs; discussed lawsuits in other cities and their basis; addressed the City of Oxnard mishap; agreed with Council making a decision as long as it uses the same criteria used for a single candidate for all candidates.

Council asked Courtney Caron questions and discussion followed.

Motion by Councilmember Nehrenheim, seconded by Councilmember Obagi, and approved by voice vote, the documents submitted by Jonatan Cvetko.

Motion carried, 4-0. Councilmember Loewenstein was absent.

Jonatan Cvetko opined that the ordinance has lots of flaws and due to lack of time will just highlight the major ones: including giving 15 points to a company if they already have \$10 million in revenue beforehand and claimed that is absolutely discriminatory at the least, felt the criteria specifying distance from certain youth centers is suspicious, and avoiding favoring operators as the City is developing its criteria; opined that Council is not impartial; mentioned Councilmember Nehrenheim has taken funds from Elliott Lewis and Councilmember Obagi has taken funds from the CEO of Stiizy; discussed objectiveness versus subjectiveness; referenced a lawsuit by Elliott Lewis in the City of Fontana and urged Council to study it. Additionally, Jonatan Cvetko reported that the State's testing system is broken; spoke about claims of pesticides and fentanyl in cannabis products and felt the City should pause until the State figures things out.

Joshua Melendez, District 4, spoke in support of including a Community Benefit Plan in the Cannabis Ordinance; talked about cities where Community Benefit Plans have been successful; expressed excitement about the implementation of responsible cannabis retailers in the City; stressed that location matters and should be required as part of the selection process; supported Council's approach; appreciated the hard work that went into this and urged Council to adopt the ordinance and move forward with it.

Trisha Murakawa, District 4 and business owner, thanked the City for considering this matter; talked about the importance of a merit-based selection process and a Community Benefit Plan; urged Council not to remove it from the ordinance. In response to Councilmember Behrendt's question, she reported she has no interest in establishing a cannabis business.

Timothy Dodd, CEO of Sweet Flower, talked about concerns with the current regulations and the proposed scoring matrix; felt the present inconsistencies and biases could unfairly impact qualified operators; listed examples such as distances from youth centers and requiring \$10 million annual gross sales from stores; opined the number is too high to achieve in Redondo Beach so it is unfair and unrealistic; added that a store can be

successful with a low revenue cap when focus is establishing community partners; spoke in support of a Community Benefit Plan and mentioned they pay 5% tax almost everywhere.

In reply to Councilmember Nehrenheim, Timothy Dodd referenced lawsuits and programs in other cities in California and spoke about the proposed appeals process.

More discussion ensued involving questions for Timothy Dodd.

Community Services Director Hause added that there is an annual review process built into the ordinance.

Jim Mueller, District 5, referenced a letter submitted by the North Redondo Beach Business Owners Association in support of the ordinance; reported there are four unregulated cannabis smoke shops operating along Artesia Boulevard; spoke about experiences in other cities with decreased cannabis sales.

Devon Wardlow, Vice President of Public Affairs at Embarc, expressed excitement about the ordinance presented tonight; expressed concerns with the directional change discussion is trending towards now; talked about Council having discussed a strictly, merit-based process requiring property and incorporating a Community Benefit Plan with emphasis on youth drug prevention education; noted it is a standard best-practice in merit-based licensing processes and asked Council to move this forward with reconsideration in terms of requiring set annual gross sales and inclusion of a Community Benefit Plan. In reply to Councilmember Obagi's question, she spoke about the reasons for including a Community Benefit Plan including the importance of building relationships with the community; reported that when evaluating operators, the Community Benefit Plan can be the biggest differentiator between operators.

Councilmember Obagi left the Chambers.

Devon Wardlow continued responding to questions from Council regarding the Community Benefit Plan, potential for lawsuits and making sure there is a quality process; noted that the winning applicants indemnify the City. She spoke about being involved in a lawsuit in the City of Ventura where the City was sued and Embarc indemnified the City.

Robin Eisenberg, Director of Planned Giving for Supreme Cannabis, spoke in support of having a Community Benefit Plan in terms of what is legal and best for the community; talked about community events and investments by her group; noted avoiding litigation is important; mentioned the 5% tax is a good number; wondered whether having investors who have been involved in other cannabis businesses will be problematic.

Andy Porkchop, Torrance, talked about the cannabis application guidelines; suggested mirroring what other cities do and mentioned cannabis should be regulated like alcohol.

Eugene Solomon, City Treasurer, spoke about the proposed cannabis tax; urged Council to stay with the proposed 5%; felt that the amount will not force anyone into the black market although the State Sales Excise Tax could but noted the City has no control over that; discussed financial opportunities lost with setting the tax at anything less than 5%. He respectfully asked Council to stick with the original proposed 5% as it considers this issue further.

Councilmember Obagi returned to the Chambers.

Hirsh Jain (via Zoom), West Hollywood, discussed states that cap local taxes at 3% to mitigate the illicit market; talked about increases in State taxes to 19% next year; urged Council to be mindful of that; talked about the benefits of lower buffers including that they increase the number of eligible properties in a city and allow processes to move smoother; highlighted that cannabis legalization decreases youth use and access but increases adoption by seniors who are using it for medical purposes; spoke in support of having a Community Benefit Plan and wondered about public parks.

Devon Julian (via Zoom), CEO of Culture Cannabis Club, commented favorably about the City moving forward with the ordinance; referenced a letter he submitted regarding the process; addressed the importance and benefits of a Community Benefit Plan; asserted that revenue does not lead to qualification of an owner.

Councilmember Behrendt left the Chambers.

Myles Peck (via Zoom), Founder of Supreme Retail (a Redondo Beach cannabis group) spoke about store revenues having a tremendous range depending on location and the number of licenses in the market; felt 3% sales tax works; disagreed with the \$10 million proof of funds; agreed with requiring having at least six months of operating funds plus the cost of the build out modeled out in proformas; voiced support for including a Community Benefit Plan in the ordinance.

City Clerk Manzano reported receiving one eComment in support of the item.

There were no other public comments.

Discussion followed regarding the possibility of reconsidering adding the Community Benefit Plan to the ordinance.

Councilmember Kaluderovic opined that one criterion she felt is important is a stable business history along with positive community reports from other areas they have served; stated it would benefit them to do community outreach on their own.

Councilmember Obagi agreed and opined that with the State increasing taxes to 19% along with City sales tax vendors will not have much to spend on community engagement or education.



Councilmember Nehrenheim suggested keeping it in the ordinance and if they decide to do outreach the City should let them.

Councilmember Kaluderovic clarified that their history of community outreach would be helpful.

In reply to Councilmember Obagi's question, City Attorney Webb talked about Community Outreach Plans including monetary and educational benefits; discussed challenges in making it binding and in terms of scoring and spoke about placing it under scoring relative to the City Manager extending permits.

Discussion followed regarding scoring challenges, making the Community Benefit Plan binding upon renewal and using applicants' past history of community involvement as part of the scoring for qualifications.

City Attorney Webb addressed the points connected with a Community Benefit Plan; suggested having applicants submit whether they have complied with Community Benefit Plans of other cities in which they have organizations; listed other challenges that would delay the process further.

Discussion ensued.

Mayor Light took a poll whether to leave the Community Benefit Plan in the ordinance or remove it; Councilmembers Behrendt, Kaluderovic and Obagi favored removing it, and Councilmember Nehrenheim supported leaving it in.

Councilmember Obagi asked Tierra West how they came up with the 75 points solely on the distance from a Youth Center; John Yonai (Tierra West) replied that it was based on internal discussions and looking at other client cities including matrices and best practices.

Mayor Light noted consensus relative to the need for criteria that are scorable and some that are pass/fail as they are all ministerial.

There was consensus that City Council will be the appellate body with the Selection Committee approving licenses for the top two.

Mayor Light confirmed that the criteria regarding the Community Benefit Plan is out.

Discussion followed regarding setting tax rate at 4% or 5% and processes going forward.

City Attorney Webb suggested that it would be helpful for each Councilmember to work with their Brown Act partner to identify which things should be pass/fail and which should be scorable and return to the next Council meeting to discuss it.

Discussion followed regarding providing general direction at this time.

Mayor Light reiterated City Attorney Webb's suggestion asking each Councilmember to work with their Brown Act colleague to identify which things should be pass/fail and which should be scorable and return to the next Council meeting with a consolidated input.

It was noted that this item will return to Council for a vote and that Councilmember Loewenstein can opine on it at that time.

Councilmember Obagi referenced Slide 2B and started to point out typographical errors.

Mayor Light interjected that Council should review those things that are meaningful and not waste time with typographical errors.

Councilmembers Obagi and Nehrenheim reviewed sections of the redline version of the ordinance; addressed recommended changes and what to do if the top two applicants are within 1,000 feet of each other and suggested that one will go in zip code 90277 and another in 90278.

Mayor Light suggested a statement be made upfront that an applicant can only get one permit.

Councilmember Nehrenheim confirmed acceptance of that amendment and noted Council consensus.

City Manager Witzansky reported that the logic is to try to distance the two retail stores to serve different community segments.

City Attorney Webb stated if Council wants to expand the number of retailers to greater than two, it will have to change the ordinance.

Councilmember Behrendt expressed concerns that it would eliminate potentially viable and appropriate spots for a cannabis retail location; felt it would work itself out in the scoring process.

Discussion followed regarding striking the 1,000 feet (b) and focusing on the point criteria.

City Attorney Witzansky talked about the need to codify the direction Council gave regarding the Dale Page Park buffer.

Council concurred that it would be appropriate to add that section to the ordinance and continued reviewing the City Attorney's red line version of the ordinance.

Regarding proof of funds, John Yonai (Tierra West) recommended setting a specific number; noted that everyone operates differently; reported that, generally, it will take at least \$2 million plus additional operating costs but the build out will depend on the

specific operator.

Councilmember Obagi suggested reducing it to \$1 million to be more realistic.

City Attorney Webb suggested indicating \$1 to \$2 million and discussing it further when it returns to Council.

Discussion followed regarding requiring colored interior/exterior renderings and potential planning costs.

City Manager Witzansky reported the more detail in this section the better sense the City will have on the quality of the operation; noted this will be foundational to the City to have a better shot at a discretionary valuation and the description will be helpful to Staff. He suggested that Council allow him to work on this with Community Development and return with a clarifying report.

Council agreed to having City Manager Witzansky work with Community Development to further clarify and come back to Council.

Councilmember Kaluderovic spoke about needing to limit marketing that is visible from the street or storefront.

There was consensus to prohibit onsite advertising on the building exterior.

In reply to Councilmember Obagi's question, Jason Chiang (Tierra West) talked about allowing applicants the time to cure any deficiencies in the application process before the application deadline.

Councilmember Obagi suggested adding language that the City is under no obligation to notify applicants of a failure to meet minimum requirements or of incomplete applications.

City Manager Witzansky suggested adding language that, "shall be appointed by the City Manager or designated Permit Administrator".

Discussion followed regarding business interests, qualifications of owners/managers, identifying candidates that have experience operating successful businesses without incidents, the ability to assign points based on owner qualifications, assigning a certain number of points for every \$1 million in sales and placing a maximum score of 50 points.

In reply to Councilmember Obagi's question regarding changing to profit instead of gross revenue, Tierra West Consultants were unsure as to whether that can be quantified, and stated the information would be very restricted and difficult to access as it is proprietary information. He added that gross revenue needs to be reported to the State.

In reply to Councilmember Obagi's question regarding the recommended changes, City

Attorney Webb stated he would want to look at what other cities have done and whether they have used an outside consultant who has knowledge and experience in dealing with the cannabis industry; reiterated potential challenges in terms of what is scored and suggested splitting the points between (b) and (c).

City Manager Witzansky stated that Staff will add more described criterion.

Councilmember Nehrenheim suggested using the three criteria from other cities that specifically lists out their experience and industry knowledge and their team.

City Attorney Webb stated the question would be the value of who scored them in other cities. More discussion followed regarding point scoring.

Mayor Light left the Chamber.

Councilmember Nehrenheim disagreed with 50 points for \$5 million in sales per year.

Councilmember Kaluderovic noted that discussion is getting into the weeds.

City Manager Witzansky stated Staff will figure out a way to adjust this section to reflect the concerns expressed about the total amount of sales being the sole criterion and see if Staff can suggest alternatives.

Councilmember Nehrenheim referenced buffers; expressed concerns with having a good location with a bad operator or vice versa and felt that putting location above the ability for the business to perform is wrong.

Mayor Light returned to the Chamber.

Mayor Light suggested developing the criteria Council wants to judge first and then place weights on each.

Council continued to make edits to the ordinance.

Discussion followed regarding the points to assign to a premise diagram, reallocating points throughout the balance of the criterion, getting to a point total to create a rubric, what is ministerial and what is not, addressing how development standards will be complied with, achieving specific goals with floorplans and creating discretionary opportunities.

Councilmember Obagi listed additional criteria for Council/Final Arbiter selection of licensees.

City Manager Witzansky summarized Council discussions and direction; reported that unless there is a specific category that Council wants to focus on, Staff can take the direction and return with what they think will be most successful in being discretionary

versus being truly objective. He added that Staff will need to hear from experts in the various fields.

Councilmember Obagi confirmed agreement that instead of a Community Benefit Plan, the applicant will be rated based on performance on past Community Benefit Plans.

Brief discussion followed regarding ensuring consistency within the document.

Mayor Light summarized that scorable criteria will be the quality and experience of the management team; opined that the Safety and Security Plan is something that is scorable.

Councilmember Obagi mentioned not inviting thefts during the hours of operation as well as after the hours of operation.

Discussion followed regarding the Employment Plan and making it scorable and requiring prevailing wage.

In terms of items (d) through (g), Councilmember Behrendt felt it unjust to require items that are not required of other businesses in the City; felt that it is wrong to have a double standard.

City Attorney Webb stated it is a typical provision in other cities, but it depends on what is important to Council.

Councilmember Behrendt suggested requiring the same of other businesses in the City.

City Attorney Webb noted that Council has made important strides and suggested the next meeting to address this item be scheduled for October 8, 2024.

Mayor Light encouraged Council to review all of the documentation associated with this topic and to send specific recommendations to Community Services Director Hause to consolidate them.

Councilmember Behrendt noted the need to address definitions, specifically the definition of "Youth Center".

City Attorney Webb reported that both definitions will be kept for Council to decide at the October 8, 2024 meeting.

Motion by Councilmember Nehrenheim, seconded by Councilmember Obagi, and approved by voice vote, to receive and file the reports and slides regarding this item and schedule the item to return to Council at its October 8, 2024 meeting.

Motion carried, 4-0. Councilmember Loewenstein was absent.

## **O. CITY MANAGER ITEMS**

City Manager Witzansky reported there will be no meeting next Tuesday and listed items to be discussed during the first three meetings in October.

Mayor Light moved to Item No. Q as Item No. P.1 was heard prior to Item No. N.1 per approval of the agenda.

## **P. MAYOR AND COUNCIL ITEMS**

### **P.1. DISCUSSION AND CONSIDERATION OF DESIGNATING THE VOTING DELEGATE AND ALTERNATE FOR 2024 LEAGUE OF CALIFORNIA CITIES ANNUAL CONFERENCE AND AUTHORIZE THE CITY CLERK TO FORWARD THE VOTING DELEGATE FORM**

City Clerk Manzano presented details of the Administrative Report; noted that the delegate is Councilmember Kaluderovic, and the alternate is Councilmember Behrendt and asked for confirmation they will be attending so that she can submit registration.

Councilmembers Kaluderovic and Behrendt confirmed they will be attending the conference; stated that Councilmember Behrendt will be the voting member and Councilmember Kaluderovic will be the alternate.

Mayor Light invited public comments.

Andy Porkchop introduced himself as Phil Garner and agreed the City should send delegates to the conference.

There were no other public comments on this item.

Motion by Councilmember Obagi, seconded by Councilmember Kaluderovic, and approved by voice vote, to appoint Councilmember Behrendt as the delegate and Councilmember Kaluderovic as the alternate to the upcoming 2024 League of California Cities Annual Conference and authorize the City Clerk to forward the voting delegate form.

Motion carried, 4-0. Councilmember Loewenstein was absent.

Mayor Light returned to Item No. N.1.

## **Q. MAYOR AND COUNCIL REFERRALS TO STAFF**

Mayor Light reported he will be out of town until the next Council meeting and Mayor Pro Tem Kaluderovic will have the reigns. He added he will be available via email while he is out of town.

**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 – 11:45 p.m.**

There being no further business to come before the City Council, motion by Councilmember Obagi, seconded by Councilmember Nehrenheim, to adjourn the meeting at 11:45 p.m. to an Adjourned Regular meeting to be held at 4:30 p.m. (Closed Session) and a Regular meeting to held on Tuesday, October 1, 2024 in the Redondo Beach City Hall Council Chambers 415 N. Pacific Coast Hwy. Redondo Beach, California.

Motion carried, 4-0. Councilmember Loewenstein was absent.

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

Respectfully submitted:

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Eleanor Manzano, CMC  
City Clerk