

**CITY OF REDONDO BEACH
CITY COUNCIL AGENDA
Tuesday, October 8, 2019
CITY COUNCIL CHAMBER
415 DIAMOND STREET, REDONDO BEACH**



Bill Brand, Mayor
Nils Nehrenheim, Councilmember, District 1
Todd Loewenstein, Councilmember, District 2
Christian Horvath, Councilmember, District 3
John F. Gran, Councilmember, District 4
Laura Emdee, Councilmember, District 5

Michael W. Webb, City Attorney
Eleanor Manzano, City Clerk
Steven Diels, City Treasurer

AGENDA AND SUPPORTING MATERIALS - An agenda packet is available 24 hours a day at the Redondo Beach Police Department and at www.redondo.org on the City Clerk page. Agenda packets are available during Library hours, at the reference desks at the Redondo Beach Main Library and Redondo Beach North Branch Library. During City Hall hours, agenda packets are available for review in the Office of the City Clerk, Door 1.

AGENDA POSTING NOTIFICATION - If you would like to receive notification of the agenda availability, please subscribe to our eNotify list at www.redondo.org/services/subscribe.asp. You will receive notification when the agenda is available for viewing on the website and you may view and/or print a copy of the agenda.

DOCUMENTS DISTRIBUTED FOLLOWING THE POSTING OF THE AGENDA (BLUE FOLDER ITEMS) - Any writing that relates to an agenda item for an open session that is distributed within 72 hours of the meeting is available for public inspection at the City Clerk's Office, 415 Diamond Street, Door 1, Redondo Beach. In addition, such writings and documents will be posted on the City's website at www.redondo.org

PUBLIC COMMENT - The public is encouraged to address the City Council on any matter posted on the agenda or on any other matter within its jurisdiction. If you wish to address the City Council on non-agenda items, you may do so during the **PUBLIC PARTICIPATION ON NON-AGENDA ITEMS** section on the agenda. Each person is allotted three (3) minutes to speak.

Pursuant to provisions of the Brown Act, no action may be taken on a matter unless it is listed on the agenda, or unless certain emergency or special circumstances exist. The City Council may direct staff to investigate and/or schedule certain matters for consideration at a future City Council meeting.

AMERICANS WITH DISABILITIES ACT - It is the intention of the City of Redondo Beach to comply with the Americans with Disabilities Act (ADA) in all respects. If, as an attendee or a participant at this meeting, you will need special assistance beyond what is normally provided, the City will attempt to accommodate you in every reasonable manner. Please contact the City Clerk's Office at (310) 318-0656 at least forty-eight (48) hours prior to the meeting to inform us of your particular needs and to determine if accommodation is feasible. Please advise us at that time if you will need accommodations to attend or participate in meetings on a regular basis.

**CITY OF REDONDO BEACH
CITY COUNCIL AGENDA
Tuesday, October 8, 2019
CITY COUNCIL CHAMBER
415 DIAMOND STREET, REDONDO BEACH**

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

The City Council may move into a Closed Session pursuant to applicable law, including the Brown Act (Government Code Section 54960, et seq.) for the purpose of conferring with the City's real property negotiator, and/or conferring with the City Attorney on potential and/or existing litigation; and/or discussing matters covered under Government Code Section 54957 (Personnel); and/or conferring with the City's Labor Negotiator.

A. CALL MEETING TO ORDER

B. ROLL CALL

C. SALUTE TO FLAG AND INVOCATION

D. BLUE FOLDER ITEMS- ADDITIONAL BACK UP MATERIALS

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.

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

This section is intended to provide members of the public with the opportunity to comment on Closed Session Items or any subject that does not appear on this agenda for action. This section is limited to 30 minutes. Each speaker will be afforded three minutes to address the Mayor and Council. Each speaker will be permitted to speak only once. Written requests, if any, will be considered first under this section.

F. RECESS TO CLOSED SESSION

F.1. [CONFERENCE WITH LEGAL COUNSEL - EXISTING LITIGATION - The Closed Session is authorized by the attorney-client privilege, Government Code Sec. 54956.9\(d\)\(1\).](#)

[Name of case:](#)

[Redondo Beach Waterfront, LLC v. City of Redondo Beach, et al.](#)

[Case Number: BS 168564](#)

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

[Name of case:](#)

[AES Southland Development, LLC et al. v. City of Redondo Beach, et al.](#)

[Case No. BS157037](#)

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

Name of case:

Public Utilities Commission of the State of California, Rulemaking 16-02-007, Order Instituting Rulemaking to Develop an Electricity Integrated Resource Planning Framework and to Coordinate and Refine Long-Term Procurement Planning Requirements

- F.4.** CONFERENCE WITH LEGAL COUNSEL - EXISTING LITIGATION - The Closed Session is authorized by the attorney-client privilege, Government Code Sec. 54956.9(d)(1)

Name of case:

Redondo Beach Waterfront, LLC v. City of Redondo Beach, et al.

Case Number: BC682833

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

Name of case:

Redondo Beach Waterfront, LLC v. City of Redondo Beach, et al.

Case Number: 19STCV13547

- F.6.** CONFERENCE WITH LEGAL COUNSEL - ANTICIPATED POTENTIAL LITIGATION - The Closed Session is authorized by the attorney-client privilege, Government Code Section 54956.9(d)(4)

One potential case

- F.7.** CONFERENCE WITH LEGAL COUNSEL AND LABOR NEGOTIATOR - The Closed Session is authorized by the Government Code Sec. 54957.6.

- AGENCY NEGOTIATOR:

Joe Hoefgen, City Manager

Mike Witzansky, Assistant City Manager

Diane Strickfaden, Director of Human Resources

EMPLOYEE ORGANIZATIONS:

Redondo Beach Police Officers Association and Redondo Beach Firefighters Association

- F.8.** CONFERENCE WITH REAL PROPERTY NEGOTIATOR - The Closed Session is authorized by the Government Code Section 54956.8.

- AGENCY NEGOTIATOR:

Joe Hoefgen, City Manager

Mike Witzansky, Assistant City Manager

Stephen Proud, Waterfront and Economic Development Director

-

PROPERTY:
900 Pacific Coast Highway, Redondo Beach, CA 90277
(APN#: 4186-031-101)

NEGOTIATING PARTY:
David Lawrence on behalf of Carwell LLC

UNDER NEGOTIATION:
Both Price and Terms

- F.9.** CONFERENCE WITH REAL PROPERTY NEGOTIATOR - The Closed Session is authorized by the attorney-client privilege, Government Code Sec. 54956.8.

AGENCY NEGOTIATOR:
Joe Hoefgen, City Manager
Mike Witzansky, Assistant City Manager
Stephen Proud, Waterfront and Economic Development Director

PROPERTY:
110-151 Fisherman's Wharf, Redondo Beach, CA 90277 (Portions of APN#: 7505-002-934)

NEGOTIATING PARTY:
Next Century Power, LLC - Leo Pustilnikov

UNDER NEGOTIATION:
Both Price and Terms

- F.10.** CONFERENCE WITH REAL PROPERTY NEGOTIATOR - The Closed Session is authorized by the Government Code Section 54956.8.

AGENCY NEGOTIATOR:
Joe Hoefgen, City Manager
Mike Witzansky, Assistant City Manager
Stephen Proud, Waterfront and Economic Development Director

PROPERTY:
Portions of APNs: 7503-029-900, 7503-029-902, 7503-033-903, 7503-033-905, 7505-002-908, 7505-002-914, 7505-002-932

NEGOTIATING PARTY:
Leo Pustilnikov

UNDER NEGOTIATION:
Both Price and Terms

- F.11.** CONFERENCE WITH REAL PROPERTY NEGOTIATOR -The Closed Session is authorized by the Government Code Section 54956.8.

AGENCY NEGOTIATOR:
Joe Hoefgen, City Manager
Mike Witzansky, Assistant City Manager

Stephen Proud, Waterfront and Economic Development Director

PROPERTY:

300 N. Harbor Drive, Redondo Beach, CA 90277 (Former Gold's Gym, APN: 7503-034-024)

NEGOTIATING PARTY:

Leo Pustilnikov

UNDER NEGOTIATION:

Both Price and Terms

F.12. CONFERENCE WITH REAL PROPERTY NEGOTIATOR - The Closed Session is authorized by the Government Code Section 54956.8

AGENCY NEGOTIATOR:

Joe Hoefgen, City Manager

Mike Witzansky, Assistant City Manager

Stephen Proud, Waterfront and Economic Development Director

PROPERTY:

208 Yacht Club Way, Redondo Beach, CA 90277 (portions of APN's: 7503-003-900; 7503-013-822; 7503-003-901)

NEGOTIATING PARTY:

Maryann Guthrie, MCL

UNDER NEGOTIATION:

Both Price and Terms

- G. RECONVENE TO OPEN CLOSED SESSION**
- H. ROLL CALL**
- I. ANNOUNCEMENT OF CLOSED SESSION ACTIONS**
- J. ADJOURN TO REGULAR MEETING**

6:00 PM - OPEN SESSION - REGULAR MEETING

- A. CALL TO ORDER**
- B. ROLL CALL**
- C. SALUTE TO THE FLAG AND INVOCATION**
- D. PRESENTATIONS/PROCLAMATIONS/ANNOUNCEMENTS**
- E. APPROVE ORDER OF AGENDA**
- F. AGENCY RECESS**
- G. BLUE FOLDER ITEMS- ADDITIONAL BACK UP MATERIALS**

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.

H. CONSENT CALENDAR

Business items, except those formally noticed for public hearing, or those pulled for discussion are assigned to the Consent Calendar. The Mayor or any City Council Member may request that any Consent Calendar item(s) be removed, discussed, and acted upon separately. Items removed from the Consent Calendar will be taken up under the "Excluded Consent Calendar" section below. Those items remaining on the Consent Calendar will be approved in one motion. The Mayor will call on anyone wishing to address the City Council on any Consent Calendar item on the agenda, which has not been pulled by Council for discussion. Each speaker will be permitted to speak only once and comments will be limited to a total of three minutes.

H.1. APPROVE AFFIDAVIT OF POSTING FOR THE CITY COUNCIL ADJOURNED REGULAR AND REGULAR MEETING OF OCTOBER 8, 2019.

CONTACT: ELEANOR MANZANO, CITY CLERK

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

CONTACT: ELEANOR MANZANO, CITY CLERK

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

CONTACT: ELEANOR MANZANO, CITY CLERK

I. EXCLUDED CONSENT CALENDAR ITEMS

J. PUBLIC PARTICIPATION ON NON-AGENDA ITEMS

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K. EX PARTE COMMUNICATIONS

This section is intended to allow all elected officials the opportunity to reveal any disclosure or ex parte communication about the following public hearings

L. PUBLIC HEARINGS

M. ITEMS CONTINUED FROM PREVIOUS AGENDAS

M.1. DISCUSSION AND POSSIBLE ACTION ON POTENTIAL AMENDMENTS TO THE ZONING ORDINANCE AND THE COASTAL LAND USE IMPLEMENTING ORDINANCE TO ADD ANIMAL KENNEL AS AN ALLOWED USE IN THE CITY IN CERTAIN ZONING DISTRICTS

CONTACT: BRANDY FORBES, COMMUNITY DEVELOPMENT DIRECTOR

N. ITEMS FOR DISCUSSION PRIOR TO ACTION

N.1. DISCUSSION AND POSSIBLE ACTION REGARDING IMPLEMENTING A CITY-WIDE SMOKING BAN IN PUBLIC EXCEPT FOR DESIGNATED SMOKING AREAS, DISALLOWING POSSESSION AND USE OF TOBACCO PRODUCTS BY MINORS ON SCHOOL GROUNDS, AND ESTABLISHING A LOCAL TOBACCO RETAIL PERMIT AND PROCESS FOR ALL TOBACCO RETAILERS IN THE CITY

A. INTRODUCE BY TITLE ONLY ORDINANCE NO. O-3193-19 ADDING MUNICIPAL CODE CHAPTER 9, ARTICLE 1, TO TITLE 5 TO DISALLOW SMOKING IN PUBLIC IN THE CITY WITH THE EXCEPTION OF DESIGNATED SMOKING AREAS. FOR INTRODUCTION AND FIRST READING;

OR

B. INTRODUCE BY TITLE ONLY ORDINANCE NO. O-3193-19 ADDING MUNICIPAL CODE CHAPTER 9, ARTICLE 1, TO TITLE 5 TO DISALLOW SMOKING IN PUBLIC IN THE CITY WITH THE EXCEPTION OF DESIGNATED SMOKING AREAS AND DISALLOWING POSSESSION AND USE OF TOBACCO PRODUCTS BY MINORS ON SCHOOL GROUNDS. FOR INTRODUCTION AND FIRST READING;

AND

C. INTRODUCE BY TITLE ONLY ORDINANCE NO. O-3194-19 ADDING MUNICIPAL CODE CHAPTER 9, ARTICLE 2, TO TITLE 5 TO CREATE A LOCAL TOBACCO RETAIL PERMIT AND APPROVAL PROCESS. FOR INTRODUCTION AND FIRST READING.

CONTACT: BRANDY FORBES, COMMUNITY DEVELOPMENT DIRECTOR

- N.2.** DISCUSSION REGARDING THE TEMPORARY USE OF PROPERTY ON MOLE B BY NORTHROP GRUMMAN FOR THE LOADING AND TRANSPORT OF EQUIPMENT FOR THE TERM OCTOBER 18, 2019 - OCTOBER 20, 2019

CONTACT: STEPHEN PROUD, WATERFRONT AND ECONOMIC DEVELOPMENT DIRECTOR

O. CITY MANAGER ITEMS

P. MAYOR AND COUNCIL ITEMS

- P.1.** DISCUSSION AND CONSIDERATION OF MAYOR APPOINTMENTS TO VARIOUS BOARDS AND COMMISSIONS

Q. MAYOR AND COUNCIL REFERRALS TO STAFF

R. CLOSED SESSION

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

Name of case:

Redondo Beach Waterfront, LLC v. City of Redondo Beach, et al.

Case Number: BS 168564

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

Name of case:

AES Southland Development, LLC et al. v. City of Redondo Beach, et al.
Case No. BS157037

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

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Public Utilities Commission of the State of California, Rulemaking 16-02-007, Order Instituting Rulemaking to Develop an Electricity Integrated Resource Planning Framework and to Coordinate and Refine Long-Term Procurement Planning Requirements

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Redondo Beach Waterfront, LLC v. City of Redondo Beach, et al.
Case Number: BC682833

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Name of case:

Redondo Beach Waterfront, LLC v. City of Redondo Beach, et al.
Case Number: 19STCV13547

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One potential case

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Diane Strickfaden, Director of Human Resources

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- AGENCY NEGOTIATOR:

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Stephen Proud, Waterfront and Economic Development Director

PROPERTY:

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(APN#: 4186-031-101)

NEGOTIATING PARTY:

David Lawrence on behalf of Carwell LLC

UNDER NEGOTIATION:

Both Price and Terms

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Next Century Power, LLC - Leo Pustilnikov

UNDER NEGOTIATION:

Both Price and Terms

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7505-002-908, 7505-002-914, 7505-002-932

NEGOTIATING PARTY:

Leo Pustilnikov

UNDER NEGOTIATION:

Both Price and Terms

- R.11.** CONFERENCE WITH REAL PROPERTY NEGOTIATOR -The Closed Session is authorized by the Government Code Section 54956.8.

AGENCY NEGOTIATOR:

[Joe Hoefgen, City Manager](#)
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[300 N. Harbor Drive, Redondo Beach, CA 90277 \(Former Gold's Gym, APN: 7503-034-024\)](#)

NEGOTIATING PARTY:

[Leo Pustilnikov](#)

UNDER NEGOTIATION:

[Both Price and Terms](#)

- R.12.** [CONFERENCE WITH REAL PROPERTY NEGOTIATOR - The Closed Session is authorized by the Government Code Section 54956.8](#)

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[208 Yacht Club Way, Redondo Beach, CA 90277 \(portions of APN's: 7503-003-900; 7503-013-822; 7503-003-901\)](#)

NEGOTIATING PARTY:

[Maryann Guthrie, MCL](#)

UNDER NEGOTIATION:

[Both Price and Terms](#)

S. RECONVENE TO OPEN CLOSED SESSION

T. ADJOURNMENT

The next meeting of the City Council of the City of Redondo Beach will be an Adjourned Regular meeting to be held at 4:30 p.m. (Closed Session) and a Regular meeting to be held at 6:00 p.m. (Open Session) on Tuesday, October 15, 2019, in the Redondo Beach City Hall Council Chamber, 415 Diamond Street, Redondo Beach, California.