

## **CALL TO ORDER**

A Regular Meeting of the Charter Review Advisory Committee was called to order by Chair Strutzenberg at 7:00 p.m. in the City Hall Council Chambers, 415 Diamond Street.

## **B. ROLL CALL**

Members Present: Craig, Solomon, Maroko, Narain, Pinzler, Wunderli,  
Chair Strutzenberg  
Alternate Members Present: Woodham, Hinsley, Young  
Members Absent: Dawidziak  
Alternate Members Absent: Gaddis, Light, Tabares  
Officials Present: Eleanor Manzano, City Clerk  
Mike Webb, City Attorney  
Vickie Kroneberger, Chief Deputy City Clerk

## **C. OATH OF OFFICE FOR NEW APPOINTEES ADMINISTERED BY ELEANOR MANZANO, CITY CLERK – NOT REQUIRED FOR COMMITTEES**

## **D. SALUTE TO THE FLAG**

At the request of Chair Strutzenberg, Member Solomon led the Committee in the Salute to the Flag.

## **E. PRESENTATIONS/PROCLAMATIONS/ANNOUNCEMENTS - NONE**

## **F. APPROVE ORDER OF AGENDA**

Motion by Member Craig, seconded by Member Narain, to approve the Order of Agenda.  
Motion carried unanimously.

## **G. BLUE FOLDER ITEMS – ADDITIONAL BACK UP MATERIALS – NONE**

## **H. CONSENT CALENDAR**

### **H.1. APPROVE AFFIDAVIT OF POSTING FOR THE CHARTER REVIEW ADVISORY COMMITTEE REGULAR MEETING OF JUNE 2, 2022**

Motion by Member Craig, seconded by Member Solomon, to approve the Consent Calendar.  
Motion carried unanimously.

## **I. EXCLUDED CONSENT CALENDAR ITEMS – NONE**

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

Chair Strutzenberg called for public comments. There being no comments, Chair Strutzenberg closed the public comment period.

**K. ITEMS CONTINUED FROM PREVIOUS AGENDAS – NONE**

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

**L.1. RECEIPT AND DISCUSSION OF PRESENTATION BY THE CITY ATTORNEY TO ASSIST THE COMMITTEE MEMBERS IN UNDERTAKING THEIR WORK  
CONTACT: MICHAEL W. WEBB, CITY ATTORNEY**

City Attorney Webb gave a report and discussed the following:

- What is a City Charter?
- Article XI, Section 5(A) of the California Constitution
- Materials from previous Charter review committee
- SB415 pertaining to election dates; the City challenged applicability to charter cities
- Pending lawsuits challenging application to Charter Cities
  - SB9 pertaining to land use
  - SB10 pertaining to zoning changes
- Resolution No. CC-2204-022 establishing a Charter Review Advisory Committee
  - Meet once a month and report to Mayor and Council every other month
  - Committee purview
  - Decisions based on a majority vote

Member Maroko asked about breaking up the Committee into smaller pieces such as subcommittees as part of the process.

In response to Member Solomon regarding the timeline, City Clerk Manzano stated ballot measures for the November 8<sup>th</sup> election would have to be approved by August 12 by Council at a cost of approximately \$175K.

Member Pinzler asked about Charter changes needing to be on a Municipal ballot in March 2023. City Attorney Webb stated this has changed due to the state finding improper behavior and the default is now the November election with a series of exceptions.

In response to Member Craig regarding the March 2023 election, City Clerk Manzano stated December 6 is the last day to call any Measures to put on the March 2023 ballot.

Member Solomon asked if all alternates would be treated as Brown Act members of the Committee. City Attorney Webb reviewed issues that could take place and said there should be only a Brown Act buddy and no more than two others. Member Solomon also believed he should have a regular dialog with his alternate; City Attorney Webb agreed.

Chair Strutzenberg said a member and his/her Alternate can't vote at the same time. City Attorney Webb believed yes, with an abundance of caution, pointing out the City has not received letters from the DA's Office nor sued for violating the Brown Act.

Member Pinzler spoke on the charter origination, political structure, and believed the City was supposed to be structured differently than it is now, and suggested getting an historical view.

Member Maroko said there are some records and oral histories available that cover some of the early topics.

Member Solomon suggested elected officials provide their input and perspective to the Committee.

In response to Chair Strutzenberg regarding any other pending legislation item to threaten parts of the City Charter, City Attorney Webb stated there is one item when the state authorized the county to change school board elections to district school board elections. He also noted affordable housing issues.

City Attorney Webb said a Brown Act presentation can take place if the Committee requests it. He added that the language from Council resolution states the Committee “shall” meet once a month.

Chair Strutzenberg called for public comment. There being no comments, Chair Strutzenberg closed the public comment period.

Motion by Member Maroko, seconded by Chair Strutzenberg, to receive and file the report. Motion carried unanimously.

**L.2. DISCUSSION AND POSSIBLE ACTION ON THE ELECTION OF OFFICERS FOR THE CHARTER REVIEW ADVISORY COMMITTEE**  
**CONTACT: MICHAEL W. WEBB, CITY ATTORNEY**

City Attorney Webb suggested appointing a Vice-Chair in the event the Chair is not available.

Chair Strutzenberg suggested that the Vice-Chair serve as the Chair in the absence of the Chair rather than the Chair’s alternate.

Member Solomon volunteered to serve as Vice-Chair.

Member Wunderli questioned the role of the Vice-Chair if the Chair is unavailable. City Attorney Webb confirmed the Vice-Chair would take over running the meeting in the Chair’s absence.

Chair Strutzenberg pointed out that the Committee is all voting members.

Chair Strutzenberg called for public comment. There being no comments, Chair Strutzenberg closed the public comment period.

Motion by Member Pinzler, seconded by Member Craig, that Chair Strutzenberg continue as Chair and to appoint Member Solomon as Vice-Chair. Motion carried unanimously.

**L.3. DISCUSSION AND POSSIBLE ACTION ON THE SELECTION OF FUTURE MEETING DATES AND TIMES**  
**CONTACT: MICHAEL W. WEBB, CITY ATTORNEY**

City Attorney Webb gave a report and said the Committee can meet at other locations and times to include the library meeting room when ready, and confirmed that he or an Assistant or Deputy from his department will be present at meetings.

Member Pinzler stated a Saturday meeting could be an alternative for an extra meeting in the month. He also suggested meetings the 5<sup>th</sup> Thursdays of the month when they occur

City Attorney Webb suggested requesting Council amend the resolution to “at least” once per month which can be done on the 14<sup>th</sup>.

Member Solomon suggested looking at Tuesdays at the end of the month.

Member Maroko suggested the 5<sup>th</sup> Thursday of June to allow time for Council approval, and then the 4<sup>th</sup> Thursday as the standing monthly meeting.

Chair Strutzenberg called for public comment. There being no comments, Chair Strutzenberg closed the public comment period.

Motion by Chair Strutzenberg, seconded by Member Craig, to propose an initial one-time meeting on Thursday, June 30 subject to approval by City Council for amending the resolution and following that, the standing meeting would be the fourth Thursday of each month all at 7 p.m. Motion carried unanimously.

#### **L.4. DISCUSSION AND POSSIBLE ACTION PERTAINING TO ESTABLISHING THE COMMITTEE RULES OF PROCEDURE**

**CONSIDER REQUESTING THE CITY ATTORNEY TO DRAFT A FORMAL SET OF RULES FOR THE COMMITTEE'S REVIEW AND POSSIBLE ADOPTION  
CONTACT: MICHAEL W. WEBB, CITY ATTORNEY**

City Attorney Webb gave a report and discussed Brown Act compliance, and suggested clarifying what the Committee as a whole see in their rules, including teleconferencing which has noticing, posting and public access requirements, and the hybrid structure. He said he would return with formal rules that incorporate what the Committee is looking for which can be amended and passed at the next meeting.

Member Pinzler stated the meetings work better when the Committee is all together to include the alternates being present and did not advocate Zoom meetings, if it could be helped.

Member Solomon agreed, but would like Zoom as an option.

Chair Strutzenberg confirmed the notice of absence should go to the City Clerk in advance so the alternate could be notified. City Attorney Webb suggested the member also confirm the alternate's attendance in their place.

In response to Chair Strutzenberg, City Clerk Manzano stated advance notice of absence should be provided as soon as possible.

Member Solomon confirmed with City Attorney Webb and City Clerk Manzano that 72-hour notice of absence or more would be needed if participating via Zoom in advance of publishing the agenda

In response to Member Narain pertaining to remote participation, City Attorney Webb stated the location could be outside the City and state, as long as the agenda is posted outside the location and public access is provided

City Attorney Webb stated he will check the Brown Act and emergency order rules for any changes/updates.

In response to Member Maroko, City Attorney Webb stated the quorum would be four. He also said each member has an alternate and stated two meetings unexcused absence and consecutively would trigger a member being removed from the Committee.

Member Pinzler suggested that the alternates should be involved in the meetings as much as possible and be allowed to speak longer than three minutes, at the discretion of the Chair.

Chair Strutzenberg suggested the alternates should speak as members of the public with the option, by motion, to extend their time.

Member Pinzler advocated not limiting the alternates' participation and allowing them to speak more than once. City Attorney Webb said treating the alternates as members may affect the quorum, and may implicate the Brown Act, suggesting consideration of allowing them to speak more than once per item or at the discretion of the chair.

Member Solomon pointed out that the Coastal Commission has alternates and suggested looking at their format, policies/procedures.

City Attorney Webb suggested adopting a streamlined/simplified Robert's Rules of Order. He said Rosenberg's Rules is shorter and is specifically prepared for government and will be provided with the rules he prepares for the Committee to consider for adoption with the rules.

Chair Strutzenberg called for public comment.

Alternate Member Matthew Hinsley pointed out that members of the public have three minutes to speak but can be extended by the body and also can only speak once unless approved by the Committee. He suggested alternates listen and provide input, but leaving the rules as they are now.

There being no further comments, Chair Strutzenberg closed the public comment period.

Member Pinzler commented that alternates should be here and involved.

Member Craig suggested coming up with a set of recommendations to allow Council time to make a decision in order to put something on the March 2023 ballot. City Attorney Webb suggested that the Committee have their first substantive meeting first. An election timeline will be suggested to the Clerk for inclusion on the next agenda.

Member Solomon believed it is difficult at this time to determine the number of meetings until the scope of what will be discussed is determined.

Member Pinzler stated timing is important and proper haste is good, especially in the fiscal area.

City Attorney Webb encouraged patience and thoughtfulness in deliberation and starting with the items that can be done quickly. He also did not support rubberstamping any staff recommendations. He further said he would suggest to the Clerk putting on the agenda all of the numbered charter sections the Council determined for Committee review.

Member Maroko suggested including a timeline for them to present updates to the Council. City Attorney Webb questioned whether Council will want an oral report.

Member Wunderli believed a written report to Council would make the most sense. If directed, City Attorney Webb stated he can prepare a draft report for the meeting in July, or a member could be selected to write a letter.

Member Pinzler suggested a presentation to Council would be more impactful than just relying on minutes.

In response to Chair Strutzenberg, City Attorney Webb stated if the Committee wants him to, he could prepare a draft letter for Committee approval for June and July, or a member could be selected to prepare it subject to approval of the Committee, and then agendized as a Consent item to Council.

In response to Member Pinzler, City Attorney Webb said he would prepare resolutions of the committee's recommendations for charter changes for placement on the Council's next available agenda for discussion.

Member Maroko suggested having a minutes review committee. City Attorney Webb encouraged the members review the minutes ahead of approving them.

Member Solomon stated the Budget and Finance Commission minutes are more of a synopsis rather than a literal line by line recitation.

City Clerk Manzano stated she can be contacted beforehand regarding any issues with the minutes.

Member Solomon pointed out that the Committee can raise issues and continue approval of the minutes until the next meeting.

Chair Strutzenberg stated the resolution is specific as to votes of a majority of those present and asked if this would be for all matters. City Attorney Webb recommended this be deferred if a problem takes place regarding how many members are present.

In response to Chair Strutzenberg, City Attorney Webb stated the elected vice-chair would serve in the absence of the chair, and confirmed his alternate would be a voting member, but not act in his place as chair.

Chair Strutzenberg asked who sets the contents of the agenda. City Attorney Webb said ultimately it can be the Committee and stated he agendizes items requested by Council, the Clerk has items that have to be included, and said it would be the majority of the Committee's recommendations under Members Items and Referrals to Staff regarding putting/requesting items on the agenda. He discussed other methods; it's up to the Committee as long as it doesn't conflict with the Council resolution.

Member Pinzler expressed concern with circular reasoning pertaining to voting to put something on the agenda (voting on voting) and did not believe it follows the Brown Act. City Attorney Webb suggested the two-step process where any Committee Member can put an item on the agenda and the Committee, as a whole, can then consider having a broader discussion. He also said even if Robert's Rules are used, the item would require public discussion.

Member Solomon believed the Committee is a serious group capable of discretion regarding items to put on the agenda. He stated the two-step process may be of value where someone suggests discussion of a topic to come back for further discussion with public input as well. He did not support having two votes in order to agendize topics on an agenda and supported a member recommending an item to be agendized to be brought back for discussion and if dismissed, there would be no extended times.

City Attorney Webb said he would draft rules some variation of the two-step process, once all items prescribed by Council have been completed. He supported the referral process,

guaranteeing each member can have an agenda discussion, and not allowing alternates to make suggestions.

In response to Chair Strutzenberg, City Attorney Webb agreed that if both the Vice-Chair and Chair may be absent, a temporary Chair would be appointed voted on by the Committee; he would include in the rules adapted from the current Council rules.

In response to Member Solomon, City Attorney Webb stated he will include the hybrid/Zoom component in the draft as an alternative and determined from the current emergency order and any imminent legislation.

In response to Chair Strutzenberg, City Attorney Webb stated he will draft the initial letter for the July Committee meeting for their consideration, which will probably go to Council the first meeting in August. Chair Strutzenberg advised he has a scheduling conflict with standing meetings on the 2<sup>nd</sup> and 4<sup>th</sup> Tuesdays.

City Clerk Manzano explained that a meeting on July 28<sup>th</sup> is the day the Council agenda for August 2<sup>nd</sup> is published so the report would have to be on the third meeting in August agenda.

Chair Strutzenberg called for public comment. There being no comments, Chair Strutzenberg closed the public comment period.

Motion by Member Solomon, seconded by Member Maroko, to request the City Attorney to bring back a draft set of rules discussed by the Committee at the next established meeting to be determined at a future date. Motion carried unanimously.

#### **M. MEMBER ITEMS AND REFERRALS TO STAFF**

Member Solomon reviewed reports presented to the Budget and Finance Commission and requested that staff provide them as part of the agenda discussion for procurement and contracting.

Member Maroko asked that the Government Code sections in the Charter be reviewed. City Attorney Webb stated he can send part of the Municipal Code which discusses misdemeanors and infractions that relate to the Charter.

Member Maroko suggested reviewing prior versions of the Charter for comparison for future meetings.

In response to Chair Strutzenberg, City Attorney Webb suggested the members read *Open & Public* as provided with the reference materials provided by the City Clerk's office. Chair Strutzenberg requested Brown Act information as it relates to alternates.

#### **N. ADJOURNMENT: 9:35 P.M.**

There being no further business to come before the Redondo Beach Charter Review Advisory Committee, Member Craig, seconded by Member Narain, to adjourn the meeting at 9:35 p.m. to a date and time To Be Determined, in the Redondo Beach Council Chambers, at 415 Diamond Street, Redondo Beach, California. Motion carried unanimously.

---

Eleanor Manzano, City Clerk

DRAFT