



**A. CALL MEETING TO ORDER**

Via teleconference, an Adjourned Regular Meeting of the Redondo Beach City Council was called to order by Mayor Brand at 6:00 p.m. in the City Hall Council Chamber, 415 Diamond Street, Redondo Beach, California.

**B. ROLL CALL**

Councilmembers Present: Nehrenheim, Loewenstein, Horvath, Gran, Emdee, Mayor Brand

Councilmembers Absent: None

Officials Present: Eleanor Manzano, City Clerk  
Joe Hoefgen, City Manager  
Vickie Kroneberger, Chief Deputy City Clerk

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

At the request of Mayor Brand, the audience and Councilmembers rose to salute the flag followed by a moment of silence.

**D. PRESENTATIONS/PROCLAMATIONS/ANNOUNCEMENTS**

Councilmember Nehrenheim announced the first day of street sweeping enforcement starting yesterday.

Councilmember Loewenstein announced his District 2 Community meeting taking place tomorrow on September 23, 2020 from 6:30 to 8:00 p.m. on Zoom discussing skateparks in the City, homeless and other issues. He also encouraged everyone to visit the Riviera Village at sunset for outdoor dining.

Councilmember Horvath stated his Community Meeting will take place on Saturday from 9:30 to 11 a.m. on September 26, 2020 discussing the homeless and recommended a movie on Netflix called the Social Dilemma.

Councilmember Gran thanked the Public Works Department for their help in the City regarding slurry sealing and other activities.

Councilmember Emdee stated her meeting will take place on Thursday discussing the homeless which is currently full. She said she will post it on You Tube and possibly Facebook Live.

Mayor Brand thanked the fire fighters for helping with the Creek Fire, stated street sweeping enforcement will be starting again and suggested enforcement around the slurry sealing.

**E. APPROVAL OF ORDER OF AGENDA**

Motion by Councilmember Emdee, seconded by Councilmember Horvath, to approve the agenda as presented. Motion carried unanimously, with the following roll call vote:

AYES: Nehrenheim, Loewenstein, Horvath, Gran, Emdee

NOES: None

ABSENT: None

**F. AGENCY RECESS – NONE**

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

**H. CONSENT CALENDAR**

**H.1. APPROVE AFFIDAVIT OF POSTING FOR THE CITY COUNCIL ADJOURNED REGULAR MEETING OF SEPTEMBER 22, 2020**

**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 CONTRACTS UNDER \$35,000:**

**1. APPROVE AGREEMENT WITH MAXIMUS CONSULTING SERVICES, INC. FOR PREPARATION OF COST ALLOCATION PLANS IN AN AMOUNT NOT TO EXCEED \$13,000 FOR THE TERM SEPTEMBER 22, 2020 TO SEPTEMBER 21, 2021.**

**CONTACT:** MARNI RUHLAND, FINANCE DIRECTOR

**H.4. EXCUSE ABSENCES OF VARIOUS COMMISSIONERS FROM VARIOUS COMMISSION MEETINGS**

**CONTACT:** ELEANOR MANZANO, CITY CLERK

Mayor Brand called for public comment via eComment or Zoom. There being no comments, Mayor Brand closed the public comment period.

Motion by Councilmember Horvath, seconded by Councilmember Nehrenheim, to approve Consent Calendar items H.1 through H.4. Motion carried unanimously, with the following roll call vote:

**AYES:** Nehrenheim, Loewenstein, Horvath, Gran, Emdee

**NOES:** None

**ABSENT:** None

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

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

Mayor Brand called for public comment via eComment and Zoom.

Holly Osborne, District 5, expressed concern with losing open space at Aviation Park with a parking lot, and also considering that area for a homeless encampment which would attract homeless from outside the City. She suggested putting temporary shelters where the homeless currently are in South Redondo, allowing police to take immediate action if needed.

Zein Obagi Jr. suggested having a commemoration in the City for Chief Justice Ginsburg and also for the Black Lives Matter movement. He also said new fathers are eligible for bonding leave pay from the State of California from the EDD. He further suggested people being honest and transparent regarding the upcoming election.

Chief Deputy City Clerk Vickie Kroneberger read the following eComment comments:

Warren Chun suggested looking at YouTube video links of Harbor City skateparks and night and day site visits for a thorough and due diligence for possible neighborhood skateparks.

There being no further comments, Mayor Brand closed the public comment period.

**K. EX PARTE COMMUNICATIONS – NONE**

**L. PUBLIC HEARINGS – NONE**

**M. ITEMS CONTINUED FROM PERVIOUS AGENDAS**

**M.1. DISCUSSION AND POSSIBLE ACTION TO APPROVE A TEMPLATE POLE LICENSE AGREEMENT TO BE USED IN CONNECTION WITH THE LICENSING OF CITY-OWNED VERTICAL INFRASTRUCTURE FOR WIRELESS FACILITIES IN THE PUBLIC RIGHT-OF-WAY; AND**

**ADOPT BY TITLE ONLY RESOLUTION NO. CC-2009-067, A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF REDONDO BEACH, CALIFORNIA APPROVING THE FORM AND MATERIAL TERMS OF THE TEMPLATE POLE LICENSE AGREEMENT TO BE USED IN CONNECTION WITH THE LICENSING OF VERTICAL INFRASTRUCTURE FOR WIRELESS FACILITIES**

**APPROVE THE TEMPLATE POLE LICENSE AGREEMENT TO BE USED IN CONNECTION WITH THE LICENSING OF CITY-OWNED VERTICAL INFRASTRUCTURE FOR WIRELESS FACILITIES IN THE PUBLIC RIGHT-OF-WAY**

**CONTACT: TED SEMAAN, PUBLIC WORKS DIRECTOR**

Lauren Sablan, Principal Engineer, gave a PowerPoint presentation and discussed the following:

- Background
- History
- Existing Use vs. Proposed Use
- Results
- Proposed Terms and Conditions
- Conclusion
- Fiscal Impact
- Recommendation

Michael Johnston stated the agreement is similar to many cities across the state of California and said this is fairly standard.

In response to Mayor Brand regarding a discretionary type of function, Mr. Johnston explained the design and exercise would be permanent and this primarily establishes the general terms and conditions. He said the real differences will occur in the regularly permitting process.

Councilmember Horvath stated Council has been pushing back against a variety of state and federal laws related to removing local control as it relates to small cell equipment to include SB649. He also asked about the current FCC ruling and the permitting process. Mr. Johnston explained standards that the FCC tried to take away with the Ninth Circuit restoring the authority to local government.

Councilmember Horvath asked about permitting control regarding installation on a third party pole. Mr. Johnston explained that under most scenarios, there would still be a regulatory permitting authority and each applicant would still have to comply with regulatory permitting requirements whether it's on a third party pole or city pole.

Councilmember Horvath explained that the small cell technology would require large boxes which would not work in the City.

Councilmember Horvath asked about Verizon discussing a roll out of 5G technology locally.

Principal Engineer Sablan explained tonight's discussion is primarily for 4G.

Public Works Director Semaan stated he has contact with someone within Verizon who noted the City is not scheduled for 5G at this time.

In response to Mayor Brand regarding a 5G phone, Mr. Johnston stated there probably would not be 5G coverage from the carriers at this time.

Councilmember Loewenstein informed that he has a 5G phone which is receiving signals in different parts of the South Bay.

Mr. Johnston stated 5G depends on the carrier regarding the requirement of additional antennas and all frequencies will interact with each other delivering 5G services over different bandwidths.

Councilmember Loewenstein asked if the \$800 to \$1200 is for the entire City or per pole. Mr. Johnston stated the FCC's regulations require the City to assess cost based fees and said the fee is \$270 per pole per year. He also said the power comes from electrical circuits already in the ground and stated line of sight is very important.

Councilmember Loewenstein asked about the number of poles. Public Works Director Semaan stated the \$270 per pole is an example and there will be more poles with the 4G and 5G deployment. He also said the reference to the negotiations is on the terms of the license agreement and not the value. Mr. Johnston stated the FCC order limits the ability to charge a market rent and said the cost evaluation is difficult to perform. He further said the 60- to 90-day period applies to the entire process.

Councilmember Loewenstein asked about the cost of the electricity. Mr. Johnston stated the license makes each carrier responsible for their own utilities which is measured with a meter or flat rate tariff. He also informed of a cost reimbursement provision in the license itself.

Councilmember Loewenstein asked about increasing the price of the permits. Mr. Johnston stated they are controlled by state and federal law and can't be revenue controlled.

Councilmember Nehrenheim asked about charging a fire department fee/inspection. Public Works Director Semaan stated the permit fee structure is set by City Council and the Fire Department or Building Department does not do inspection on the poles. Mr. Johnston also said the fee is locked in if the FCC order remains effective.

In response to Councilmember Nehrenheim regarding the time limit, Mr. Johnston stated an application would have to be processed within 60 to 90 days. He also said the Council could adopt a new fee if the cost exceeded the \$270 per pole per year. He further said the City could charge an inspection fee if it is consistent with City policy.

Councilmember Nehrenheim stated that T-Mobile is much more reliant. Mr. Johnston suggested waiting a few more cycles before buying a 5G phone.

Councilmember Loewenstein stated he does not have a 5G phone yet and pointed out that Space Link is coming for Internet access.

Mayor Brand called for public comment via eComment and Zoom.

Diana Rojas, Verizon, stated she is available for questions and information. She suggested adding language to the PLA template regarding change of law and the fee.

Councilmember Loewenstein asked about 5G for the residents via Verizon. Ms. Rojas stated she does not have information on this tonight but stated their network and 4G are doing its job during this pandemic and is not failing and supported staying ahead of the demand to include 5G.

There being no further comments, Mayor Brand closed the public comment period.

Motion by Councilmember Nehrenheim, seconded by Councilmember Emdee, to adopt by title only Resolution No. CC-2009-067 and approve the Template Pole License Agreement to be used in connection with the licensing of City-owned vertical infrastructure for wireless facilities in the public right-of-way. Motion carried unanimously, with the following roll call vote:

AYES: Nehrenheim, Loewenstein, Horvath, Gran, Emdee  
NOES: None  
ABSENT: None

City Clerk Eleanor Manzano read by title only Resolution No. CC-2009-067.

## **M2. DISCUSSION AND POSSIBLE ACTION REGARDING CARES ACT BUSINESS ASSISTANCE GRANTS.**

**CONTACT:** MARNI RUHLAND, FINANCE DIRECTOR

Finance Director Ruhland gave a report and discussed the following:

- Update on City's CARES Act funding
- Redondo Beach will receive approximately \$827K for COVID-related expenditures
- Submitted first report to the state through June 30 – expenditures - \$527K
- COVID-related expenditures through December 30 exceed CARES Act funding
- Reimbursement grants
- Status update

Councilmember Gran stated this has been a fantastic program and has really helped the businesses on Artesia and Aviation with great feedback from the businesses. He also noted a number of businesses spending only a small amount and debating going through the whole process, but pointed out that there are a number of businesses that do need help. He suggested keeping the program going and to expand to a third pool of money for any business not on the Artesia/Aviation corridor that had expenses that fit the criterium to allow them to put in an application up to \$2500.

Councilmember Loewenstein suggested dedicating \$10K to the International Boardwalk/Mole D area, \$10K for dining establishments on the pier, and \$10K toward other dining establishments around the City.

Councilmember Gran suggested a \$40K pool for any business within the City not on the Artesia/Aviation corridor and not subject to the RVA reimbursements.

Councilmember Loewenstein expressed concern with businesses having to put facilities outdoors and wanted to make sure the businesses at the pier and waterfront are taken care of with funding, noting they have been hit hard.

Councilmember Nehrenheim suggested \$20K for the rest of the City, \$20K for the harbor area, and suggested focusing on businesses that can't be opened right now unless they do business outside.

Motion by Councilmember Nehrenheim, seconded by Councilmember Loewenstein, to provide \$20K citywide for the businesses for outdoor-related activities, \$20K for the harbor waterfront area including the boardwalk and pier areas for outdoor dining and outdoor activities, in addition to the current \$70K put aside, \$2500 citywide first-come/first-serve per regulations/guidelines up to November 15 and up to \$2000 for the waterfront area, research source and target funds instead of CARES Act if possible, and to bring back information on the CDBG Cares Act fund for the next meeting.

Prior to the vote:

Councilmember Emdee questioned being restrictive and funding should be for all businesses throughout the City including the pier.

Substitute Motion by Councilmember Gran, seconded by Councilmember Emdee, to have a \$40K fund for the rest of the City first come first serve with a \$2K limit.

Prior to the vote:

Councilmember Loewenstein stated the harbor area has already established dining tables and fences and questioned delineating those being paid to set up shop versus those who already have done it. He also questioned getting the word out citywide. He further pointed out that a restaurant will not survive unless they're serving people and this has to be micromanaged.

Mayor Brand stated he received a letter from the US Department of Housing and Urban Development regarding a special allocation to the City jurisdiction of CDBG funds of \$453,481 with a cumulative amount of \$641K. Assistant City Manager Witzansky stated this is the source staff referred to earlier.

Councilmember Horvath pointed out that the pier and harbor have an association and the waterfront and harbor lessees have been getting help from the City.

Mayor Brand called for public comment via eComment and Zoom. There being no comments, Mayor Brand closed the public comment period.

Councilmember Nehrenheim stated he did not support the motions due to the new information regarding the \$450K funding.

Councilmember Gran stated the funding mechanism doesn't constrain anyone going forward, applications could start going out as soon as possible, and the source of the funds could be changed if needed.

In response to Mayor Brand, Finance Director Ruhland did not believe the applications would create more work for staff.

Councilmember Emdee suggested moving forward to avoid holding businesses back, suggested some type of restriction if needed and expressed concern with micromanaging.

Assistant City Manager Witzansky said there is a chance that the CDBG source of funding might be eligible for businesses that made expenses in arrears which can be reimbursed with these funds.

Councilmember Nehrenheim reviewed his original motion and suggested focusing on outdoor activities right away, and also suggested amending money going directly to the harbor.

Councilmember Loewenstein said his first priority is not sales tax and supported keeping people employed.

Substitute Motion carried with the following vote:

AYES: Horvath, Gran, Emdee  
NOES: Nehrenheim, Loewenstein

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

### **N.1. DISCUSSION AND DIRECTION TO STAFF REGARDING CONSIDERATION OF ELECTED OFFICIAL SALARIES IN ADVANCE OF THE NEXT REGULAR MUNICIPAL ELECTION.**

**RECEIVE AND FILE THE RECOMMENDATIONS MADE BY THE BUDGET AND FINANCE COMMISSION REGARDING SALARIES FOR THE MAYOR, CITY COUNCIL AND CITY ATTORNEY POSITIONS.**

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

Director of Human Resources Strickfaden gave a report and discussed the salary adjustments for elected officials.

Councilmember Nehrenheim asked about other pay in the City Attorney's pay. Director of Human Resources Strickfaden explained that other pay usually is reported as vacation and/or other allowances.

Councilmember Nehrenheim reviewed other pay for City Attorneys from other cities and asked about bonuses. Director of Human Resources Strickfaden believed that the other pay in that category would remain the same. She also said Council would just be voting on the position without a pay grade/scale. She also believed that benefits for Councilmembers are similar and have to be adopted in the ordinance.

In response to Councilmember Nehrenheim, Assistant City Attorney Park stated changes could take place via ordinance.

In response to Councilmember Nehrenheim, Director of Human Resources Strickfaden stated Council is an elected position and salaries are designated by government code based on population.

City Manager Hoefgen stated there's not an overtime eligibility.

Finance Director Ruhland stated the Budget and Finance Commission's recommendation was 6-1 to for the beginning of the term to reduce salary by 10% and keep it flat for the remainder of the term.

Assistant City Attorney Park reviewed the ordinance which states that councilmembers effective April 2013 are entitled to establish the sum of \$927.31 and deferred comp of 12% of salary and also fringe benefits applicable to the position similar to management and confidential employee.

City Manager Hoefgen stated there is a structural deficit in place approaching \$6M which will be revisited at year-end.

Councilmember Nehrenheim noted across the board positions being cut and closed and Council is not using professional tools. He suggested a small percentage for the first year.

Motion by Councilmember Nehrenheim to cut the City Attorney's position pay by 5%, keep it even for the 2<sup>nd</sup> year, bring it up to equal amount in the 3<sup>rd</sup> and 4<sup>th</sup> year, and keep Council pay the same. Motion failed with no second.

Councilmember Gran pointed out that a charter position is used constantly in Redondo Beach, all departments outside of public safety are required to reduce their budgets by 15%, saving \$25K, looking at every dollar.

Councilmember Nehrenheim reviewed City cuts and said Council positions are for the greater good rather than salary.

Motion by Councilmember Nehrenheim to reduce the pay by 5% for the first year, keep it even the second year, and 2.5% for the third and fourth years to be final rates to be back at the same rate as it is now. Motion failed with no second.

Mayor Brand called for public comments via eComment and Zoom. There being no comments, Mayor Brand closed the public comment period.

Substitute Motion by Councilmember Emdee, seconded by Councilmember Horvath, to receive and file the report with gratitude. Motion carried with the following roll call vote:

AYES: Loewenstein, Horvath, Gran, Emdee  
NOES: Nehrenheim

#### **O. CITY MANAGER ITEMS**

City Manager Hoefgen reviewed the upcoming agenda on October 6.

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

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

Councilmember Horvath pointed out that the Preservation Commission does not have any representation from North Redondo Beach and that Recreation and Parks Commission does not have District 4 representation.

Mayor Brand called for public comments via eComment and Zoom.

Matthew Hinsley noted there are still Commissioners that have never been reappointed and are still not on the list of appointments and asked that Council provide their reappointments.

There being no further comments, Mayor Brand closed the public comment period.

Mayor Brand amended his appointments with the change to keep Chantal Toporow on Planning for another four years.

Motion by Councilmember Horvath, seconded by Councilmember Emdee, to approve all Mayor appointments with the exception of Mr. Gaddis on the Planning Commission.

Substitute Motion by Councilmember Nehrenheim, seconded by Councilmember Loewenstein, to accept all of the Mayor's appointments to include any changes/amendments.

Substitute Motion by Councilmember Emdee, seconded by Councilmember Gran, to accept Mayor appointees with the change of Chantal Toporow instead of Rob Gaddis on Planning. Motion carried unanimously, with the following roll call vote:

AYES: Nehrenheim, Loewenstein, Horvath, Gran, Emdee  
NOES: None

**P.2. DISCUSSION AND POSSIBLE ACTION REGARDING A CITY COUNCIL REFERRAL TO COMPOSE A LETTER TO THE LOS ANGELES COUNTY BOARD OF SUPERVISORS REGARDING THE RE-OPENING OF BREWERIES**

Waterfront and Economic Development Director Stephen Proud gave a report regarding a letter to the Los Angeles County Board of Supervisors for the re-opening of breweries.

Mayor Brand called for public comments via eComment and Zoom.

Chief Deputy City Clerk Kroneberger read the following comment via eComment:

Tom Dunbabin, founder King Harbor Brewing Company, noted unfair restrictions on breweries in LA County causing businesses to go out of business. He asked the Council's help with the LA County Supervisors.

There being no further comments, Mayor Brand closed the public comment period.

Councilmember Emdee supported the letter and suggested reinstating the letter written by the Mayor to the state to exempt the area and separate it from the county.

Motion by Councilmember Emdee, seconded by Councilmember Horvath, to send a letter to the Los Angeles County Board of Supervisors regarding the re-opening of breweries and to attach the letter that cities sent to the state related to breweries. Motion carried unanimously, with the following roll call vote:

AYES: Nehrenheim, Loewenstein, Horvath, Gran, Emdee  
NOES: None

Councilmember Loewenstein believed that microbreweries are being singled out by Dr. Ferrara who is not looking at the difference between a bar serving food versus a microbrewery.

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

Councilmember Nehrenheim asked about any COVID updates. City Manager Hoefgen stated doubles play is now allowed for tennis and an update will be provided on October 6.

Councilmember Loewenstein noted construction vehicles and parking issues on Helberta and asked about having a meeting on November 3 which is Election Day. City Clerk Manzano stated this will be rescheduled.

Councilmember Horvath requested recessing in memory of Justice Ruth Bader Ginsburg.

Councilmember Gran informed of an illegal business in North Redondo at a church and suggested looking at the Municipal Code to put in permit parking in the area short term while the business is being addressed. Motion by Councilmember Gran, seconded by Councilmember Horvath, to make this referral to staff to come back October 6. Motion carried unanimously, with the following roll call vote:

AYES: Nehrenheim, Loewenstein, Horvath, Gran, Emdee  
NOES: None

**R. RECESS TO CLOSED SESSION – 8:53 p.m.**

Motion by Councilmember Nehrenheim, seconded by Councilmember Horvath, to conduct Closed Sessions attended by City Attorney Webb, Assistant Attorney Park, Assistant City Manager Witzansky, City Manager Hoefgen and Waterfront and Economic Development Director Stephen Proud.

- R.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:

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

Case Number: 19STCV13547

- R.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:

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

Case Number: 2: 17-CV-4645

- R.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:

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

Case Number: BC682833

- R.4. 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

- S. RECONVENE TO OPEN SESSION: 8:55 p.m.**

- T. ANNOUNCEMENT OF CLOSED SESSION ITEMS – None**

- U. ADJOURNMENT: 8:55 P.M.**

ADJOURN IN MEMORY OF JUSTICE RUTH BADER GINSBURG

There being no further business to come before the City Council, Motion by Councilmember Horvath, seconded by Councilmember Loewenstein, to adjourn the meeting at 8:55 p.m. to an Adjourned Regular meeting to be held at 4:30 p.m. (Closed Session) and a Regular meeting to be held at 6:00 p.m. (Open Session) on Tuesday, October 6, 2020, in the City Hall Council Chambers, 415 Diamond Street, Redondo Beach, California, via teleconference. Motion carried unanimously, with the following roll call vote:

AYES: Nehrenheim, Loewenstein, Horvath, Gran, Emdee

NOES: None

ABSENT: None

Respectfully submitted,

---

Eleanor Manzano, City Clerk