



Minutes  
Redondo Beach City Council  
Tuesday, September 21, 2021  
Closed Session - Special Meeting 4:30 p.m.  
Open Session - Regular Meeting 6:00 p.m.

**A. CALL MEETING TO ORDER**

Via teleconference, a Special Meeting of the Redondo Beach City Council was called to order by Mayor Brand at 4:30 p.m. in the City Hall Council Chamber, 415 Diamond Street, Redondo Beach, California.

**B. ROLL CALL**

Councilmembers Present:	Nehrenheim, Horvath, Loewenstein, Obagi, Emdee, Mayor Brand
Councilmembers Absent:	None
Officials Present:	Michael Webb, City Attorney Joe Hoefgen, City Manager Vickie Kroneberger, Chief Deputy City Clerk

**C. SALUTE TO THE FLAG AND INVOCATION – NONE**

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

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

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

**F. RECESS TO CLOSED SESSION: 4:31 p.m.**

**F.1. 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 & Economic Development Director

**PROPERTY:**

202 Fisherman's Wharf, Redondo Beach, CA 90277  
(a portion of APN# 7505-002-908)

**NEGOTIATING PARTY:**

Edward J. Castro, New Starboard Attitude

**UNDER NEGOTIATION:**

Both Price and Terms

**F.2. 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 the Redondo Beach Marina Parking Lot and Seaside Lagoon (portions of APN #'s 7503-029-900 and 7503-033-903)

**NEGOTIATING PARTY:**

Allen Sanford, Sanford Ventures, Inc.

**UNDER NEGOTIATION:**

Both Price and Terms

**F.3. CONFERENCE WITH LEGAL COUNSEL - ANTICIPATED POTENTIAL LITIGATION - The Closed Session is authorized by the attorney-client privilege, Government Code Section 54956.9(d)(4).**

Three potential cases

Motion by Councilmember Obagi, seconded by Councilmember Nehrenheim, to recess at 4:31 p.m. to conduct Closed Sessions attended by City Manager Joe Hoefgen, City Attorney Mike Webb, Assistant City Attorney Park, Assistant City Manager Mike Witzansky, Outside Leasing Agent Brian Campbell, Police Chief Keith Kauffman, Outside Legal Counsel Andrew Schwartz, Community Development Director Brandy Forbes, and Planning Manager Sean Scully. There being no objections, Mayor Brand so ordered.

**G. RECONVENE TO OPEN SESSION: 6:00 p.m.**

**H. ROLL CALL**

Councilmembers Present:	Nehrenheim, Loewenstein, Horvath, Obagi, Emdee, Mayor Brand
Councilmembers Absent:	None
Officials Present:	Eleanor Manzano, City Clerk Michael Webb, City Attorney Joe Hoefgen, City Manager Vickie Kroneberger, Chief Deputy City Clerk

**I. ANNOUNCEMENT OF CLOSED SESSION ACTIONS**

No reportable action.

**J. ADJOURN TO REGULAR MEETING**

Motion by Councilmember Horvath, seconded by Councilmember Nehrenheim, to adjourn at 6:01 p.m. to a regular meeting. There being no objections, Mayor Brand so ordered.

**A. CALL TO ORDER**

Via Teleconference, a Regular Meeting of the Redondo Beach City Council was called to order by Mayor Brand at 6:01 p.m. in the City Hall Council Chambers, 415 Diamond Street, Redondo Beach, California.

**B. ROLL CALL**

Councilmembers Present:	Nehrenheim, Loewenstein, Horvath, Obagi, Emdee, Mayor Brand
Councilmembers Absent:	None
Officials Present:	Eleanor Manzano, City Clerk Michael Webb, City Attorney 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 thanked Allen Sanford, Public Works and Public Safety for the BeachLife Festival, announced his Community Meeting that took place on Saturday morning in the parking lot, announced Swim the Avenue last Sunday and an open water swim in October.

Councilmember Loewenstein also supported the festival and thanked all those involved and announced his District 2 Community Meeting last Thursday.

Councilmember Obagi thanked everyone involved with the BeachLife Festival and announced his Community Meeting next week.

Councilmember Emdee thanked the residents for the cleanup on the North Redondo Bike Path and announced the closing of Peach Wave at the end of the month.

Mayor Brand stated he attended Contract Cities Fall Education Seminar which had helpful discussions, stated the Governor signed Senate Bills 9 and 10 requiring cities to split single lots into two and noted an initiative to make these issues community affairs. He also thanked those for running the Swim the Avenues event.

**E. APPROVAL OF ORDER OF AGENDA**

Motion by Councilmember Nehrenheim, seconded by Councilmember Loewenstein, to approve the Order of Agenda, hearing Items P1 through P4 immediately after Public Participation on Non-Agenda Items. Motion carried with the following roll call vote:

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

**F. AGENCY RECESS - NONE**

**G. BLUE FOLDER ITEMS – ADDITIONAL BACK UP MATERIALS**

Motion by Councilmember Emdee, seconded by Councilmember Nehrenheim, to receive and file additional Items for Items J1, N2, P1, P3, and P4. There being no objections, Mayor Brand so ordered.

**H. CONSENT CALENDAR**

- H.1. APPROVE AFFIDAVIT OF POSTING FOR THE CITY COUNCIL SPECIAL AND REGULAR MEETING OF SEPTEMBER 21, 2021  
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. PAYROLL DEMANDS  
CHECKS 27619-27656 IN THE AMOUNT OF \$47,803.54, PD. 9/3/2021  
DIRECT DEPOSIT 239003-239518 IN THE AMOUNT OF \$1,895,922.85, PD. 9/3/2021  
EFT/ACH \$7,332.26, PD. 9/2/21 (PP2118)  
EFT/ACH \$363,292.42, PD. 9/7/21 (PP2118)**
- ACCOUNTS PAYABLE DEMANDS  
CHECKS 100504-100712 IN THE AMOUNT OF \$2,990,474.04  
CONTACT: JENNIFER PAUL, FINANCE DIRECTOR**
- H.4. APPROVE CONTRACTS UNDER \$35,000:**
- 1. APPROVE COMMUNITY DEVELOPMENT BLOCK GRANT (CDBG) PUBLIC SERVICE FUNDING AGREEMENT WITH EXODUS RECOVERY, INC. FOR FSP8 - HOMELESS SERVICES PROGRAM FOR THE AMOUNT NOT TO EXCEED \$4,500 FOR THE TERM JULY 1, 2021 TO JUNE 30, 2022.**
  - 2. APPROVE COMMUNITY DEVELOPMENT BLOCK GRANT (CDBG) PUBLIC SERVICE FUNDING AGREEMENT WITH DISABILITY COMMUNITY RESOURCE CENTER FOR INDEPENDENT LIVING SERVICES (ILS) PROGRAM FOR THE AMOUNT NOT TO EXCEED \$3,500 FOR THE TERM JULY 1, 2021 TO JUNE 30, 2022.**
  - 3. APPROVE AGREEMENT WITH OVERDRIVE, INC. AND RECIPROCAL LENDING ARRANGEMENT ENROLLMENT FORM FOR ACCESS TO OVERDRIVE'S DIGITAL LIBRARY PLATFORM PROVIDING ANNUAL MAGAZINE SERVICE, UNIVERSAL CLASS SUBSCRIPTION AND THE SHARING OF DIGITAL TITLES WITH PARTICIPATING LIBRARIES IN AN AMOUNT NOT TO EXCEED \$26,000 FOR THE TERM OCTOBER 20, 2021 TO OCTOBER 19, 2023.**
  - 4. APPROVE FIRST AMENDMENT TO THE AGREEMENT WITH WALKER PARKING CONSULTANTS / ENGINEERS, INC. FOR WATERPROOFING CONSULTANT SERVICES FOR THE REDONDO BEACH TRANSIT CENTER PROJECT, JOB NO. 20120 FOR AN ADDITIONAL \$20,000 FOR EXISTING TERM TO DECEMBER 31, 2022.  
CONTACT: JENNIFER PAUL, FINANCE DIRECTOR**
- H.5. ADOPT BY TITLE ONLY RESOLUTION NO. CC-2109-090 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 2021-22.  
CAMERON HARDING, CONTACT: COMMUNITY SERVICES DIRECTOR**
- H.6. ADOPT ORDINANCE NO. O-3220-21 AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF REDONDO BEACH, CALIFORNIA, AMENDING MUNICIPAL CODE TITLE 3, CHAPTER 7, ARTICLE 20, TO CONFORM REGULATIONS REGARDING STREET VENDING IN THE CITY OF REDONDO BEACH WITH SENATE BILL 946  
CONTACT: BRANDY FORBES, COMMUNITY DEVELOPMENT DIRECTOR**

- H.7. **ADOPT BY TITLE ONLY RESOLUTION NO. CC-2109-091, A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF REDONDO BEACH, CALIFORNIA, LEASING CERTAIN PROPERTY TO BARLEY VIBES, LLC APPROVE A LEASE WITH BARLEY VIBES, LLC DBA PROJECT BARLEY BREWING OTW FOR THE PREMISES AT 136 INTERNATIONAL BOARDWALK FOR A MONTHLY AMOUNT OF \$2,250.00 WITH AN ANNUAL 3% BASE RENT INCREASE FOR THE TERM OF SEPTEMBER 21, 2021 - NOVEMBER 20, 2026  
CONTACT: STEPHEN PROUD, WATERFRONT & ECONOMIC DEVELOPMENT DIRECTOR**
- H.8. **APPROVE CORRECTED HISTORIC PROPERTY PRESERVATION AGREEMENT WITH MOHAMMAD NAMVAR, OWNER, FOR THE PROPERTY LOCATED AT 724 N. IRENA AVENUE WHICH BEGAN ON MAY 21, 2019 FOR THE TERM OF TEN YEARS WITH AUTOMATIC RENEWAL EVERY YEAR THEREAFTER  
CONTACT: BRANDY FORBES, COMMUNITY DEVELOPMENT DIRECTOR**
- H.9. **APPROVE PLANS AND SPECIFICATIONS FOR THE GRANT AVENUE SIGNAL IMPROVEMENTS PROJECT, JOB NO. 41090 AND GRANT AVENUE BULB-OUTS PROJECT, JOB NO. 41340, AND AUTHORIZE THE USE OF METRO REGIONAL MEASURE M FUNDED TRAFFIC SIGNAL COMMUNICATIONS AND NETWORK SYSTEM PROJECT, JOB NO. 41280, GRANT FUNDS AND AUTHORIZE THE CITY CLERK TO ADVERTISE THE PROJECTS FOR COMPETITIVE BIDS  
CONTACT: TED SEMAAN, PUBLIC WORKS DIRECTOR**
- H.10. **APPROVE CONSULTING SERVICES AGREEMENT WITH WALKER PARKING CONSULTANTS/ENGINEERS, INC. FOR ASSESSMENT SERVICES RELATED TO THE NORTH PIER, SOUTH PIER, AND PLAZA PARKING STRUCTURES IN AN AMOUNT NOT TO EXCEED \$79,000 FOR THE TERM SEPTEMBER 21, 2021 TO SEPTEMBER 20, 2022  
CONTACT: TED SEMAAN, PUBLIC WORKS DIRECTOR**
- H.11. **ADOPT BY TITLE ONLY ORDINANCE NO. O-3219-21, AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF REDONDO BEACH, CALIFORNIA, AMENDING SECTION 2-9.101 OF CHAPTER 9, TITLE 2 OF THE REDONDO BEACH MUNICIPAL CODE, ESTABLISHING A MINIMUM NUMBER OF MEETINGS FOR ALL BOARDS AND COMMISSIONS OF THE CITY. FOR SECOND READING AND ADOPTION.  
CONTACT: MICHAEL W. WEBB, CITY ATTORNEY**
- H.12. **PULLED BY COUNCILMEMBER HORVATH FOR FURTHER DISCUSSION.**
- H.13. **APPROVE SECOND AMENDMENT TO THE MICHAEL BAKER INTERNATIONAL, INC. AGREEMENT FOR CDBG CONSULTING SERVICES FOR AN AMOUNT NOT TO EXCEED \$171,231 FOR THE EXISTING TERM  
CONTACT: CAMERON HARDING, COMMUNITY SERVICES DIRECTOR**

Mayor Brand called for public comment via Zoom and eComment.

Chief Deputy City Clerk Vickie Kroneberger read the comments submitted via eComment by Mark Nelson.

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

Motion by Councilmember Nehrenheim, seconded by Councilmember Horvath, to approve Items H.1 through H.13, with the exclusion of Item H.12. Motion carried unanimously with the following roll call vote:

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

ABSENT: None

Chief Deputy City Clerk Vickie Kroneberger read all Ordinances and Resolutions by title only which were included on the Consent Calendar.

**I. EXCLUDED CONSENT CALENDAR ITEMS**

**H.12. ADOPT BY TITLE ONLY ORDINANCE NO. O-3221-21 AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF REDONDO BEACH, CALIFORNIA, ADDING SECTION 2-9.109 OF MUNICIPAL CODE TITLE 2, CHAPTER 9, ARTICLE 1 AND REPEALING SECTION 2-9.707 OF MUNICIPAL CODE TITLE 2, CHAPTER 9, ARTICLE 7. FOR SECOND READING AND ADOPTION.  
MICHAEL CONTACT: W. WEBB, CITY ATTORNEY**

Motion by Councilmember Nehrenheim, seconded by Councilmember Obagi, to adopt by title only Ordinance No. O-3221-21. Motion carried with the following roll call vote:

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

Chief Deputy City Clerk Vickie Kroneberger read by title only Ordinance No. O-3221-21.

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

Mayor Brand called for public comment via Zoom and eComment.

Holly Osborne spoke on trees and keeping the City cool and noted a fast rise in temperature over the past five decades. She said SB9 will add more concrete in neighborhoods but can be denied if there is an adversity on health. She asked that planners not approve projects that would destroy a tree on City property and front yards being paved over.

Elizabeth Marcon spoke on SB9 and SB10 and asked Council and City Attorney to explore all options in challenging these laws legally. She also said there is no affordable housing requirements, setbacks being reduced, and up to six units could be allowed. She said this will make housing worse with outbidding, no infrastructure requirement, no environmental required, no public comments and minimal parking. She also said this needs to be made known to the public.

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 PREVIOUS AGENDAS – NONE**

**P. MAYOR AND COUNCIL ITEMS**

**P.1. DISCUSSION AND CONSIDERATION OF THE CITY'S POSITION REGARDING LEAGUE OF CALIFORNIA CITIES RESOLUTIONS PROPOSED FOR ADOPTION AT THE ANNUAL CONFERENCE BUSINESS MEETING**

City Manager Hoefgen gave a report on the League of California Cities Resolutions proposed for adoption at the Annual Conference Business Meeting.

Councilmember Horvath noted a variety of changes that took place regarding the railroad right-of-way issue and said he is available for questions.

Motion by Councilmember Loewenstein, seconded by Horvath, to vote yes on all three League of California Resolutions proposed for adoption. Motion carried unanimously, with the following roll call vote:

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

Mayor Brand called for public comment via Zoom and eComment.

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

**P.2. DISCUSSION AND CONSIDERATION REGARDING MUNICIPAL CODE AMENDMENTS THE CITY OF LOS ANGELES RECENTLY PASSED TO REGULATE CAMPING IN CERTAIN AREAS OF THEIR CITY.**

City Attorney Webb gave a report regarding Municipal Code Amendments the City of Los Angeles recently passed to regulate camping in certain areas of their city. He also expressed concern with a blanket rule creating a lot of unintended consequences.

Councilmember Obagi suggested getting a homeless update from those out in the field.

Councilmember Nehrenheim shared a map regarding camping activities.

In response to Councilmember Nehrenheim, City Attorney Webb stated the beaches are in the City's jurisdiction and the County has referred residents who complain to the Police Department.

Councilmember Nehrenheim suggested updates and reports to the Public Safety Commission regularly. Chief Kauffman stated pallet shelter reports have been provided. He also said statistics are refreshed specific to the pallet shelter.

Mayor Brand suggested focusing on Dominguez Park, Veteran's Park and the beaches. City Attorney Webb stated staff would be prepared to return with recommendations but this would be a Council choice.

Councilmember Horvath suggested addressing Dominguez Park.

Councilmember Obagi expressed concern with criminalizing homelessness but also not attracting enumerable new homeless. City Attorney Webb stated this would be addressed through engagement, housing, enforcement, notice, and current complaints.

Mayor Brand called for public comment via Zoom and eComment.

Elizabeth Marcon expressed concern with safety, being too inviting and at a point of being out of control. She supported working with targeted areas and working on the ordinance, at the same time showing compassion.

In response to Councilmember Nehrenheim, City Attorney Webb stated benefits cannot be tied to when someone arrives in the jurisdiction, which violates the US Constitution.

Chief Deputy City Clerk Vickie Kroneberger read the comments submitted via eComment by:

Brianna Egan, Grace Peng

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

Motion by Councilmember Obagi, seconded by Councilmember Nehrenheim, to direct staff to deal with the public safety complaints received on the beach, Veteran's Park and Dominguez Park. Motion carried unanimously, with the following roll call vote:

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

**P.3. DISCUSSION AND CONSIDERATION REGARDING AMENDMENTS TO REDONDO BEACH MUNICIPAL CODE SECTION 10-3.901 CEQA APPEAL REQUIREMENTS AND PROCEDURES**

**INTRODUCE BY TITLE ONLY ORDINANCE NO. O-3217-21, AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF REDONDO BEACH, CALIFORNIA, AMENDING MUNICIPAL CODE TITLE 10, CHAPTER 3, ARTICLE 9, SECTION 10-3.901 CEQA APPEAL REQUIREMENTS AND PROCEDURES FOR INTRODUCTION AND FIRST READING**

In response to Councilmember Horvath, City Attorney Webb reviewed the concerns between the two options to include timely-related, and Ordinance No. O-3217-21 removes many of the protections that make it a finite appeal with no exhaustion remedy.

City Attorney Webb reviewed Ordinance No. O-3217-21 and his concerns.

Community Development Director Forbes discussed the removal of the exhaustion requirement before the Planning Commission and impacting her office. She also noted submittal of grounds for information concerns and budgetarily concerns.

In response to Councilmember Obagi, City Attorney Webb stated information can continue to be presented to Council throughout the hearing by removing the exhaustion issue. He also said the Ordinance will make it easier to sue the City and can prevail more easily, and doesn't address the fundamental issues such as timing.

Councilmember Obagi suggested more time to evaluate and discuss the Ordinances. City Attorney Webb agreed but expressed concern with delaying this any further. Councilmember Obagi also supported putting community first and to ensure it has the ultimate say on whether projects go forward or not. City Attorney Webb stated the issues include exhaustion requirement, Planning Commission, giving notice and regular calendar date.

City Attorney Webb reviewed the versions, noting Councilmember Nehrenheim's version states "The appellant or any other person," whereas the City version states just "The appellant."

Mayor Brand suggested having a document that explains the differences. He also pointed out the 1.6M sf Galleria project showed up on the Planning Commission agenda but the public received the information only 72 hours before the meeting and the Planning Commission approved it.

Councilmember Nehrenheim expressed concern with an exhaustion requirement that the City has in the current CEQA ordinance and noted the Planning and Harbor Commissions do not elect a body. He reviewed the hearing requirements, noting the Council shall conduct a de novo review of the decision on the CEQA document. He said all facts to the City Council are important, noting Council is the ultimate body in approving



CEQA documents and approving the facts. He supported the Ordinance the way it is right now and reviewed various city appeal forms which should be simple and not complicated.

Councilmember Obagi stated his issue with the exhaustion requirement is not having a public information infrastructure and not providing information to people in a clear way.

Mayor Brand called for public comment via Zoom and eComment.

Frank Angel urged the Council to pass the Ordinance tonight and amendments can be ironed out later. He also reviewed his concerns and examples.

City Attorney Webb clarified that new evidence can always be presented.

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

Motion by Councilmember Horvath, seconded by Councilmember Emdee, to introduce by title only Ordinance No. O-3217-21 and accept staff report with changes to the Ordinance.

Substitute Motion by Councilmember Nehrenheim, seconded by Councilmember Loewenstein, to introduce by title only Ordinance No. O-3217-21 with the following accepted amendments by Councilmember Obagi, to subsection 10-3.901 (b): Four calendar days to resubmit, (c) filing fee shall be paid within five calendar days, and (f) City Clerk shall set and notice hearing on appeal. Amended Motion carried, with the following roll call vote:

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

Chief Deputy City Clerk read Ordinance No. O-3217-21 by title only.

#### **P.4. DISCUSSION AND CONSIDERATION OF MAYOR APPOINTMENTS TO VARIOUS BOARDS AND COMMISSIONS**

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

Councilmember Obagi requested appointing Margaret Willers to the Library Commission. Mayor Brand accepted.

Motion by Councilmember Loewenstein, seconded by Councilmember Nehrenheim, to approve the Mayor's recommendations and to appoint Margaret Willers to the Library Commission. Motion carried with the following roll call vote:

AYES: Nehrenheim, Loewenstein, Obagi  
NOES: Emdee  
ABSTAIN: Horvath  
ABSENT: None

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

##### **N.1. DISCUSSION AND POSSIBLE ACTION REGARDING INCLUSIONARY HOUSING ORDINANCE TO FINALIZE PARAMETERS BASED ON FINANCIAL ANALYSIS**

## **CONTACT: BRANDY FORBES, COMMUNITY DEVELOPMENT DIRECTOR**

Community Development Director Brandy Forbes gave a staff report on the Inclusionary Housing Ordinance to finalize parameters based on financial analysis.

Kathe Head, Keyser Marston Associates, Inc., gave a report and discussed the following:

- Inclusionary Housing Program Considerations
- City Council Goals Identified in January 2021
- City Council Assessment of Potential Fulfillment Options January 2021
- Financial Evaluation Parameters
- 65915 Density Bonus
- Ownership Development Analysis
  - Prototype Condominium Development
  - Prototype Condominium Project – 65915 density bonus
  - Supportable In-Lieu Fees
- Apartment Development Analysis
  - Affordability Gap Analysis
  - Prototype Apartment Development based on a review of recently proposed projects
  - Prototype Apartment Development 65915 density bonus – very low income units
  - Supportable In-Lieu Fees
- Issues for Consideration
- General Recommendations
- Recommendations: Ownership Housing Development
- Recommendations: Apartment Development

In response to Councilmember Loewenstein about .8 and .9 of units, Ms. Head explained that some communities round everything up and some round mathematically, and said this is a policy decision.

Mayor Brand noted as an example a developer using the density bonus law to increase a 400 foot tall building to an 800 foot tall building.

In response to Mayor Brand regarding the moderate income of Los Angeles County, Ms. Head stated a four personal moderate income household in LA County in 2021 is \$96,000.

In response to Councilmember Obagi, Ms. Head believed there is no discrimination against lot splits, and the inclusionary policy would start at 2 units, with only 1 new unit on each lot.

Councilmember Emdee noted the delta between the density bonus and inclusionary zoning seem to be quite small. Ms. Head explained without inclusionary, the developer may not use any density bonus.

Mayor Brand stated not much density bonus is being used in Redondo Beach.

Ms. Head noted the City of Pasadena increased their inclusionary percent to 20% and said a two-year study took place, noting it was affordable. She also pointed out that there is a lot of development downtown.

Councilmember Emdee referred to the Legado project and pointed out that the residents didn't want the increased height and said Legado didn't go up to these heights. She asked if there may be a disincentive to do a density bonus.

Mayor Brand explained objective standards were going to require Legado to do much more mitigations, which would have been problematic.

Ms. Head stated height and FAR are two different incentives, doing 11% very low income and a developer has to factor this in and the cost in return for the increase and not getting the 35%. She also said developers could use density bonus or maximize it, they just don't want to deal with a very angry community. She also referred to SB330 which is streamlining and notes you can't have more than five public meetings and also established objective standards. She further said the state is more and more trying to zone from Sacramento and suggested evaluating the ramifications of density bonus.

Councilmember Emdee suggested inclusionary zoning applied to bigger projects but asked if there would be value in the smaller projects as well. Ms. Head agreed there is value in the smaller projects seeing a lot of development of smaller projects in Redondo Beach.

Councilmember Emdee referred to garages and asked if shared parking would be more attractive and pointed out that people don't use their garages for cars. Ms. Head stated it would depend on the location such as being close to transit.

Councilmember Emdee noted apartments changing their garages into ADU's and suggested shared parking may have an incentive to actually be used for parking. She also expressed concern with inclusionary zoning disincentivizing production. Ms. Head pointed out that there are 170+ cities in California that have inclusionary housing programs and the environment has adjusted. She also supported a well-structured program and to be conservative when establishing the requirements.

Councilmember Horvath thanked Ms. Head for the presentation, supported affordable housing and seeking a conservative approach. He also supported creating limits on the locations of affordable housing which should be spread out. Ms. Head said she will write a policy recommendation memo based on Council discussion.

In response to Councilmember Nehrenheim, Ms. Head stated any net new units are under the Quimby Fees. Councilmember Nehrenheim suggested upgrading the Quimby Fees again due to increased cost of maintaining the parks. Ms. Head stated she factored increases into the analysis and reevaluation should take place if a significant increase in impact fees is expected. Ms. Head also noted many cities have established an affordable fee schedule.

In response to Councilmember Nehrenheim, Community Development Director Forbes addressed larger projects coming in and said there will be more area that this could happen but a lot of these locations have existing uses on them that are very viable and would likely continue. Councilmember Nehrenheim expressed concern with adding high density and suggested targeting mixed use to have inclusionary zoning. Ms. Head stated a mixed use project that has residential would be subject to inclusionary just by definition. She also said it is common to charge a fee for adding a unit.

After discussion, Community Development Director Forbes suggested staff come back the third week in October with a list of items for Council decisions.

Councilmember Obagi questioned in lieu fees of two or more units and asked about the affect on the market rate of housing. Ms. Head stated no developer has ever charged less, per unit, than they can get on the open market, and limiting supplies would create prices to go up.

In response to Councilmember Obagi, Community Development Director Forbes stated there has not been a significant amount of larger projects due to the uncertainty with COVID, but applications now have included South Redondo projects.

Mayor Brand noted a lot of empty buildings in South Redondo.

Councilmember Obagi suggested an option for in lieu fees starting at two units.

Mayor Brand called for public comment via Zoom and eComment.

Chief Deputy City Clerk Kroneberger read the comments submitted via eComment by Grace Peng.

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

In response to Mayor Brand, Ms. Head stated that inclusionary zoning did not suppress housing in Pasadena and would not in Redondo Beach and increases affordable housing and market rate.

In response to Councilmember Emdee, Ms. Head believed that Redondo Beach is a very affluent neighborhood and clarified that the study is looking at impacts of Initiative JJJ in LA creating a city density bonus.

Motion by Councilmember Emdee to continue this item and provide further discussion to staff and come back with a list of questions for Council in October/November.

Substitute Motion by Councilmember Obagi, seconded by Councilmember Nehrenheim, to include a presentation as part of the staff report.

There being no objections, motion carried unanimously.

**N.2. FURTHER DISCUSSION AND DIRECTION TO STAFF ON EXPLORING THE POSSIBILITY OF CONTRACTING TO PROVIDE PROSECUTION SERVICES FOR THE CITY OF MANHATTAN BEACH**

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

City Attorney Webb gave a report and reviewed his staff report:

- 10 cities in Los Angeles County that prosecute all misdemeanor violations that occur within their city limits (half in the South Bay)
- Maximize local control over how crimes are charged
- Public safety benefits
- Proposal covers costs already have to have and help preserve public safety in Redondo
- Manhattan Beach interest would be local control
- Manhattan Beach would need to get approval of DA's Office
- Contract would have to be approved by both the City and MB
- Homeless Court
- Criminal Court

Chief Kauffman expressed concern with the new list of special directives which are crimes not being filed by the DA now.

In response to Mayor Brand regarding the \$300K, City Attorney Webb stated hiring another prosecutor fully loaded would be \$185K.

Mayor Brand questioned why Manhattan Beach doesn't hire their own prosecutor. City Attorney Webb explained that trials can be sent out and the prosecutor would not be able to cover their caseload.

Mayor Brand expressed concern with Redondo Beach providing so many services regarding legal issues. City Attorney Webb stated it would be in the City's best interest, sharing resources.

In response to Councilmember Obagi, City Attorney Webb explained it would make no sense to include municipal code cases into homeless court since the DA is not doing them.

Councilmember Loewenstein expressed concern with people having to work even more and Joy Abaquin, Quality of Life Prosecutor, not being able to handle quality of life issues and overworking staff. He did not support being an outsourced City and believed there are other priorities.

City Attorney Webb stated staff would not be overworked and suggested stopping doing non-City Attorney work. He also said code enforcement is not being included since Manhattan Beach code enforcement is different.

Councilmember Nehrenheim supported the City taking care of our residents and city first and expressed concern with paying the City Attorney more money due to the homeless issues. He also suggested a traveling homeless court for all three beach cities.

Councilmember Obagi stated the City's plate is full with civil issues as well and reviewed the issues taking place. He also said Manhattan Beach can be tracked outside Council and expressed concern with the next City Attorney that will be selected and able to take care of all issues. He suggested continuing the discussion rather than approval right now. He also supported a more regional approach to homelessness.

Councilmember Emdee supported the proposal, bringing in Manhattan Beach.

Councilmember Horvath supported the proposal as well, having a monetary benefit to the General Fund using for areas in need, and believed this proposal can make sense, being a benefit.

Mayor Brand stated he would not want to take up any of Quality of Life Prosecutor Joy Abaquin's time with diversion over Manhattan Beach for any reason.

City Attorney Webb believed there is a fundamental misunderstanding of what state misdemeanor prosecution is and what the South Bay has done to allow for local control. He also said no one uses the model of hiring someone for an outside firm which is too expensive, either having a full-time City prosecutor or someone in their City Attorney's Office. He noted benefit to the citizens of Redondo if there is not a neighboring city where a significant crime goes unprosecuted.

In response to Councilmember Obagi, City Attorney Webb stated the DA is currently prosecuting the Manhattan Beach misdemeanors.

City Attorney Webb explained that the prosecution unit is separate from the civil unit in what they do and his role is managing and responding to emergencies 24/7. He also stated his prosecutors do not get a holiday break, being available when the courts are open. He also said Quality of Life Prosecutor Joy Abaquin would still handle all of the quality of life cases and will have more time to do prosecution.

Councilmember Obagi asked about the Los Angeles City Attorney's Office doing misdemeanor prosecutions. City Attorney Webb stated LA would charge a lot more and doesn't handle cases in the Torrance Superior Court. He also did not believe that the City doesn't have an ordinance to write but he will check.

Mayor Brand called for public comment via Zoom and eComment.

Sheila Lamb, District 4, stated she did not support contracting prosecution services for the City of Manhattan Beach, noting the residents want local control and their own city attorney. She also suggested the City wait for the potential development of homeless court before offering a range of services to Manhattan Beach, expressed concern with hidden costs, safety and welfare to the Redondo Beach residents, and asked that Council oppose this item.

City Attorney Webb stated that Manhattan Beach contracts out, stated there are no city attorney investigators for Redondo Beach, and recommended public safety.

Chief Deputy City Clerk Vickie Kroneberger read the comments submitted via eComment by:

Eugene Solomon, Wayne Craig

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

Motion by Councilmember Nehrenheim, seconded by Councilmember Loewenstein, to receive and file and staff to come back with more facts as needed.

Substitute Motion by Councilmember Obagi, seconded by Councilmember Emdee, to approve and that staff bring back with direct negotiations to proceed, and enter into contract negotiation. and a companion ordinance to use the excess money to fund administrative review hearings. Motion carried, with the following roll call vote:

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

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

##### **O.1. REPORT AND POSSIBLE ACTION ON THE COVID-19 EMERGENCY AND THE CITY'S CONTINUING ABILITY TO CONDUCT REMOTE CITY COUNCIL AND COMMISSION MEETINGS**

City Manager Hoefgen gave a report and discussed the following:

- o Ability to continue with remote meetings based on AB361
- o Motion needed every month finds that the emergency continues
- o Measures related to social distancing

Motion by Councilmember Horvath, seconded by Councilmember Obagi, that the emergency continues to directly impact the ability to safely meet in person and that social distancing measures are a necessity to conduct remote meetings for the month of October. Motion carried unanimously, with the following roll call vote:

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

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

Motion by Councilmember Nehrenheim, seconded by Councilmember Obagi, to come back with the housing item to include a companion item to increase Quimby Fees, and other impact fees, developer fees, tiered system for Quimby Fees for affordable housing and market rate housing. Motion carried with the following roll call vote:

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

Motion by Councilmember Nehrenheim, seconded by Councilmember Obagi, to come back in December for a discussion to update the fee schedule for appeals. With no objections, motion carried unanimously.

Councilmember Loewenstein asked for a report regarding the noise in the Torrance Circle. Staff stated this will come back at the next meeting.

Councilmember Obagi thanked Public Works for cleaning up the streets and filling the cracks.

Councilmember Emdee suggested conversations addressing parking requirements on new construction in light of SB9.

Mayor Brand asked about a facilitator for Strategic Planning.

**R. CLOSED SESSION – NONE**

**S. RECONVENE TO OPEN SESSION – NONE**

**T. ADJOURNMENT: 11:29 P.M.**

There being no further business to come before the City Council, Motion by Councilmember Emdee, seconded by Councilmember Horvath, to adjourn the meeting at 11:29 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 5, 2021, in the City Hall Council Chambers, 415 Diamond Street, Redondo Beach, California, via teleconference. Motion carried unanimously, with no objection.

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

Respectfully submitted,



Eleanor Manzano, City Clerk