

City of Del Rey Oaks

**City Hall
650 Canyon Del Rey Blvd
Del Rey Oaks, CA 93940**



Action Minutes

Tuesday January 23, 2024 - 6:00 PM

City Council – Regular Meeting

Del Rey Oaks City Council

Scott Donaldson – Mayor

John Uy – Vice Mayor

Jeremy Hallock – Councilmember

Kim Shirley – Councilmember

Bill Ragsdale-Cronin - Councilmember

6:00 PM – Called to Order:

The meeting was called to order by Vice Mayor Uy.

Roll Call:

Present: Vice Mayor Uy, Councilmember Shirley, Councilmember Hallock, and Councilmember Ragsdale-Cronin.

Absent: Mayor Donaldson

Also Present: City Manager Guertin, City Attorney Lorca, City Clerk Minami and Administrative Assistant Fitz

Pledge of Allegiance:

Vice Mayor Uy led the Pledge of Allegiance

Public Comment:

Helen Birdsong: Confused why the no smoking in multi-unit item is on this agenda. Reads letter from another Oaks resident regarding a smoking neighbor having to move because of health concerns.

Oaks Resident: Wants to move forward with no smoking in multi-unit buildings.

Kristin Clark: Joe Russell cared about the city; he was part of the changing of the guards.

Jerry Edelen: Honor to work alongside Joe Russell.

CONSENT AGENDA: *Action Items*

A. MINUTES: (CEQA: as to all, not a project per Guidelines Article 20, Section 15378)

1. December 13, 2023, Special City Council Meeting Minutes
2. December 19, 2023, Regular City Council Meeting Minutes

B. MONTHLY REPORTS: (CEQA: as to all, not a project per Guidelines Article 20, Section 15378)

1. Financials December 2023
2. Fire Department Response Report, December 2023
3. Police Activity Report December 2023

C. MISCELLANEOUS: (CEQA: as to all, not a project per Guidelines Article 20, Section 15378)

1. Adoption of Tobacco Retailer License Ordinance and Smoke Free Public Places Ordinance (Second Reading)
2. Authorize City Manager to Publish Request for Proposals for Comprehensive Fee Study

3. Authorize City Manager to sign the Agreement with Community Tree Service for the work to be performed for the Cal Fire Grant.

A motion was made by **Council Member Ragsdale-Cronin**, seconded by **Council Member Hallock** to approve the Consent Agenda as presented.

Motion passed unanimously 4-0

PUBLIC COMMENT:

None

NEW BUSINESS:

A. Approval of the FY 2022-23 City Audit Report

Paul Phan of Chavon and Associates presents the Audit Report and takes questions and comments from the City Council.

PUBLIC COMMENT:

Helen Birdsong: Is the 17 acres up for sale?
City Manager Guertin: Parks District.

Public Comment Closed

A motion was made by **Council Member Hallock**, seconded by **Council Member Ragsdale-Cronin** to approve the 2022-23 Audit Report as presented.

Motion passed unanimously 4-0

B. Appeal of Building Official Determination Regarding Square Footage Calculations at 121 Calle Del Oaks

Vice Mayor Uy: Reviews the appeal process and explains the timing allowed for the parties involved.

Council Member Hallock: Recuses himself based on the construction work he does in the community.

The appellant took 15 minutes to review why they appeal the Building Officials findings.
Anthony Lombardo: Mezzanine was constructed legally, received water district approval already,

Vince Venaldi: Introduces business partners. Owners of the building for 4.2 million. Paying taxes on 11,620 square footage which includes the mezzanine. Not increasing water usage. Mc Donald was the original owner. Missing this and that from copies from the building department. Spent over 50 grand in legal bills so far. Since he is losing money and is going to fight it.

The Building Official for the City, **Joe Headley**, took 15 minutes to explain the findings that lead to the decision for this project. Showed slide show regarding the process and evidence for the findings. Further reviews of the documents in detail.

Public comment:

Mike Obrien: Why aren't we helping this business?

Helen Birdsong: Why the permit, it's like for like.

Justin Hastings: Seaside Fire Fighter has been on inspections in that building, no issues.

Jeff Davi: Always used mezzanine for storage, want to help this state-of-the-art car place open.

Gary Kreeger: Let's move forward and support business.

Public Comment Closed.

5 minute rebuttal by the appellant:

Vince Venaldi: Joe isn't relying on records that they have. They deserve due process.

Anthoney Lomardo: Legal since 1978, letters to proof it. The district recognizes the square feet.

5 minute rebuttal by the Building Official for the City:

Joe Headley: Trying to enforce the rules of the city and water district. The mentioned stairs were in a different structure. He asks who will sign the permit because he can't sign it.

Council Member Ragsdale-Cronin: How did we get here, we haven't been shown plans or permits and neither has appellant. Issue with additional square footage and water.

Dave Stoldt: This is more of a time related problem. Always been 11,200 square feet.

Joe Headley: No permits for the 11,200.

Council Member Shirley: Didn't get enough information ahead of time.

Joe Headley: Explains AHJ stands for Authority Having Jurisdiction. And reviews MetroScan methodology, is not exact. There are exiting implications.

Vice Mayor Uy: The impact if appeal is granted. They have paid for square feet since 1978. Looked up the meaning of mezzanine.

City Attorney Lorca: Explains how to come to a decision of facts and findings.

Council Member Shirley: Torn by this decision. Paying taxes legally but understands Joe's position.

Council Member Ragsdale-Cronin: City side of this is weak.

City Manager Guertin: There are plans.

Vice Mayor Uy: Research needed, more time to consider both sides.

A motion was made by **Council Member Ragsdale-Cronin**, seconded by **Vice Mayor Uy** to continue public hearing until the March meeting.

Motion passed unanimously 3-0

PUBLIC COMMENT:

None

City Manager Guertin: Positive Housing Element letter from HCD.

Council Member Hallock returned to the dais.

NEXT MEETING DATE: Tuesday, February 27, 2024 at 6:00pm

ADJOURNMENT and a moment of silence for Former Mayor Joseph Russell 8:25pm

Attest:

Date:
