



# City of Hermosa Beach

City Hall  
1315 Valley Drive  
Hermosa Beach, CA  
90254

## Meeting Minutes - Draft

### City Council

*Mayor  
Justin Massey*

*Mayor Pro Tem  
Dean Francois*

*Councilmembers  
Rob Saemann  
Mike Detoy  
Ray Jackson*

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Tuesday, January 23, 2024

5:00 PM

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**DRAFT**

### 5:00 PM - CLOSED SESSION

#### **CALL TO ORDER**

Mayor Massey called the Closed Session to order at 5:00 p.m.

#### **ROLL CALL**

City Clerk Myra Maravilla announced a quorum.

**Present:** 5 - Mayor Massey, Mayor Pro Tempore Francois, Councilmember Saemann,  
Councilmember Detoy, and Councilmember Jackson

**Absent:** 0

#### **PUBLIC COMMENT ON THE CLOSED SESSION AGENDA**

In Person Public Comment:  
Matt McCool

#### **RECESS TO CLOSED SESSION**

a) **24-0048** **MINUTES:** Approval of minutes of Closed Session held on December 12, 2023.

b) **24-0051** **CONFERENCE WITH LEGAL COUNSEL: Initiation of Litigation**  
**Government Code Section 54956.9(d)(4)**  
The City finds, based on advice from legal counsel, that discussion in open session will prejudice the position of the City in the litigation.

**Name of Potential Cases:** 1

c) **24-0052**      **CONFERENCE WITH LEGAL COUNSEL: Workers Comp Litigation Existing Litigation - Government Code Section 54956.9(d)(1)**

The City finds, based on advice from legal counsel, that discussion in open session will prejudice the position of the City in the litigation.

- i) Name of Case: Jamie Ramirez v. City of Hermosa Beach, PSI, administered by ADMINSURE  
WCAB Case Number: ADJ14510104  
AdminSure Claim Number: 21-155171  
D.O.I.: 04/06/2020-04/06/2021

**6:00 PM - OPEN SESSION**

**1. CALL TO ORDER**

Mayor Massey called the Open Session to order at 6:02 p.m.

**2. PLEDGE OF ALLEGIANCE**

Joe Chipola led the Pledge of Allegiance.

**3. ROLL CALL**

City Clerk Maravilla announced a quorum.

**Present:** 5 - Mayor Massey, Mayor Pro Tempore Francois, Councilmember Saemann, Councilmember Detoy, and Councilmember Jackson

**Absent:** 0

**4. CLOSED SESSION REPORT**

City Attorney Patrick Donegan provided a Closed Session Report. No reportable action was taken.

**5. ANNOUNCEMENTS - UPCOMING CITY EVENTS**

Mayor Massey announced the enrollment period at Hermosa Beach City School District and a virtual parent information meeting for incoming Transitional Kindergarteners and Kindergarteners on Thursday, January 25 at 6:00 p.m. More information is available on the district's website; and applications for the upcoming Hermosa Beach Concert Series are due by Sunday, March 3, 2024 and can be found on the City's website.

**6. APPROVAL OF AGENDA**

Mayor Pro Tem Francois requested to pull Consent Calendar item "k" for separate discussion and requested to table items 14 "c" and "i" to a future meeting.



City Manager Suja Lowenthal provided a City Manager Report.

Public Works Director Joe SanClemente provided an update on various projects.

**a) 24-0023 POLICE CHIEF UPDATE**

Police Chief Paul LeBaron provided a Police Chief Update.

Mayor Pro Tem Francois asked various questions.

**9. PUBLIC COMMENT**

In Person Public Comment:

- Kent Allen
- Carolyn Waters
- Matt McCool
- Sarah Harper
- Laura Carmona
- George Barks
- Laura Pena & Tara
- Michele Hampton
- Trent Larson
- Jessica Accamando

The City Council joined the Sister City Committee for a group photo.

[REPORT  
24-0054](#)

**SUPPLEMENTAL ECOMMENTS FOR ITEM 9**

**10. CITY COUNCILMEMBER COMMENTS**

**a) 24-0024 UPDATES FROM CITY COUNCIL AD HOC SUBCOMMITTEES  
AND STANDING COMMITTEE DELEGATES/ALTERNATES**

Mayor Pro Tem Francois attended the Los Angeles County Board of Directors Sanitation District meeting on January 17, 2024 and provided information about hazardous waste sewage science; and his attendance at the South Bay Cities Council of Governments for a legislative update from the local elected leaders.

Mayor Massey provided an update on his attendance at the United States Conference of Mayors Winter Meeting from January 16 - 19, 2024 in Washington, D.C. and provided information on the ways artificial

intelligence may interfere in current and future elections and legislation funding infrastructure for cities.

## 11. CONSENT CALENDAR

### *Approval of the Consent Calendar*

A motion was made by Councilmember Jackson, seconded by Councilmember Saemann, to pull Consent Calendar items "k" and "q" for separate discussion and approve the remainder of the Consent Calendar. The motion carried by the following vote:

**Aye:** 5 - Mayor Massey, Francois, Saemann, Deto, and Jackson

**Absent:** 0

- a) **24-0029** **WAIVE READING IN FULL OF ALL ORDINANCES ON THE AGENDA**  
(City Clerk Myra Maravilla)

A motion was made to approve the recommendation on the Consent Calendar.

- b) [REPORT](#) **CITY COUNCIL MEETING MINUTES**  
[24-0027](#) (City Clerk Myra Maravilla)

A motion was made to approve the recommendation on the Consent Calendar.

- c) [REPORT](#) **CHECK REGISTERS**  
[24-0030](#) (Finance Director Viki Copeland)

A motion was made to approve the recommendation on the Consent Calendar.

- d) [REPORT](#) **REVENUE REPORT, EXPENDITURE REPORT, AND CIP REPORT**  
[24-0035](#) **BY PROJECT FOR NOVEMBER 2023**  
(Finance Director Viki Copeland)

A motion was made to approve the recommendation on the Consent Calendar.

- e) [REPORT](#) **MEMORANDUM REGARDING REVENUE REPORT,**  
[24-0042](#) **EXPENDITURE REPORT, AND CIP REPORT BY PROJECT**  
**FOR DECEMBER 2023**  
(Finance Director Viki Copeland)

A motion was made to approve the recommendation on the Consent Calendar.

- f) [REPORT](#) **CITY TREASURER'S REPORT AND CASH BALANCE REPORT**  
[24-0040](#) (City Treasurer Karen Nowicki)

A motion was made to approve the recommendation on the Consent Calendar.



**RECAPTURE PROGRAM AND AMENDING CRITERIA FOR AFFORDABLE HOUSING**

(Community Development Director Carrie Tai)

A motion was made to approve the recommendation on the Consent Calendar.

p) [REPORT 24-0014](#)

**ADOPTION OF AN ORDINANCE AMENDING PORTIONS OF TITLE 17 OF THE HERMOSA BEACH MUNICIPAL CODE CLARIFYING THE CITY’S REGULATION OF ADVERTISEMENT OF SHORT-TERM VACATION RENTALS IN ALL ZONES AND A DETERMINATION THAT THE ORDINANCE IS EXEMPT FROM THE CALIFORNIA ENVIRONMENTAL QUALITY ACT (CEQA)**

(Carrie Tai Community Development Director)

A motion was made to approve the recommendation on the Consent Calendar.

Enactment No:

r) [REPORT 24-0002](#)

**LOS ANGELES COUNTY FIRE AND AMBULANCE MONTHLY REPORT FOR NOVEMBER 2023**

(Deputy City Manager Angela Crespi)

A motion was made to approve the recommendation on the Consent Calendar.

s) [REPORT 24-0032](#)

**APPROVAL OF FIRST AMENDMENT TO WITH BURKE, WILLIAMS AND SORENSEN, LLP FOR LEGAL SERVICES**

(Human Resources Manager Vanessa Godinez)

A motion was made to approve the recommendation on the Consent Calendar.

A motion was made by Councilmember Detoy, seconded by Councilmember Jackson to hear public hearing items before items pulled from the Consent Calendar for separate discussion. The motion was carried by the following vote:

**Aye:** 5 - Mayor Massey, Francois, Saemann, Detoy, and Jackson

**Absent:** 0

**13. PUBLIC HEARINGS - TO COMMENCE AT 6:30 P.M.**

a) [REPORT 24-0003](#)

**CITY COUNCIL REVIEW OF A CONDITIONAL USE PERMIT (CUP 23-12/APE23-08) AMENDMENT APPROVED BY THE PLANNING COMMISSION INCORPORATING ADDITIONAL CONDITIONS OF APPROVAL RELATED TO THE ON-SALE SERVICE OF ALCOHOL (BEER AND WINE) AT AN EXISTING RESTAURANT (PEDONE’S PIZZA AND FINE FOODS) LOCATED AT 1332 HERMOSA AVENUE IN**

**THE GENERAL COMMERCIAL (C-2) ZONE; AND DETERMINE THAT  
THE PROJECT IS CATEGORICALLY EXEMPT FROM THE  
CALIFORNIA QUALITY ACT (CEQA)**

(Community Development Director Carrie Tai)

Planning Manager, Alexis Oropeza, provided a staff report.

Mayor Massey opened the public hearing.

City Attorney Donegan provided information about ex-parte communications.

Mayor Massey reported his communications with Chief LeBaron, Planning Commissioner Marie Rice, and resident Claudia Berman.

Councilmember Saemann reported ex-parte communications with Community Development Director Carrie Tai, Chief LeBaron, and City Manager Lowenthal.

Mayor Pro Tem Francois reported ex-parte communications with Community Development Director Carrie Tai, Chief LeBaron, City Manager Lowenthal, and the applicant Michael Scribney. It was disclosed the applicant provided various points of information.

Councilmember Deto reported ex-parte communications with Community Development Director Tai, Chief LeBaron, City Manager Lowenthal staff and the applicant Michael Scribney.

Councilmember Jackson reported communications with staff.

Councilmember Saemann asked various questions.

Mayor Pro Tem Francois asked various questions.

Director Tai provided information.

Mayor Massey asked various questions.

Councilmember Deto asked various questions.

Michael Scribney, applicant, provided testimony.

In Person Public Comment:

Matthew Baca

Kelsey

Matt McCool



Laura Pena

Mayor Pro Tem Francois asked applicant Scribney various questions.

Applicant Scribney provided responses.

Councilmember Jackson asked applicant Scribney various questions.

Applicant Scribney provided responses.

Mayor Massey asked applicant Scribney various questions.

Chief LeBaron provided information.

Officer Keaton Dadigan provided information.

Applicant Scribney provided a response to the Officer's testimony.

Director Tai provided information.

The City Council continued to deliberate on this item.

The Public Hearing item closed.

**A motion was made by Councilmember Saemann, seconded by Councilmember Detoy to uphold the Planning Commission's resolution amending Conditional Use Permit (CUP 23-12) related to the on-sale service of alcohol at 1332 Hermosa Avenue in the General Commercial (C-2) Zone, and reinstating item number 18 allowing window food delivery only from 12:00 a.m. to 2:00 a.m. for third-party delivery services effective immediately.**

**Councilmember Detoy provided a friendly amendment to address hours in condition 18 as follows: the inside sale of food is permitted between the hours of 8:00 a.m. to 11:00 a.m. on all days except Friday and Saturday, at which point the inside sale of food extends to 12:00 a.m. Sunday through Thursday from 11:00 p.m. to midnight, the restaurant must be closed and locked with only online food orders (no alcohol) allowed through delivery service only through a delivery window located near the front entrance of the establishment. On Fridays and Saturdays only from 12:00 a.m. to 2:00 a.m. the restaurant must be closed and locked with online food orders (no alcohol) allowed through delivery service only through a delivery window located near the front entrance of the establishment. Councilmember Saemann accepted the friendly amendment. The motion carried by the following vote:**

**Aye:** 3 - Francois, Saemann, and Detoy

**No:** 2 - Mayor Massey, and Jackson

**Absent:** 0

Mayor Massey requested to hear Municipal Matter 14 a before agenda item number 12. The reordering of items was approved with no objection.

**MUNICIPAL MATTERS**

a)      [REPORT](#)                      **APPROVAL OF A PROFESSIONAL SERVICES AGREEMENT WITH  
24-0016                      **VOX PRODUCTIONS TO PROVIDE SOUND AND STAGE  
PRODUCTION SERVICES FOR THE HERMOSA BEACH CONCERT  
SERIES****

(Community Resources Manager Lisa Nichols)

Community Resources Manager Lisa Nichols provided a presentation.

Virtual Public Comment:  
Kent Allen

In Person Public Comment:  
Jani Lange  
Shawn Sedlacek  
Matt McCool

Councilmember Jackson provided remarks.

**A motion was made by Mayor Pro Tempore Francois, seconded by Councilmember Deto to approve a Professional Services Agreement with Vox Productions for sound and stage production services for the Hermosa Beach Concert Series for a one-year term through December 31, 2024, with an option to allow the City Manager to extend for two additional one-year terms at a not-to-exceed amount of \$62,203 per year; and authorize the City Manager to execute and the City Clerk to attest to the proposed agreement subject to approval by the City Attorney. The motion carried by the following vote:**

**Aye:** 5 - Mayor Massey, Francois, Saemann, Deto, and Jackson

**Absent:** 0

**12. ITEMS REMOVED FROM THE CONSENT CALENDAR FOR SEPARATE DISCUSSION**

k)      [REPORT](#)                      **PROSPECT AVENUE SPEED REDUCTION TRAFFIC STRIPING  
24-0022                      **IMPROVEMENTS****

(Public Works Director Joe SanClemente)

Mayor Pro Tem Francois asked various questions.

Director SanClemente and City Manager Lowenthal provided information.

Virtual Public Comment:  
Kent Allen

Anthony Higgins

A motion was made by Councilmember Detoy, seconded by Councilmember Jackson to receive and file an update regarding Prospect Avenue speed reduction traffic striping improvement measures, which include edge line striping and bike sharrows along Prospect Avenue from Artesia Boulevard to the southern City limits. The motion carried by the following vote:

**Aye:** 4 - Mayor Massey, Saemann, Detoy, and Jackson

**No:** 1 - Francois

**Absent:** 0

q) [REPORT](#)  
[24-0033](#)

**A RESOLUTION OF THE CITY OF HERMOSA BEACH, CALIFORNIA,  
AMENDING AND RESTATING ADMINISTRATIVE CITATION FINES  
FOR VIOLATIONS SUBJECT TO ADMINISTRATIVE CITATION  
PROVISIONS**

(Community Development Director Carrie Tai)

Councilmember Jackson requested that the short-term vacation violation provision be pulled for a future discussion.

Mayor Massey asked clarifying questions and requested that the cannabis fines also be pulled for a future discussion.

City Manager Lowenthal spoke.

City Attorney Donegan spoke.

Community Development Director Tai provided information.

Police Chief LeBaron provided information.

Virtual Public Comment:

Anthony Higgins

A motion was made by Councilmember Jackson, seconded by Councilmember Detoy to adopt the resolution amending the City's Administrative Fine Schedule with the exception of the social host and short-term vacation rental fines and finding the action to be exempt pursuant to the California Environmental Quality Act. The motion carried by the following vote:

**Aye:** 4 - Francois, Saemann, Detoy, and Jackson

**No:** 1 - Mayor Massey

**Absent:** 0

**14. MUNICIPAL MATTERS (CONTINUED)**

b) [REPORT](#)  
[24-0017](#)

**PARKING PERMIT PROGRAM REVIEW AND REFINEMENT**

(Finance Director Viki Copeland)

Finance Director Viki Copeland provided a staff report.

Councilmember Jackson asked various questions.

Mayor Pro Tem Francois asked various questions.

Finance Director Copeland provided information.

Public Works Director SanClemente provided information.

Virtual Public Comment:

Matt McCool

Councilmember Jackson provided comments.

Mayor Massey provided comments.

Councilmember Deto provided comments.

Councilmember Saemann provided comments.

Mayor Pro Tem Francois provided comments.

Community Services Supervisor Carlos Burgos provided information.

Finance Director Copeland provided additional information.

City Attorney Donegan provided comments.

The City Council continued to deliberate on this item.

**A motion was made by Mayor Massey, seconded by Councilmember Deto to approve staff's recommendation for items 1 through 4; raise the parking permit price to \$60 per year in Section 5; raise the daily lot pass price to \$150 for (12-hour parking) and the 24-hour lot pass to \$250; raise the daily metered lot pass to \$12. Mayor Massey amended the motion to remove Section 11 from the resolution. Councilmember Deto agreed to the amendment. The motion carried by the following vote:**

**Aye:** 5 - Mayor Massey, Francois, Saemann, Deto, and Jackson

**Absent:** 0

**A motion was made by Mayor Massey, seconded by Councilmember Deto to continue items 14 c, f, h, and i to a future meeting, and extend the meeting until the remaining items are heard. The motion carried by the following vote:**

**Aye:** 5 - Mayor Massey, Francois, Saemann, Deto, and Jackson

**Absent:** 0

d) [REPORT](#)  
[24-0050](#)

**CITY MANAGER CONTRACT AMENDMENT  
AND AWARD OF PERFORMANCE BONUS**  
(City Attorney Patrick Donegan)

City Attorney Donegan provided a staff presentation.

Mayor Pro Tem Francois provided comments.

City Manager Lowenthal provided comments.

Virtual Public Comment:

Laura Pena

Matt McCool

Anthony Higgins

Councilmember Deto provided comments.

Mayor Massey provided comments.

Mayor Pro Tem Francois provided comments.

**A motion was made by Councilmember Deto, seconded by Councilmember Saemann to approve a resolution which approves an amendment to the City Manager's employment agreement increasing her compensation for her sixth year of employment and awarding her a one-time performance bonus pursuant to the terms of her employment agreement. The motion carried by the following vote:**

**Aye:** 5 - Mayor Massey, Francois, Saemann, Deto, and Jackson

**Absent:** 0

e) [REPORT](#)  
[24-0007](#)

**APPROVAL OF THIRD AMENDMENT TO AGREEMENT WITH  
WILLDAN ENGINEERING FOR ON-CALL STAFF AUGMENTATION  
SERVICES FOR COMMUNITY DEVELOPMENT**

(Building and Code Enforcement Official Guillermo Hobelman and  
Community Development Director Carrie Tai)

Building and Code Enforcement Official Guillermo Hobelman presented the staff report.

There was no public comment.

Mayor Pro Tem Francois was not present during the roll call vote.

A motion was made by Councilmember Detoy, seconded by Councilmember Saemann to approve the proposed third amendment to an agreement with Willdan Engineering for staff augmentation services to increase the not-to-exceed amount by \$120,000, resulting in a total not-to exceed amount of \$295,000; and authorize the Mayor to execute and the City Clerk to attest the attached third amendment subject to approval by the City Attorney. The motion carried by the following vote:

**Aye:** 4 - Mayor Massey, Saemann, Detoy, and Jackson

**Absent:** 1 - Francois

- f) [REPORT  
24-0037](#)                    **DISCUSSION REGARDING THE FEES FOR CONDITIONAL USE PERMITS (CUP) AND AMENDMENTS TO ENTITLEMENTS FOR OUTDOOR DINING**  
(Community Development Director Carrie Tai)

This item was moved to a future meeting.

- g) [REPORT  
24-0036](#)                    **CONSIDERATION OF A RESOLUTION AMENDING THE RULES OF CONDUCT OF CITY COUNCIL MEETING AND SUBSIDIARY CITY BOARDS AND COMMISSIONS**  
(City Attorney Patrick Donegan)

This item was moved to a future meeting.

- c) [REPORT  
24-0005](#)                    **CIVIC FACILITIES COMMUNITY ENGAGEMENT PLAN**  
(City Manager Suja Lowenthal)

This item was moved to a future meeting.

- h) [REPORT  
24-0043](#)                    **DISCUSSION REGARDING THE REGULATION OF BICYCLES AND ELECTRIC BICYCLES IN THE CITY**  
(City Attorney Patrick Donegan)

This item was moved to a future meeting.

- i) [REPORT  
24-0001](#)                    **CONSIDERATION OF PLACING A LOCAL CONTROL CITY SERVICES MEASURE ON THE NOVEMBER 5, 2024 GENERAL MUNICIPAL ELECTION BALLOT ASKING THE VOTERS TO APPROVE A GENERAL TRANSACTIONS AND USE TAX (SALES TAX or TUT) AT THE RATE OF THREE QUARTER CENT (3/4¢)**  
(City Manager Suja Lowenthal)

This item was moved to a future meeting.

## 15. FUTURE AGENDA ITEMS

a) [24-0047](#)**TENTATIVE FUTURE AGENDA ITEMS****16. PUBLIC COMMENT**

There was no public comment provide for this public comment opportunity.

**17. ADJOURNMENT**

Mayor Pro Tem Francois provided a eulogy in memory of Debra Fonoimoana.

Mayor Massey provided a eulogy in memory of Katherine Bergstrom.

Mayor Pro Tem Francois provided a eulogy in memory of Vince Ray.

Mayor Massey provided a eulogy in memory of Jackie Flagherty.

Mayor Massey adjourned the meeting at 12:25 a.m, in memory of Debra Fonoimoana, Katherine Bergstrom, Vince Ray, and Jackie Flagherty.