



# City of Hermosa Beach

City Hall  
1315 Valley Drive  
Hermosa Beach, CA  
90254

## Regular Meeting Agenda - Final City Council

*Mayor*  
*Jeff Duclos*

*Mayor Pro Tem*  
*Stacey Armato*

*Councilmembers*  
*Mary Campbell*  
*Hany S. Fangary*  
*Justin Massey*

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Tuesday, August 28, 2018

6:00 PM

Council Chambers

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**Closed Session - 6:00 PM**

**Regular Meeting - 7:00 PM**

**6:00 P.M. - CLOSED SESSION**

(LOCATION: Meetings convene in the Council Chambers and move to the Second Floor Conference Room after Public Comment)

**CALL TO ORDER IN COUNCIL CHAMBERS****ROLL CALL****PUBLIC COMMENT****RECESS TO CLOSED SESSION IN SECOND FLOOR CONFERENCE ROOM**

1.      **18-0498**      **MINUTES:** Approval of minutes of the following Closed Session meetings.
- July 24, 2018
  - August 4, 2018
  - August 15, 2018

2.      **18-0499**      **PUBLIC EMPLOYEE APPOINTMENT/EMPLOYMENT  
AND CONFERENCE WITH LABOR NEGOTIATOR**  
**Government Code Sections 54957 and 54957.6**

**Title:** City Manager

**City Negotiator:** Mayor Jeff Duclos and City Attorney

**Unrepresented Employee:** City Manager Candidate

3.      **18-0500**      **CONFERENCE WITH REAL PROPERTY NEGOTIATOR**  
**Government Code Section 54956.8**

**a) Property:** 10th Street between Hermosa Ave. and Manhattan Ave.  
for cable landing, Conduits to use 10th Street, Loma Drive, 11th Street,  
Greenbelt (16th Street conduits already in place)

**City Negotiator:** City Manager

**Negotiating Party:** RTI-I

**Under Negotiation:** Price and Terms of Payment for Lease of City  
Property for Transpacific Fiber Optic Cable Projects

**b) Property:** Airspace at 51 Pier Avenue (Loreto Plaza)

**City Negotiator:** City Manager

**Negotiating Party:** Pierside Properties, LLC

**Under Negotiation:** Price and Terms of Payment for Lease of Airspace

**4. 18-0501 CONFERENCE WITH LEGAL COUNSEL: Pending Litigation****Government Code Section 54956.9(d)(1)**

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

Name of Case: BKK Working Group et al. v. City of Hermosa Beach et al.  
United States District Court Case No. 2:18-cv-5810

***ADJOURNMENT OF CLOSED SESSION***

**7:00 P.M. - REGULAR AGENDA**

All council meetings are open to the public. PLEASE ATTEND.

The Council receives a packet with detailed information and recommendations on nearly every agenda item. City Council agenda packets are available for your review on the City's website located at [www.hermosabch.org](http://www.hermosabch.org). Complete agenda packets are also available for public inspection in the Police Department, Hermosa Beach Public Library and the Office of the City Clerk.

During the meeting, a packet is also available in the Council Chambers foyer or you can access the packet at our website, [www.hermosabch.org](http://www.hermosabch.org), on your laptop, tablet or smartphone through the wireless signal available in the City Council chambers - Network ID: CHB-Guest, Password: chbguest

Written materials pertaining to matters listed on the agenda of a regular City Council meeting must be submitted by noon of the Tuesday, one week before the meeting in order to be included in the agenda packet (tentative future agendas can be found as Item 8 in every regular agenda packet). However, written materials received after that deadline will nonetheless be posted under the relevant agenda item on the City's website at the same time as they are distributed to the City Council by email and provided to the City Council and the public at the meeting.

**Submit your comments via eComment in three easy steps:**

Note: Your comments will become part of the official meeting record. You must provide your full name, but please do not provide any other personal information (i.e. phone numbers, addresses, etc) that you do not want to be published.

1. Go to the Agendas/Minutes/Video webpage and find the meeting you'd like to submit comments on. Click on the eComment button for your selected meeting.
2. Find the agenda item for which you would like to provide a comment. You can select a specific agenda item/project or provide general comments under the Oral/Written Communications item.
3. Sign in to your SpeakUp Hermosa Account or as a guest, enter your comment in the field provided, provide your name, and if applicable, attach files before submitting your comment.

eComments can be submitted as soon as the meeting materials are published, but will only be accepted until 12:00 pm on the date of the meeting to ensure Council and staff have the ability to review comments prior to the meeting.

Persons who wish to address an issue of general nature (not pertaining to matters listed on the agenda) to the City Council for the official record may submit written material to the Council in lieu of or in addition to speaking under the Public Participation section of the meeting. Such written correspondence must be delivered to the City Manager's office ([anny@hermosabch.org](mailto:anny@hermosabch.org)) by noon of the Tuesday, one week before the regular Council meeting in order to be included in the agenda packet.

To comply with the Americans with Disabilities Act of 1990, Assistive Listening Devices (ALD) will be available for check out at the meeting. If you require special assistance to participate in this meeting, you must call or submit your request in writing to the Office of the City Clerk at (310) 318-0203 at least 48 hours prior to the meeting.

**CALL TO ORDER****PLEDGE OF ALLEGIANCE****ROLL CALL****CLOSED SESSION REPORT****ANNOUNCEMENTS****PROCLAMATIONS / PRESENTATIONS**

- a) 18-0521                      **RECOGNIZING HERMOSA BEACH/MANHATTAN BEACH  
JUNIORS ALL-STAR BASEBALL TEAM FOR CAPTURING  
THE WEST REGION TITLE AND PLAYING IN THE  
2018 LITTLE LEAGUE WORLD SERIES**

**MISCELLANEOUS ITEMS AND REPORTS - CITY MANAGER**

**PUBLIC PARTICIPATION:** Although the City Council values your comments, the Brown Act generally prohibits the Council from taking action on any matter not listed on the posted agenda as a business item.

**1. ORAL AND WRITTEN COMMUNICATIONS:** This is the time for members of the public to address the City Council on any items within the Council's jurisdiction not on this agenda, on items on this agenda as to which public comment will not be taken (Miscellaneous Items and Reports – City Council and Other Matters), or to request the removal of an item from the consent calendar. Public comments on the agenda items called Miscellaneous Reports and Other Matters will only be heard at this time. Comments on public hearing items are heard only during the public hearing. Members of the audience may also speak:

**2. CONSENT CALENDAR:** The following more routine matters will be acted upon by one vote to approve with the majority consent of the City Council. There will be no separate discussion of these items unless a Council member removes an item from the Consent Calendar. Items removed will be considered under Agenda Item 4, with public comment permitted at that time.

a) [REPORT](#)  
[18-0531](#)

**CITY COUNCIL MINUTES**

(City Clerk Elaine Doerfling)

**Recommendation:** It is recommended that City Council approve the following minutes:

1. Regular meeting of October 10, 2017;
2. Regular meeting of October 24, 2017;
3. Regular meeting of November 14, 2017;
4. Adjourned Regular meeting of December 6, 2017; and
5. Regular meeting of January 9, 2018.

b) [REPORT](#)  
[18-0506](#)

**CHECK REGISTERS**

(Finance Director Viki Copeland)

**Recommendation:** To ratify the following check registers.

c) [REPORT](#)  
[18-0516](#)

**REVENUE AND EXPENDITURE REPORTS FOR JUNE AND JULY  
2018**

(Finance Director Viki Copeland)

**Recommendation:** To receive and file the June and July 2018 Financial Reports.

d) [REPORT](#)  
[18-0511](#)

**CITY TREASURER'S REPORT AND CASH BALANCE REPORT**

(City Treasurer Karen Nowicki)

**Recommendation:** To receive and file the June and July 2018 City Treasurer's Report and Cash Balance Report.

e) [REPORT](#)  
[18-0509](#)

**ACCEPTANCE OF DONATIONS**

(Finance Director Viki Copeland)

**Recommendation:** It is recommended that the City Council accept the donation received by the City to be used for the purpose noted.

f) [REPORT](#)  
[18-0510](#)

**CANCELLATION OF CERTAIN CHECKS**

(City Treasurer Karen Nowicki)

**Recommendation:** To approve cancellation of certain checks as recommended by the City Treasurer.

g) [REPORT](#)  
[18-0504](#)

**PROJECT STATUS REPORT AS OF JULY 31, 2018**

(Public Works Director Glen W.C. Kau)

**Recommendation:** To receive and file the Project Status Report as of July 31, 2018.

h) [REPORT](#)  
[18-0528](#)

**PLANNING COMMISSION TENTATIVE FUTURE AGENDA ITEMS**

(Community Development Director Ken Robertson)

**Recommendation:** To receive and file the September 18, 2018, Planning Commission tentative future agenda items.

i) [REPORT](#)  
[18-0529](#)

**ACTION SHEET OF THE PLANNING COMMISSION MEETING OF  
AUGUST 21, 2018**

**Recommendation:** To receive and file the action sheet of the Planning Commission meeting of August 21, 2018.

j) [REPORT](#)  
[18-0503](#)

**ACTION MINUTES OF THE PARKS, RECREATION AND  
COMMUNITY RESOURCES ADVISORY COMMISSION  
MEETING OF JULY 3, 2018**

**Recommendation:** To receive and file the action minutes of the Parks, Recreation and Community Resources Advisory Commission meeting of July 3, 2018.

k) [REPORT](#)  
[18-0454](#)

**AWARD OF CONTRACT FOR STAR EDUCATION  
KINDERGARTEN PROGRAM DAILY BUS TRANSPORTATION  
(Community Resources Manager Kelly Orta)**

**Recommendation:** It is recommended that City Council award a Transportation Service Agreement to Tumbleweed Transportation to provide daily bus transportation for kindergarten children attending the STAR Education program in the amount of \$31,500.

l) [REPORT](#)  
[18-0508](#)

**EXTENSION OF AGREEMENT WITH THE HERMOSA BEACH  
YOUTH BASKETBALL LEAGUE TO PROVIDE A CO-ED YOUTH  
BASKETBALL LEAGUE FOR THE UPCOMING 2018/2019 SEASON  
(Community Resources Manager Kelly Orta)**

**Recommendation:** It is recommended that City Council:  
1. Review improvements made by the Hermosa Beach Youth Basketball League Board of Directors, consistent with City Council direction; and  
2. Approve a one-year extension to Hermosa Beach Youth Basketball League's agreement for the upcoming 2018/2019 season.

m) [REPORT](#)  
[18-0488](#)

**REJECT ALL BIDS AND AUTHORIZE TO RE-ADVERTISE  
FOR THE CONSTRUCTION OF CIP NO. 17-657 PHASE I,  
CDBG NO. 601820-17 AMERICANS WITH DISABILITIES  
ACT (ADA) SIDEWALK AND RAMP PROJECT  
(Public Works Director Glen W.C. Kau)**

**Recommendation:** It is recommended that the City Council:  
1. Reject the bid received for CIP No. 17-657, CDBG No. 601820-17, ADA Sidewalk and Ramp Project; and  
2. Authorize Staff to re-advertise for competitive construction bids.

n) [REPORT](#)  
[18-0513](#)

**SOUTH BAY WORKFORCE INVESTMENT BOARD  
QUARTERLY SUMMARY**

**Recommendation:** To receive and file the Quarterly Summary from the South Bay Workforce Investment Board (SBWIB).

o) [REPORT](#)  
[18-0497](#)

**RECOMMENDATION TO REJECT CLAIMS**

(Human Resources Manager Vanessa Godinez)

**Recommendation:** It is recommended that City Council reject the following claims and refer them to the City's Liability Claims Administrator.

Claimant: Mary Behar

Date of Loss: 5/9/2018

Date Filed: 6/5/2018

Allegation: A foul ball from Clark Field (baseball field) broke claimant's skylight.

Claimant: Michael Dang

Date of Loss: 12/15/2017

Date Filed: 2/13/2018

Allegation: Claimant backed out from his driveway and hit an opened City barrier/gate blocking his driveway causing damage to his vehicle.

Claimant: Robin O'Reilly (Mercury Insurance Company)

Date of Loss: 4/10/2018

Date Filed: 7/16/2018 (revised claim); initial claim filed on 6/5/2018 was insufficient

Allegation: Claimant hit a tree stump causing damage to her vehicle; the tree stump was located on top of a broken storm drain grate.

**3. CONSENT ORDINANCES**

a) [REPORT](#)  
[18-0483](#)

**ORDINANCE NO. 18-1385 - "AN ORDINANCE OF THE CITY OF HERMOSA BEACH, CALIFORNIA, REPLACING THE TERM "SECOND UNIT" WITH "ACCESSORY DWELLING UNIT"; ADDING CHAPTER 17.21 TO THE HERMOSA BEACH MUNICIPAL CODE TO PROVIDE FOR ACCESSORY DWELLING UNITS IN RESIDENTIAL ZONES; AND AMENDING THE HERMOSA BEACH MUNICIPAL CODE TO CONFORM WITH STATE LAW"**

(City Clerk Elaine Doerfling)

**Recommendation:** It is recommended that City Council waive full reading and adopt by title Ordinance No. 18-1385.

**4. ITEMS REMOVED FROM THE CONSENT CALENDAR FOR SEPARATE DISCUSSION \* Public comments on items removed from the Consent Calendar.**

**5. PUBLIC HEARINGS - TO COMMENCE AT 7:30 P.M.**



a) [REPORT](#)  
[18-0505](#)

**TEXT AMENDMENT TO FORMALIZE THE  
USE OF SCOOTERS IN THE SKATE PARK**

(Community Resources Manager Kelly Orta)

- Recommendation:** It is recommended that:
1. After the City Attorney reads the title of the ordinance, the City Council will introduce on first reading Ordinance XXX determining the project is categorically exempt from CEQA and amending HBMC Sections 12.28.090 and 12.28.100 to designate recreational areas in which scooters are permitted and to require users to wear safety gear in publicly owned or publicly operated skate and scooter facilities; and
  2. Direct staff to schedule a second reading and adoption of Ordinance XXX for the next City Council meeting, scheduled for September 11, 2018.

b) [REPORT](#)  
[18-0532](#)

**CONTINUED HEARING ON NUISANCE ABATEMENT  
OF PROPERTY AT 725 CYPRESS - CONSIDERATION OF  
MEASURES TO ABATE THE PUBLIC NUISANCE ACTIVITIES**

(Community Development Director Ken Robertson)

- Recommendation:** It is recommended that City Council:
1. Take limited testimony from persons who did not speak at the July 10 hearing; and
  2. Adopt the attached resolution declaring the activities at Crossfit Horsepower (725 Cypress Avenue) constitute a public nuisance and ordering abatement and setting forth the abatement measures.

c) [REPORT](#)  
[18-0515](#)

**CONSIDERATION OF AN ORDINANCE PROHIBITING  
DOCKLESS SCOOTER AND BIKE SHARE OPERATIONS IN  
THE CITY, AND IN THE ALTERNATIVE, CONSIDERATION  
OF OTHER REGULATORY OPTIONS TO PERMIT AND  
REGULATE THE OPERATION OF DOCKLESS SCOOTER  
AND BIKE SHARE OPERATIONS IN THE CITY**

(Environmental Analyst Leeanne Singleton)

- Recommendation:** It is recommended that the City Council:
1. Introduce upon first reading, an ordinance implementing a ban on the deployment and operation of scooters/bikeshare within the City of Hermosa Beach until the City adopts guidelines for shared mobility operations and clarifying current definitions/regulations for motorized equipment on the Strand and Pier Plaza. (Attachment 1)
  2. Adopt a resolution amending the comprehensive fee schedule for administrative fees to add an administrative fee related to the release of impounded bicycles, scooters, and other personal mobility devices in the amount of \$130. (Attachment 2)
  3. Provide input on the preliminary South Bay Shared Mobility Goals/Outline of Topics for Pilot Program Guidelines (Attachment 3) and direct staff to return to Council within three months with guidelines for a pilot shared mobility program with the intent to issue a Request for Applications (in conjunction with other interested beach/south bay cities) for operators to implement a shared mobility pilot program in accordance with final guidelines.

## 6. MUNICIPAL MATTERS

a) [REPORT](#)  
[18-0507](#)**APPOINTMENT OF CITY MANAGER AND  
APPROVAL OF AGREEMENT FOR CITY MANAGER SERVICES**

(Interim City Manager John Jalili)

**Recommendation:**

It is recommended that City Council:

1. Appoint Suja Lowenthal as the Hermosa Beach City Manager; and
2. Approve a City Manager Employment Agreement, setting forth the terms and conditions under which Ms. Lowenthal will serve as the City's City Manager.

b) [REPORT](#)  
[18-0530](#)**CITY COUNCIL DOWNTOWN SUBCOMMITTEE UPDATE**

(Assistant to the City Manager Nico De Anda-Scaia)

**Recommendation:**

It is recommended that the City Council:

1. Receive and file the Downtown Subcommittee's update; and
2. Consider and affirm the Subcommittee's pursuit of public-private partnerships for the purpose of funding an aesthetic string lighting project in the downtown.

c) [REPORT](#)  
[18-0512](#)**INTENT TO VACATE - 100 FOOT PORTION OF AN ALLEY  
EASEMENT BETWEEN 30TH STREET AND GOULD AVENUE**

(Public Works Director Glen W.C. Kau)

**Recommendation:**

It is recommended that the City Council:

- 1) Adopt the Resolution of Intention declaring the City of Hermosa Beach's ("City") intent to vacate the public service easement as shown on Exhibit "B" attached hereto and by this reference made a part hereof; and
- 2) Direct the City Clerk to set a hearing date, time, and place to consider all pertinent testimony and submitted evidence in order to determine if the public service easement is unnecessary for present and prospective public use and publish and post the required notices.

**7. MISCELLANEOUS ITEMS AND MEETING ATTENDANCE REPORTS - CITY  
COUNCIL**a) [REPORT](#)  
[18-0517](#)**DESIGNATION OF VOTING DELEGATE & ALTERNATE FOR THE  
LEAGUE OF CALIFORNIA CITIES 2018 ANNUAL CONFERENCE****AND****CONSIDERATION OF THE LEAGUE OF CALIFORNIA CITIES  
ANNUAL CONFERENCE RESOLUTIONS**

(Assistant to the City Manager Nico De Anda-Scaia)

**Recommendation:**

It is recommended that City Council:

1. Designate a Voting Delegate and an alternate for the League of California Cities Annual Business Meeting scheduled for Friday, September 14, at the Long Beach Convention Center; and
2. Concur with staff's position and authorize the City Council's Voting Delegate to support the League of California Cities (2) General Assembly Resolutions.

b) [REPORT](#)  
[18-0481](#)

**VACANCIES - BOARDS AND COMMISSIONS - UPCOMING  
EXPIRATION OF TERMS ON THE PUBLIC WORKS COMMISSION**

(City Clerk Elaine Doerfling)

**Recommendation:** It is recommended that City Council authorize the City Clerk to advertise and request applications for two Public Works Commission seats (current terms expire October 31, 2018).

c) [REPORT](#)  
[18-0514](#)

**VACANCIES - BOARDS AND COMMISSIONS -  
CIVIL SERVICE BOARD - EXPIRATION OF TERM**

(City Clerk Elaine Doerfling)

**Recommendation:** It is recommended that City Council either:  
1. Appoint Sharon Thompson to a four-year term that will expire July 15, 2022; or  
2. Direct the City Clerk to re-advertise seeking additional applications.

**8. OTHER MATTERS - CITY COUNCIL**

a) [18-0520](#)

**TENTATIVE FUTURE AGENDA ITEMS**

**Recommendation:** To receive and file the tentative future agenda items.

**ADJOURNMENT**

**FUTURE MEETINGS AND CITY HOLIDAYS****CITY COUNCIL MEETINGS:**

August 29, 2018 - Wednesday - Adjourned Regular Meeting:

1:00 PM - 5:00 PM, Tour of Existing Stormwater Project Sites

September 5, 2018 - Wednesday - Adjourned Regular Meeting:

6:00 PM - Closed Session, 7:00 PM - Study Session

September 11, 2018 - Tuesday - 6:00 PM - Closed Session,

7:00 PM - City Council Meeting

September 25, 2018 - Tuesday - 6:00 PM - Closed Session,

7:00 PM - City Council Meeting

October 3, 2018 - Wednesday - Adjourned Regular Meeting:

6:00 PM - Closed Session, 7:00 PM - Study Session

October 9, 2018 - Tuesday - 6:00 PM - Closed Session,

7:00 PM - City Council Meeting

October 23, 2018 - Tuesday - 6:00 PM - Closed Session,

7:00 PM - City Council Meeting

November 7, 2018 - Wednesday - Adjourned Regular Meeting:

6:00 PM - Closed Session, 7:00 PM - Study Session

November 13, 2018 - Tuesday - 6:00 PM - Closed Session,

7:00 PM - City Council Meeting

November 27, 2018 - Tuesday - 6:00 PM - Closed Session,

7:00 PM - City Council Meeting

November 29, 2018 - Thursday - Adjourned Regular Meeting:

6:00 PM - Appointment of Mayor and Mayor Pro Tempore

December 5, 2018 - Wednesday - Adjourned Regular Meeting:

6:00 PM - Closed Session, 7:00 PM - Study Session

December 11, 2018 - Tuesday - 6:00 PM - Closed Session,

7:00 PM - City Council Meeting

December 25, 2018 - Tuesday - No Regular Meeting

**BOARDS, COMMISSIONS AND COMMITTEE MEETINGS:**

September 4, 2018 - Tuesday - 7:00 PM - Parks and Recreation Advisory Commission Meeting

September 17, 2018 - Monday - 7:00 PM - Emergency Preparedness Advisory Commission Meeting

September 18, 2018 - Tuesday - 7:00 PM - Planning Commission Meeting

September 19, 2018 - Wednesday - 7:00 PM - Public Works Commission Meeting

October 2, 2018 - Tuesday - 7:00 PM - Parks and Recreation Advisory Commission Meeting

October 16, 2018 - Tuesday - 7:00 PM - Planning Commission Meeting

November 5, 2018 - Monday - 7:00 PM - Emergency Preparedness Advisory Commission Meeting

November 6, 2018 - Tuesday - 7:00 PM - Parks and Recreation Advisory Commission Meeting

November 20, 2018 - Tuesday - 7:00 PM - Planning Commission Meeting

November 28, 2018 - Wednesday - 7:00 PM - Public Works Commission Meeting

December 4, 2018 - Tuesday - 7:00 PM - Parks and Recreation Advisory Commission Meeting

December 10, 2018 - Tuesday - 7:00 PM - Planning Commission Meeting

**CITY OFFICES CLOSED FRIDAY-SUNDAY AND ON THE FOLLOWING DAYS:**

September 3, 2018 - Monday - Labor Day

November 12, 2018 - Monday - Veteran's Day

November 22, 2018 - Thursday - Thanksgiving Day

December 25, 2018 - Tuesday - Christmas Day

January 1, 2019 - Tuesday - New Year's Day