



# 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, October 9, 2018

6:00 PM

Council Chambers

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**Closed Session - 6:00 P.M.**

**Regular Meeting - 7:00 P.M.**

**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.      **18-0609**            **MINUTES:** Approval of minutes of Closed Session held on September 25, 2018.

2.      **18-0610**            **CONFERENCE WITH LEGAL COUNSEL: Litigation Quarterly Update**  
The City finds, based on advice from legal counsel, that discussion in open session will prejudice the position of the City in the litigation.

**Existing Litigation - Government Code Section 54956.9(d)(1)**

a) Name of Case: BKK Working Group et al. v. City of Hermosa Beach et al.  
United States District Court, Case Number: 2:18-cv-5810

b) Name of Case: Ronald Estrada and Jacqueline Bullitts v.  
Cities of Hermosa Beach and Manhattan Beach  
Los Angeles County Superior Court, Case Number: BC700497

**3. 18-0611 CONFERENCE WITH LEGAL COUNSEL: Non-Litigated Claims Update**

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

**Existing Litigation - Government Code Section 54956.9(d)(2) and (e)(3)**

- a) Claimant: Ryan Beck, Claim Number: 18-138015  
Date of Loss: 9/2/2018, Date Filed: 9/27/2018  
Allegation: HBPD vehicle rolled and hit claimant's parked vehicle causing damage
- b) Claimant: Mary Behar, Claim Number: 18-136066  
Date of Loss: 5/9/2018, Date Filed: 6/5/2018  
Allegation: A foul ball from Clark Field (baseball field) broke claimant's skylight
- c) Claimant: Kerry Cartwright, Claim Number: 18-135394  
Date of Loss: 12/10/2017, Date Filed: 4/26/2018  
Allegation: Broken foot due to trip and fall over an unmarked curb
- d) Claimant: Michael Dang, Claim Number: 18-134303  
Date of Loss: 12/15/2017, Date Filed: 2/13/2018  
Allegation: Damage to claimant's vehicle due to city barrier/gate blocking his driveway
- e) Claimant: Mercury Insurance; Robin O'Reilly, Claim Number: 18-136070  
Date of Loss: 4/10/2018, Date Filed: 6/5/2018, Revised Claim: 7/16/2018  
Allegation: Damage to claimant's vehicle due to broken tree stump
- f) Claimant: Mark Roth, Claim Numbers: 17-133642  
Date of Loss: 11/7/2017, Date Filed: 12/26/2017  
Allegation: City granted or will grant Certificate of Occupancy for illegal structure
- g) Claimant: Mark Roth, Claim Numbers: 18-135936  
Date of Loss: 11/26/2017, Date Filed: 5/24/2018  
Allegation: Failure to protect claimant's property from adjacent construction projects
- h) Claimant: Allen Virtue, Claim Numbers: 18-134183  
Date of Loss: 7/15/2017, Date Filed: 1/14/2018  
Allegation: HBPD violated Bane Act and U.S. Constitution
- i) Claimant: John Zamora, Claim Numbers: 18-134743  
Date of Loss: 8/4/2017, Date Filed with Los Angeles County: 2/1/2018  
Allegation: Failure to reasonably own, maintain, supervise beach and shoreline

**4. 18-0613****CONFERENCE WITH LEGAL COUNSEL: Workers Comp Litigation**

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

**Existing Litigation - Government Code Section 54956.9(d)(1)**

- a) Name of Case: Garth Gaines v. City of Hermosa Beach,  
PSI, Administered by Adminsure  
WCAB Number: ADJ9241952, Claim Number: HEAJ-001647  
D.O.I.: 12/06/2000 - 12/06/2013

**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) 18-0614 CHAMBER OF COMMERCE PRESENTS DONATION CHECK  
TO HERMOSA BEACH NON-PROFITS
  
- b) [18-0625](#) PRESENTATION FROM LOS ANGELES COUNTY  
DEPARTMENT OF PUBLIC WORKS ON MEASURE W  
PARCEL TAX FOR SAFE, CLEAN WATER

**MISCELLANEOUS ITEMS AND REPORTS - CITY MANAGER**

- a) 18-0624 SUMMER BEACH CONCERTS

**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. Civility and respect will be offered to everyone in the room:

**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:

Comments from the public are limited to three minutes per speaker. Transferring your time to other speakers will not be allowed. Please line up behind the podium to indicate your interest and state your name when you begin. During public comment, there will not be a two-way dialogue between speakers, Council, and staff. Council will take notes based on public comments and will address those questions to staff once ALL public comment has been taken. Once you've finished speaking, please help us in keeping meeting minutes by writing your name down on the notepad.

The City Council acknowledges receipt of the written communications listed below. No action will be taken on matters raised in written communications. The Council may take action to schedule issues raised in oral and written communications for a future agenda. Citizens with comments regarding City management or departmental operations are requested to submit those comments to the City Manager.

a)        [18-0615](#)                                **LETTER FROM MATT MCCOOL DATED OCTOBER 2, 2018  
REGARDING LEWITT RIDE ALONG**

**Recommendation:** Staff recommends that the City Council receive and file the written communication from Matt McCool.

**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](#)                                **CITY COUNCIL MEETING MINUTES**  
             [18-0621](#)                                (City Clerk Elaine Doerfling)

**Recommendation:** City Clerk recommends that the City Council approve the following minutes:

1. Adjourned Regular meeting of October 13, 2016
2. Adjourned Regular meeting of October 27, 2016
3. Adjourned Regular meeting of November 10, 2016
4. Regular meeting of November 22, 2016
5. Adjourned Regular meeting of December 13, 2016
6. Adjourned Regular meeting of December 19, 2016
7. Adjourned Regular meeting of October 4, 2017

b)        [REPORT](#)                                **CHECK REGISTERS**  
             [18-0604](#)                                (Finance Director Viki Copeland)

**Recommendation:** Staff recommends that the City Council ratify the following check registers.

c)        [REPORT](#)                                **CANCELLATION OF CERTAIN CHECKS**  
             [18-0606](#)                                (City Treasurer Karen Nowicki)

**Recommendation:** Staff recommends that the City Council approve cancellation of certain checks as recommended by the City Treasurer.

d) [REPORT](#)  
[18-0617](#)

**ACTION MINUTES OF THE PARKS, RECREATION  
AND COMMUNITY RESOURCES ADVISORY COMMISSION  
MEETING OF JUNE 5, 2018 (REVISED), JULY 3, 2018 (REVISED),  
AUGUST 7, 2018 (REVISED), AND SEPTEMBER 4, 2018**

**Recommendation:** Staff recommends that the City Council receive and file the action minutes of the Parks, Recreation and Community Resources Advisory Commission meeting of:

1. June 5, 2018 (revised);
2. July 3, 2018 (revised);
3. August 7, 2018 (revised); and
4. September 4, 2018.

The minutes noted as revised were updated to include the fact that item 2. Pledge of Allegiance did not occur.

e) [REPORT](#)  
[18-0602](#)

**SUBJECT: FINAL MAP NO. 74766 (C.U.P. CON NO. 17-9, PDP NO. 17-9)**

**LOCATION: 1010 MONTEREY BOULEVARD**

**APPLICANT(S): 1010 MONTEREYHB, LLC BY SCOTT KERWIN,  
MANAGER**

**REQUEST: TO ADOPT A RESOLUTION APPROVING FINAL PARCEL MAP  
FOR A 3-UNIT RESIDENTIAL CONDOMINIUM PROJECT**

(Community Development Director Ken Robertson)

**Recommendation:** Staff recommends that the City Council:

1. Approve Final Parcel Map No. 74766, which is consistent with the approved Vesting Tentative Parcel Map; and
2. Request the City Clerk to endorse the certificate for said map.

f) [REPORT](#)  
[18-0601](#)

**SUBJECT: FINAL MAP NO. 74515 (C.U.P. CON NO. 16-12, PDP NO. 16-14)**

**LOCATION: 937 15TH STREET**

**APPLICANT(S): BEACH CITY CAPITAL FUND, LLC**

**REQUEST: TO ADOPT A RESOLUTION APPROVING FINAL PARCEL MAP  
FOR A TWO-UNIT RESIDENTIAL CONDOMINIUM PROJECT**

(Community Development Director Ken Robertson)

**Recommendation:** Staff recommends that the City Council:

1. Approve Final Parcel Map No. 74515, which is consistent with the approved Vesting Tentative Parcel Map; and
2. Request the City Clerk to endorse the certificate for said map.



- g) [REPORT](#) [18-0600](#) **SUBJECT: FINAL MAP NO. 74516 (C.U.P. CON NO. 16-11, PDP NO. 16-13)**  
**LOCATION: 935 15TH STREET**  
**APPLICANT(S): BEACH CITY CAPITAL FUND, LLC**  
**REQUEST: TO ADOPT A RESOLUTION APPROVING FINAL PARCEL MAP FOR A TWO-UNIT RESIDENTIAL CONDOMINIUM PROJECT**  
(Community Development Director Ken Robertson)
- Recommendation:** Staff recommends that the City Council:  
1. Approve Final Parcel Map No. 74516, which is consistent with the approved Vesting Tentative Parcel Map; and  
2. Request the City Clerk to endorse the certificate for said map.

- h) [REPORT](#) [18-0607](#) **SUBJECT: FINAL MAP NO. 74754 (C.U.P. CON NO. 16-18, PDP NO. 16-20)**  
**LOCATION: 719 1ST PLACE**  
**APPLICANT(S): SUBTEC BY BOB VARGO**  
**REQUEST: TO ADOPT A RESOLUTION APPROVING FINAL PARCEL MAP FOR A 2-UNIT RESIDENTIAL CONDOMINIUM PROJECT**  
(Community Development Director Ken Robertson)
- Recommendation:** Staff recommends that the City Council:  
1. Approve Final Parcel Map No. 74754, which is consistent with the approved Vesting Tentative Parcel Map; and  
2. Request the City Clerk to endorse the certificate for said map.

### 3. CONSENT ORDINANCES

NONE

### 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.

NONE

### 6. MUNICIPAL MATTERS

- a) [REPORT](#) [18-0616](#) **CONSIDERATION OF ALTERNATIVE LOCATIONS FOR THE GREENBELT INFILTRATION PROJECT**  
(Environmental Analyst Kristy Morris)
- Recommendation:** Staff recommends that the City Council consider the alternative sites in Hermosa Beach for the Greenbelt Infiltration Project (CIP 16-542) and select a location within its jurisdiction, or alternatively, provide direction to explore the feasibility of satisfying the EWMP requirement at a site located outside of the City's jurisdiction, with the understanding that if none is reasonably available, staff will return for reconsideration of sites within the City.

b) [REPORT](#)  
[18-0618](#)

**MEMORANDUM OF UNDERSTANDING (MOU) WITH RTI  
INTERNATIONAL FOR USE OF CITY PROPERTY TO INSTALL  
A 5TH AND 6TH SUBSEA FIBER-OPTIC CABLE SYSTEM**  
(Community Development Director Ken Robertson)

**Recommendation:** Staff recommends that the City Council approve the attached MOU with RTI Infrastructure Incorporated (RTI-I) setting forth a mutual understanding regarding the basic terms of an offer to amend an easement for use of City property allowing for two additional subsea Fiber-Optic Cable Systems, the 5th and 6th to be installed by RTI-I.

c) [REPORT](#)  
[18-0623](#)

**CONSIDERATION OF A HOLIDAY PARKING PROGRAM**  
(Assistant to the City Manager Nico De Anda-Scaia)

**Recommendation:** Staff recommends that the City Council discuss and provide direction on alternatives for a holiday parking program on citywide commercial zone silver-post meters1.

d) [REPORT](#)  
[18-0620](#)

**UPDATE ON COMPLETION OF CITY COUNCIL MINUTES**  
(City Clerk Elaine Doerfling)

**Recommendation:** City Clerk recommends that the City Council receive and file the report.

**7. MISCELLANEOUS ITEMS AND MEETING ATTENDANCE REPORTS - CITY COUNCIL**

a) [REPORT](#)  
[18-0608](#)

**CONSIDERATION OF OPPOSITION TO PROPOSITION 6,  
A MEASURE REPEALING SENATE BILL (SB) 1 AND  
RECENTLY ENACTED STATEWIDE ROAD REPAIR  
AND TRANSPORTATION FUNDING**  
(Assistant to the City Manager Nico De Anda-Scaia)

**Recommendation:** Staff recommends that the City Council:

1. Approve and authorize the Mayor to sign a letter of opposition (Attachment 4) to Proposition 6, and direct staff to provide signed copies to the appropriate state and local representatives; and
2. Authorize the City of Hermosa Beach to sign on as a member of the 'No on Prop 6 Coalition, a diverse coalition of local governments, public safety organizations, transportation advocates and other organizations throughout the state.

b) [REPORT](#)  
[18-0622](#)

**VACANCIES - BOARDS AND COMMISSIONS - EXPIRATION  
OF TWO TERMS ON THE PUBLIC WORKS COMMISSION**  
(City Clerk Elaine Doerfling)

**Recommendation:** City Clerk recommends that the City Council select one of the following options:

1. Appoint the two applicants (both incumbents) to the Public Works Commission for four-year terms ending October 31, 2022;  
- OR -
2. Request the City Clerk re-advertise for additional applicants, with interviews to be scheduled at a later date.

**8. OTHER MATTERS - CITY COUNCIL**

a) [18-0619](#)

**TENTATIVE FUTURE AGENDA ITEMS**

**Recommendation:** Staff recommends that the City Council receive and file the tentative future agenda items.

**ADJOURNMENT**

**FUTURE MEETINGS AND CITY HOLIDAYS****COMMUNITY WORKSHOPS / MEETINGS:****October 29, 2018 - Monday - Tri-Cities Study Session:**

**Draft Living Streets Design Manual/Aviation Blvd Living Streets Design  
6:30 PM at Redondo Beach Library, 303 N Pacific Coast Highway  
(2nd Floor Meeting Room)**

**CITY COUNCIL MEETINGS:**

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:**

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:**

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