



# 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, November 13, 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.      **18-0676**            **MINUTES:** Approval of minutes of Closed Session held on October 23, 2018.

2.      **18-0677**            **CONFERENCE WITH LABOR NEGOTIATOR**  
**Government Code Section 54957.6**

**City Negotiator:**      City Manager

**Employee**

**Organizations:**      Hermosa Beach Police Officers' Association  
Hermosa Beach Firefighters' Association  
Teamsters Union, Local 911  
Professional and Administrative Employee Group  
Hermosa Beach Management Association  
Hermosa Beach Professional Engineers Bargaining Group  
Unrepresented Employees

3.      **18-0678**            **CONFERENCE WITH LEGAL COUNSEL: Threatened Litigation**  
**Government Code Section 54956.9(d)(2) and (e)(4)**

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.

Number of Potential Cases: 1

4.      **18-0686**            **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: Mark Roth v. City of Hermosa Beach  
Los Angeles County Superior Court, Case No. YC072628

**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****MISCELLANEOUS ITEMS AND REPORTS - CITY MANAGER****PUBLIC PARTICIPATION:****1. ORAL AND WRITTEN COMMUNICATIONS:**

- a)      [18-0687](#)                      **LETTER FROM ANTHONY HIGGINS DATED NOVEMBER 4, 2018  
REGARDING FIESTA BUS ROUTE - COMPARISON OF  
27TH STREET AND HERONDO IMPACT**

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

**2. CONSENT CALENDAR:**

- a)      [REPORT](#)                      **CITY COUNCIL MEETING MINUTES**  
         [18-0689](#)                      (City Clerk Elaine Doerfling)

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

1. Adjourned Regular meeting of January 12, 2016
2. Adjourned Regular meeting of January 26, 2016
3. Adjourned Regular meeting of February 9, 2016
4. Adjourned Regular meeting of March 8, 2016
5. Adjourned Regular meeting of July 11, 2016
6. Adjourned Regular meeting of September 19, 2016
7. Adjourned Regular meeting of October 18, 2016
8. Adjourned Regular meeting of November 9, 2017
9. Adjourned Regular meeting of December 21, 2017
10. Adjourned Regular meeting of June 6, 2018
11. Adjourned Regular meeting of June 16, 2018
12. Adjourned Regular meeting of June 19, 2018
13. Regular meeting of October 23, 2018

b) [REPORT](#)  
[18-0680](#)

**CHECK REGISTERS**

(Finance Director Viki Copeland)

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

c) [REPORT](#)  
[18-0660](#)

**ACTION MINUTES OF THE EMERGENCY PREPAREDNESS  
ADVISORY COMMISSION MEETING OF SEPTEMBER 6, 2018**

(Emergency Services Coordinator Brandy Villanueva)

**Recommendation:** Staff recommends that the City Council receive and file the action minutes of the Emergency Preparedness Advisory Commission meeting of September 6, 2018.

d) [REPORT](#)  
[18-0699](#)

**ACTION MINUTES OF THE PARKS, RECREATION AND  
COMMUNITY RESOURCES ADVISORY COMMISSION  
MEETING OF OCTOBER 2, 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 October 2, 2018.

e) [REPORT](#)  
[18-0669](#)

**2017 STATE HOMELAND SECURITY  
PROGRAM SUBRECIPIENT AGREEMENT**

(Acting Police Chief Milton McKinnon)

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

1. Accept \$83,911 in grant funds from the County of Los Angeles for the 2017 State Homeland Security Program;
2. Authorize the City Manager to execute the Subrecipient Agreement and the City Clerk to attest;
3. Approve estimated revenue of \$83,911 in the Grant Fund;
4. Appropriate \$83,911 in grant funds to the Police Department budget for fiscal year 2018-2019 for the purchase of interoperable radio equipment; and,
5. Authorize the purchase of portable radio equipment, not to exceed \$83,911, through RCC contracted vendors.

f) [REPORT](#)  
[18-0681](#)

**APPROVE THIRD AMENDMENT TO THE PROFESSIONAL  
SERVICES AGREEMENT WITH AMEC FOSTER WHEELER  
ENVIRONMENT & INFRASTRUCTURE, INC., TO PREPARE  
AN ENVIRONMENTAL IMPACT REPORT (EIR) AND  
TO PROVIDE PLANNING SERVICES FOR THE  
STRAND AND PIER HOTEL PROJECT**

(Community Development Director Ken Robertson)

**Recommendation:** Staff recommends that the City Council approve a third modification, in the amount of \$75,684, to the Professional Services Agreement with Amec Foster Wheeler Environment & Infrastructure, Inc., to prepare an Environmental Impact Report (EIR) and provide planning services for the proposed Strand and Pier Hotel Project. The modification would result in an increase to the current contract amount from \$330,035 to \$405,719, plus the 10 percent contingency, and would extend the term of the contract from December 31, 2018 to December 31, 2019.

g) [REPORT](#)  
[18-0679](#)

**RESOLUTION ESTABLISHING A PERMIT APPLICATION FEE  
FOR LIMITED LIVE ENTERTAINMENT**

(Community Development Director Ken Robertson)

**Recommendation:** Staff recommends that the City Council adopt the attached resolution establishing a permit application fee for Limited Live Entertainment (LLE).

**3. CONSENT ORDINANCES**

a) [REPORT](#)  
[18-0675](#)

**ORDINANCE NO. 18-1388 - "AN ORDINANCE  
OF THE CITY OF HERMOSA BEACH, CALIFORNIA,  
REGARDING DEFINITIONS AND STANDARDS FOR  
LIMITED LIVE ENTERTAINMENT AND AMENDING  
THE HERMOSA BEACH MUNICIPAL CODE"**

(City Clerk Elaine Doerfling)

**Recommendation:** The City Clerk recommends that the City Council waive full reading and adopt by title Ordinance No. 18-1388.

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

**5. PUBLIC HEARINGS**

a) [REPORT](#)  
[18-0684](#)

**CONSIDER AMENDMENT OF THE MUNICIPAL CODE ADDING  
CHAPTER 5.78 TO THE HERMOSA BEACH MUNICIPAL CODE  
(TOBACCO RETAILERS) REQUIRING LICENSURE OF TOBACCO  
RETAILERS AND LIMITING SALE OF ELECTRONIC SMOKING  
DEVICES AND FLAVORED TOBACCO PRODUCTS TO REDUCE  
THE ILLEGAL SALE OF TOBACCO TO YOUTH AND AMENDING  
SECTION 1.10.040 TO MAKE VIOLATIONS OF CHAPTER 5.78  
SUBJECT TO ADMINISTRATIVE PENALTY PROCEDURES**

*(Continued from meeting of August 25, 2015)*

(Community Development Director Ken Robertson)

**Recommendation:** Staff recommends the introduction of an ordinance requiring licensure of tobacco retailers and limiting sale of electronic smoking devices and flavored tobacco products and making violations subject to administrative penalty procedures.

**6. MUNICIPAL MATTERS**

a) [REPORT](#)  
[18-0700](#)

**TEMPORARY HIRE RESOLUTION**

(Acting Chief of Police Milton McKinnon)

**Recommendation:** Staff recommends that the City Council adopt Resolution #18-xxxx authorizing the temporary rehired of Georgia Moe as Community Services Division Manager for a period of two (2) days, November 14, 2018, and November 15, 2018.

b) [REPORT](#)  
[18-0690](#)

**DOWNTOWN SAFETY AND LATE NIGHT  
ESTABLISHMENT MEASURES UPDATE**

(Acting Chief of Police Milton McKinnon)

**Recommendation:** Staff recommends that the City Council receive and file the Downtown Safety and Late Night Establishment Measures update report.

c) [REPORT](#)  
[18-0685](#)

**UPDATE FROM THE COMMUNITY THEATER SUBCOMMITTEE  
AND RECOMMENDATION TO EXECUTE A FACILITY  
NEEDS ASSESSMENT**

(Community Resources Manager Kelly Orta)

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

1. Approve the Community Theater Subcommittee's recommendation to give authority to the City Manager to execute a facility needs assessment of the Community Theater facility, including analysis and conceptual cost estimates of two scenarios:
  - a. A major renovation of the Community Theater to transform it into a regional performing arts center; and
  - b. A conservative renovation to upgrade the Community Theater, taking into consideration its current users and maintaining the community focus of the facility.
2. Appropriate \$30,000 from the Capital Improvement Fund for a newly created Community Theater Capital Improvement Project (CIP).

d) [REPORT](#)  
[18-0683](#)

**CAPITAL IMPROVEMENT PROJECT (CIP) 14-173  
8TH STREET IMPROVEMENTS PROJECT UPDATE**

(Public Works Director Glen W.C. Kau)

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

1. Receive and file the project status update, which includes information for bringing the Plans, Specs and Estimates to 100% completion; and
2. Approve the recommendation to conduct a final project walk-through/field review meeting with 8th Street residents, for those affected properties that are interested, on November 28, 2018 in advance of solicitation for construction bids.

e) [REPORT](#)  
[18-0688](#)

**POLICY ON VOTING PROCEDURE FOR  
BOARD/COMMISSION APPOINTMENTS**

***(Continued from meeting of October 13, 2018)***

***- Report has been Revised -***

(City Clerk Elaine Doerfling)

**Recommendation:** City Clerk recommends that the City Council approve one of the following policies:

1. Paper voting procedure (developed in 2012 by Council subcommittee and staff);
2. Voice vote procedure (specify formal motion, consensus); or
3. Paper weighted voting procedure with numbered ranking system.

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

a) [REPORT](#) **ROLE OF EMERGENCY PREPAREDNESS ADVISORY COMMISSION**  
[18-0701](#) (City Manager Suja Lowenthal)

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

1. Schedule a joint study session with the Emergency Preparedness Advisory Commission in December of 2018 or January of 2019, and
2. Direct staff to bring forward a formal recommendation at a subsequent City Council meeting on the future roles, responsibilities and direction of the Emergency Preparedness Advisory Commission.

b) [REPORT](#) **SELECTION OF DELEGATE AND ALTERNATE TO SERVE ON THE**  
[18-0691](#) **LAX COMMUNITY NOISE ROUNDTABLE**  
(Assistant to the City Manager Nico De Anda-Scaia)

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

1. Designate a Council delegate and an alternate to serve on the LAX Community Noise Roundtable; and
2. Authorize the Mayor to sign a letter addressed to Administrators of the LAX Community Noise Roundtable and LAWA Noise Management Division, requesting formal City membership and announcing the appointments of the City Council's delegate(s).

c) [REPORT](#) **REQUEST FOR APPROVAL OF SPONSORSHIP DONATION TO**  
[18-0682](#) **THE BEACH CITIES HEALTH DISTRICT'S 20TH ANNUAL**  
**HOLIDAY GIFT BAG PROJECT**  
(City Manager Suja Lowenthal)

**Recommendation:** Staff recommends that the City Council approve a donation of \$453.00 to the Beach Cities Health District's Holiday Gift Bag Project for 2018.

## 8. OTHER MATTERS - CITY COUNCIL

a) [18-0692](#) **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****CITY COUNCIL MEETINGS:**

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:**

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 22, 2018 - Thursday - Thanksgiving Day

December 25, 2018 - Tuesday - Christmas Day

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