



# City of Hermosa Beach

City Hall  
1315 Valley Drive  
Hermosa Beach, CA  
90254

## Regular Meeting Agenda - Final City Council

*Mayor*  
*Stacey Armato*

*Mayor Pro Tem*  
*Mary Campbell*

*Councilmembers*  
*Hany S. Fangary*  
*Justin Massey*  
*Jeff Duclos*

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Tuesday, February 26, 2019

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.     **19-0121**         **MINUTES:** Approval of minutes of the following Closed Session meetings.
  - a) January 22, 2019
  - b) January 31, 2019
  - c) February 7, 2019
  - d) February 12, 2019
  
2.     **19-0122**         **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.  
                              **Number of Potential Cases: 2**
  
3.     **19-0123**         **CONFERENCE WITH LEGAL COUNSEL: Litigation Quarterly Update**  
                              **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.
  - 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: Kerry Cartwright v. City of Hermosa Beach  
                              Los Angeles County Superior Court, Case Number: 18STCV05692
  - c) Name of Case: Hermosa Fitness LLC v. City of Hermosa Beach  
                              Los Angeles County Superior Court, Case Number: 18STCP02840
  - d) Name of Case: Mark Roth v. City of Hermosa Beach  
                              Los Angeles County Superior Court, Case Number: YC072628
  - e) Name of Case: City of Hermosa Beach v. Edward P. Zappia, The Zappia Law Firm  
                              Los Angeles County Superior Court, Case Number: BC709770

**4. 19-0128 CONFERENCE WITH LEGAL COUNSEL: Non-Litigated Claims Update****Existing Litigation - Government Code Section 54956.9(d)(2) and (e)(3)**

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

- a) Claimant: Brian Anstey, Claim Number: 18-138992  
Date of Loss: 6/26/2018, Date Filed: 11/19/2018  
Allegation: Suspect in Redondo Police Department Chase damaged Claimant's fence
- b) Claimant: Arlene Buschbach, Claim Number: 19-139883  
Date of Loss: 10/27/2018, Date Filed: 1/22/2019  
Allegation: Injuries suffered from fall due to broken pathway
- c) Claimant: Nathan Carroll, Claim Number: 19-139480  
Date of Loss: 8/26/2018, Date Filed: 12/31/2018  
Allegation: Money and property stolen by security guard hired by City
- d) Claimant: Jason Clark, Claim Number: 19-139872  
Date of Loss: 7/2018, Date Filed: 1/23/2019  
Allegation: Car accident was result of a blind spot that was reported to City
- e) Claimant: Carissa De Blasi, Claim Number: 18-138649  
Date of Loss: 6/18/2018, Date Filed: 11/6/2018  
Allegation: Damage to Claimant's vehicle caused by an asphalt company truck
- f) Claimant: Stephen Allan Diamond, Claim Number: 19-139484  
Date of Loss: 8/22/2018, Date Filed: 12/31/2018, Revised Claim: 1/28/2019  
Allegation: Broken ankle due to hole in walkway
- g) Claimant: Valerie Rhodes, Claim Number: 19-140423  
Date of Loss: 9/1/2018, Date Filed: 2/25/2019  
Allegation: Fractured foot and ankle due to trip/fall in park
- h) Claimant: John Zamora, Claim Number: 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

**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****APPROVAL OF AGENDA****PROCLAMATIONS / PRESENTATIONS**

- a) 19-0126 SOUTH BAY ASSOCIATION OF SCHOOL PSYCHOLOGISTS  
PRESENTS OUT OF THE DARKNESS CAMPUS WALK  
TO BRING AWARENESS TO SUICIDE PREVENTION
- b) 19-0127 BEACH CITIES HEALTH DISTRICT UPDATE ON  
REDEVELOPMENT OF THE HEALTHY LIVING CAMPUS

**MISCELLANEOUS ITEMS AND REPORTS - CITY MANAGER**

- a) 19-0130 INFILTRATION PROJECT UPDATE

**PUBLIC PARTICIPATION:****1. ORAL AND WRITTEN COMMUNICATIONS:****2. CONSENT CALENDAR:**

- a) [REPORT](#) CITY COUNCIL MEETING MINUTES  
[19-0115](#) (Deputy City Clerk Linda Abbott)

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

- 1. Special meeting of January 31, 2019
- 2. Special meeting of February 7, 2019
- 3. Special/Regular meetings of February 12, 2019

- b) [REPORT](#) CHECK REGISTERS  
[19-0100](#) (Finance Director Viki Copeland)

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

c) [REPORT](#)  
[19-0111](#)

**REVENUE REPORT, EXPENDITURE REPORT,  
AND CIP REPORT BY PROJECT FOR DECEMBER 2018**

(Finance Director Viki Copeland)

**Recommendation:** Staff recommends that the City Council receive and file the December 2018 Financial Reports.

d) [REPORT](#)  
[19-0112](#)

**REVENUE REPORT, EXPENDITURE REPORT,  
AND CIP REPORT BY PROJECT FOR JANUARY 2019**

(Finance Director Viki Copeland)

**Recommendation:** Staff recommends that the City Council receive and file the January 2019 Financial Reports.

e) [REPORT](#)  
[19-0110](#)

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

(City Treasurer Karen Nowicki)

**Recommendation:** City Treasurer recommends that the City Council receive and file the January 2019 City Treasurer's Report and Cash Balance Report.

f) [REPORT](#)  
[19-0099](#)

**PROJECT STATUS REPORT AS OF JANUARY 31, 2019**

(Acting Public Works Director Lucho Rodriguez)

**Recommendation:** Staff recommends that the City Council receive and file the Project Status Report as of January 31, 2019.

g) [REPORT](#)  
[19-0124](#)

**PLANNING COMMISSION TENTATIVE FUTURE AGENDA ITEMS**

(Community Development Director Ken Robertson)

**Recommendation:** Staff recommends that the City Council receive and file the March 19, 2019 Planning Commission tentative future agenda items.

h) [REPORT](#)  
[19-0125](#)

**ACTION SHEET OF THE PLANNING COMMISSION  
MEETING OF FEBRUARY 19, 2019**

**Recommendation:** Staff recommends that the City Council receive and file the action sheet of the Planning Commission meeting of February 19, 2019.

i) [REPORT](#)  
[19-0114](#)

**RECOMMENDATION TO REJECT CLAIM**

(Human Resources Manager Vanessa Godinez)

**Recommendation:** Staff recommends that the City Council reject the following claim and refer it to the City's Liability Claims Administrator.

Claimant: Arlene Buschbach

Date of Loss: October 27, 2018

Date Filed: January 22, 2019

Allegation: Claimant alleges physical injuries as a result of a trip and fall due to a broken pathway near the southern sidewalk of 21st Street between Springfield Ave. and Pacific Coast Highway.

j) [REPORT](#)  
[19-0120](#)

**SOUTH BAY WORKFORCE INVESTMENT BOARD  
QUARTERLY SUMMARY**

**Recommendation:** Staff recommends that the City Council receive and file the Quarterly Summary from the South Bay Workforce Investment Board (SBWIB).

**3. CONSENT ORDINANCES**

NONE

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

**5. PUBLIC HEARINGS**

a) [REPORT](#)  
[19-0105](#)

**PUBLIC HEARING TO CONSIDER HOPE CHAPEL'S APPEAL  
OF THE PARKS, RECREATION AND COMMUNITY RESOURCES  
ADVISORY COMMISSION'S DENIAL OF THE EASTER SUNRISE  
SERVICE ON SUNDAY, APRIL 21, 2019 ON THE COMMUNITY  
CENTER'S EAST LAWN AND APPROVAL OF EVENT FEE  
WAIVERS AS REQUESTED BY HOPE CHAPEL  
(Community Resources Manager Kelly Orta)**

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

1. Hold a Public Hearing to consider Hope Chapel's appeal of the Parks, Recreation and Community Resources Advisory Commission's denial of the of Easter Sunrise Service on Sunday, April 21, 2019 on the Community Center's East Lawn; and
2. Consider Hope Chapel's request for event fee waivers totaling \$2,884.

**6. MUNICIPAL MATTERS**

a) [REPORT](#)  
[19-0101](#)

**MIDYEAR BUDGET REVIEW 2018-19  
(Continued from meeting of February 26, 2019)  
(Finance Director Viki Copeland)**

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

1. Approve the revisions to estimated revenue, appropriations, budget transfers and fund balances as shown herein and in the attached Revenue Detail Report, Additional Appropriations Report, Budget Transfers Report, and Budget Summary Report;
2. From the General Fund, approve the addition of \$120,134 to the assigned fund balance for Contingencies in order to meet the City's target of 16% for this goal; add \$21,731 to the Compensated Absences assignment to meet the City's goal amount of 25% of the current liability; add \$21,575 to the retirement rate stabilization assignment;
3. Transfer the remaining funds available in the General Fund of \$427,335 to the Insurance Fund; and
4. Receive and file the attached information about City Council travel.

b) [REPORT](#)  
[19-0116](#)

**APPROVAL OF A MEMORANDUM OF UNDERSTANDING  
WITH THE HERMOSA BEACH CITY SCHOOL DISTRICT  
FOR THE NORTH ELEMENTARY SCHOOL PROJECT**

(City Manager Suja Lowenthal and  
Environmental Analyst Leeanne Singleton)

**Recommendation:** Staff recommends that the City Council authorize the Mayor to sign a Memorandum of Understanding (MOU) with the Hermosa Beach City School District setting forth the mutually agreed principles and commitments for resolving traffic and transportation topics to maximize the safety, efficiency, and equity of transportation and traffic related to the North School Project.

c) [REPORT](#)  
[19-0109](#)

**REVIEW OF THE PARKS, RECREATION AND COMMUNITY  
RESOURCES ADVISORY COMMISSION'S MUNICIPAL LEASE  
POLICY SUBCOMMITTEE'S RECOMMENDED POLICY GUIDELINES**

(Community Resources Manager Kelly Orta)

**Recommendation:** Staff recommends that the City Council review and provide input to the Parks, Recreation and Community Resources Advisory Commission's Municipal Lease Policy Subcommittee on its proposed leasing guidelines, which will be used to draft a formal Leasing Policy for City facilities.

d) [REPORT](#)  
[19-0118](#)

**ONE-YEAR EXTENSION OF THE ROTARY CLUB LEASE  
AGREEMENT FOR USE OF THE ROTARY FACILITY  
(2521 VALLEY DRIVE); AND AUTHORIZATION TO  
BEGIN NEGOTIATING WITH THE ROTARY CLUB  
FOR FUTURE LEASE AGREEMENTS**

(Community Resources Manager Kelly Orta)

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

1. Approve the one-year extension of the Rotary Club lease agreement, retroactive to July 31, 2018, to expire July 31, 2019; and
2. Authorize staff to negotiate a future lease agreement with the Rotary Club for the Rotary Facility beyond July 31, 2019.

e) [REPORT](#)  
[19-0102](#)

**CONSIDERATION OF DESIGN STANDARDS  
FOR WIRELESS COMMUNICATION FACILITIES  
IN THE PUBLIC RIGHT OF WAY**

(Assistant City Attorney Lauren Langer,  
Community Development Director Ken Robertson,  
and Acting Public Works Director Lucho Rodriguez)

**Recommendation:** Staff recommends that the City Council approve the proposed Design Standards for wireless telecommunications facilities in the public right of way by adopting a Resolution of the City of Hermosa Beach, California, Establishing Design and Development Standards for Wireless Facilities in the Public Right of Way, as Authorized by Hermosa Beach Municipal Code (HBMC) Chapter 12.18.

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

- a)      19-0119                      **UPDATES FROM CITY COUNCIL AD HOC SUBCOMMITTEES  
AND STANDING COMMITTEE DELEGATES/ALTERNATES**

**8. OTHER MATTERS - CITY COUNCIL**

- a)      [19-0129](#)                      **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:

March 9, 2019 - Saturday - Adjourned Regular Meeting:  
9:00 AM - City Council Retreat

March 12, 2019 - Tuesday - 6:00 PM - Closed Session,  
7:00 PM - City Council Meeting

March 18, 2019 - Monday - Adjourned Regular Meeting:  
7:00 PM - Joint Meeting with School Board

March 26, 2019 - Tuesday - 6:00 PM - Closed Session,  
7:00 PM - City Council Meeting

April 9, 2019 - Tuesday - 6:00 PM - Closed Session,  
7:00 PM - City Council Meeting

April 23, 2019 - Tuesday - 6:00 PM - Closed Session,  
7:00 PM - City Council Meeting

April 24, 2019 - Wednesday - Adjourned Regular Meeting:  
6:00 PM - FY 2019-2020 Capital Improvement Program

May 1, 2019 - Wednesday - Adjourned Regular Meeting:  
6:00 PM - Study Session

May 14, 2019 - Tuesday - 6:00 PM - Closed Session,  
7:00 PM - City Council Meeting

May 22, 2019 - Wednesday - Adjourned Regular Meeting:  
6:00 PM - Budget Workshop

May 28, 2019 - Tuesday - 6:00 PM - Closed Session,  
7:00 PM - City Council Meeting

June 5, 2019 - Wednesday - Adjourned Regular Meeting:  
6:00 PM - Study Session

June 11, 2019 - Tuesday - 6:00 PM - Closed Session,  
7:00 PM - City Council Meeting

June 25, 2019 - Tuesday - 6:00 PM - Closed Session,  
7:00 PM - City Council Meeting

July 9, 2019 - Tuesday - 6:00 PM - Closed Session,  
7:00 PM - City Council Meeting

July 18, 2019 - Thursday - Adjourned Regular Meeting:  
6:00 PM - Joint Meeting with All Boards and Commissions

July 23, 2019 - Tuesday - 6:00 PM - Closed Session,  
7:00 PM - City Council Meeting

August 13, 2019 - Tuesday - No Meeting (Dark)

August 27, 2019 - Tuesday - 6:00 PM - Closed Session,  
7:00 PM - City Council Meeting

September 4, 2019 - Wednesday - Adjourned Regular Meeting:  
6:00 PM - Study Session

September 10, 2019 - Tuesday - 6:00 PM - Closed Session,  
7:00 PM - City Council Meeting

September 24, 2019 - Tuesday - 6:00 PM - Closed Session,  
7:00 PM - City Council Meeting

## CITY COUNCIL MEETINGS - CONTINUED:

October 2, 2019 - Wednesday - Adjourned Regular Meeting:

6:00 PM - Study Session

October 8, 2019 - Tuesday - No Meeting (Re-scheduled to Oct. 10)

October 10, 2019 - Thursday - Adjourned Regular Meeting:

6:00 PM - Closed Session and 7:00 PM - City Council Meeting

October 22, 2019 - Tuesday - 6:00 PM - Closed Session,

7:00 PM - City Council Meeting

November 6, 2019 - Wednesday - Adjourned Regular Meeting:

6:00 PM - Study Session

November 12, 2019 - Tuesday - 6:00 PM - Closed Session,

7:00 PM - City Council Meeting

November 18, 2019 - Monday - Adjourned Regular Meeting:

6:00 PM - Closed Session and 7:00 PM - City Council Meeting

November 21, 2019 - Thursday - Adjourned Regular Meeting:

6:00 PM - Mayor Rotation

November 26, 2019 - Tuesday - No Meeting (Re-scheduled to Nov. 18)

December 4, 2019 - Wednesday - Adjourned Regular Meeting:

6:00 PM - Study Session

December 10, 2019 - Tuesday - No Meeting (Re-scheduled to Dec. 12)

December 12, 2019 - Thursday - Adjourned Regular Meeting:

6:00 PM - Closed Session and 7:00 PM - City Council Meeting

December 24, 2019 - Tuesday - No Meeting (Dark)

## BOARDS, COMMISSIONS AND COMMITTEE MEETINGS:

March 4, 2019 - Monday - 7:00 PM - Emergency Preparedness Advisory Commission Meeting  
March 5, 2019 - Tuesday - 7:00 PM - Parks and Recreation Advisory Commission Meeting  
March 19, 2019 - Tuesday - 7:00 PM - Planning Commission Meeting  
March 20, 2019 - Wednesday - 7:00 PM - Public Works Commission Meeting  
April 2, 2019 - Tuesday - 7:00 PM - Parks and Recreation Advisory Commission Meeting  
April 16, 2019 - Tuesday - 7:00 PM - Planning Commission Meeting  
May 6, 2019 - Monday - 7:00 PM - Emergency Preparedness Advisory Commission Meeting  
May 7, 2019 - Tuesday - 7:00 PM - Parks and Recreation Advisory Commission Meeting  
May 15, 2019 - Wednesday - 7:00 PM - Public Works Commission Meeting  
May 21, 2019 - Tuesday - 7:00 PM - Planning Commission Meeting  
June 4, 2019 - Tuesday - 7:00 PM - Parks and Recreation Advisory Commission Meeting  
June 18, 2019 - Tuesday - 7:00 PM - Planning Commission Meeting  
July 2, 2019 - Tuesday - 7:00 PM - Parks and Recreation Advisory Commission Meeting  
July 8, 2019 - Monday - 7:00 PM - Emergency Preparedness Advisory Commission Meeting  
July 16, 2019 - Tuesday - 7:00 PM - Planning Commission Meeting  
July 17, 2019 - Wednesday - 7:00 PM - Public Works Commission Meeting  
August 6, 2019 - Tuesday - 7:00 PM - Parks and Recreation Advisory Commission Meeting  
August 20, 2019 - Tuesday - 7:00 PM - Planning Commission Meeting  
September 3, 2019 - Tuesday - 7:00 PM - Parks and Recreation Advisory Commission Meeting  
September 9, 2019 - Monday - 7:00 PM - Emergency Preparedness Advisory Commission Meeting  
September 17, 2019 - Tuesday - 7:00 PM - Planning Commission Meeting  
September 18, 2019 - Wednesday - 7:00 PM - Public Works Commission Meeting  
October 1, 2019 - Tuesday - 7:00 PM - Parks and Recreation Advisory Commission Meeting  
October 15, 2019 - Tuesday - 7:00 PM - Planning Commission Meeting  
November 4, 2019 - Monday - 7:00 PM - Emergency Preparedness Advisory Commission Meeting  
November 5, 2019 - Tuesday - 7:00 PM - Parks and Recreation Advisory Commission Meeting  
November 19, 2019 - Tuesday - 7:00 PM - Planning Commission Meeting  
November 20, 2019 - Wednesday - 7:00 PM - Public Works Commission Meeting  
December 3, 2019 - Tuesday - 7:00 PM - Parks and Recreation Advisory Commission Meeting  
December 9, 2019 - Tuesday - 7:00 PM - Planning Commission Meeting

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

May 27, 2019 - Monday - Memorial Day  
July 4, 2019 - Thursday - Independence Day  
September 2, 2019 - Monday - Labor Day  
November 11, 2019 - Monday - Veteran's Day  
November 28, 2019 - Thursday, Thanksgiving Day  
December 25, 2019 - Wednesday - Christmas Day  
January 1, 2020 - Wednesday - New Year's Day (2020)