



City of Hermosa Beach

City Hall
1315 Valley Drive
Hermosa Beach, CA
90254

Special Meeting Agenda - Final

City Council

Mayor
Stacey Armato

Mayor Pro Tem
Mary Campbell

Councilmembers
Hany S. Fangary
Justin Massey
Jeff Duclos

Tuesday, March 26, 2019

5:30 PM

Council Chambers

Closed Session - 5:30 P.M.

Regular Meeting - 7:00 P.M.

5:30 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. **19-0193** **MINUTES:** Approval of minutes of Closed Session held on March 12, 2019.

2. **19-0194** **CONFERENCE WITH LABOR NEGOTIATOR**
 Government Code Section 54957.6

 City Negotiator: City Manager

 Employee

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

3. **19-0195** **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: 1

4. 19-0196**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: Robert Higgins v. City of Hermosa Beach
WCAB Number: ADJ11093995
- b) Name of Case: Todd Lewitt v. City of Hermosa Beach
WCAB Number: ADJ9858468, ADJ11019071, ADJ10177518
- c) Name of Case: Rachel Muzatko v. City of Hermosa Beach
WCAB Number: ADJ10866914, ADJ10822138
- d) Name of Case: Pamela Sargent v. City of Hermosa Beach
WCAB Number: ADJ11290398

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. 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, 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) 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) 19-0198 RECOGNIZING EARTH HOUR ON MARCH 30, 2019 FROM
8:30 P.M. - 9:30 P.M. AND EARTH DAY ON APRIL 22, 2019
- b) 19-0199 PROCLAMATION DECLARING APRIL AS
"DONATE LIFE MONTH"

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

- a) [19-0203](#) WRITTEN COMMUNICATION

Recommendation: Staff recommends that the City Council receive and file the written communication from Howard Longacre.

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
[19-0183](#) (Deputy City Clerk Linda Abbott)

Recommendation: Staff recommends that the City Council approve the following minutes:
1. Adjourned Regular meeting of March 9, 2019
2. Regular meeting of March 12, 2019

- b) [REPORT](#) **CHECK REGISTERS**
[19-0168](#) (Finance Director Viki Copeland)
Recommendation: Staff recommends that the City Council ratify the following check registers.
- c) [REPORT](#) **REVENUE REPORT, EXPENDITURE REPORT,**
[19-0188](#) **AND CIP REPORT BY PROJECT FOR FEBRUARY 2019**
(Finance Director Viki Copeland)
Recommendation: Staff recommends that the City Council receive and file the February 2019 Financial Reports.
- d) [REPORT](#) **CITY TREASURER'S REPORT AND CASH BALANCE REPORT**
[19-0189](#) (City Treasurer Karen Nowicki)
Recommendation: City Treasurer recommends that the City Council receive and file the February 2019 City Treasurer's Report and Cash Balance Report.
- e) [REPORT](#) **CANCELLATION OF CERTAIN CHECKS**
[19-0190](#) (City Treasurer Karen Nowicki)
Recommendation: City Treasurer recommends that the City Council approve cancellation of certain checks.
- f) [REPORT](#) **PROJECT STATUS REPORT AS OF FEBRUARY 28, 2019**
[19-0185](#) (Acting Public Works Director Lucho Rodriguez)
Recommendation: Staff recommends that the City Council receive and file the Project Status Report as of February 28, 2019.
- g) [REPORT](#) **ACTION SHEET OF THE PLANNING COMMISSION MEETING OF**
[19-0208](#) **MARCH 19, 2019**
Recommendation: Staff recommends that the City Council receive and file the action sheet of the Planning Commission meeting of March 19, 2019.
- h) [REPORT](#) **PLANNING COMMISSION TENTATIVE FUTURE AGENDA ITEMS**
[19-0207](#) (Community Development Director Ken Robertson)
Recommendation: Staff recommends that the City Council receive and file the April 16, 2019 Planning Commission tentative future agenda items.
- i) [REPORT](#) **CLARIFICATIONS TO PROCESS AND STANDARDS**
[19-0186](#) **FOR REVIEW OF ON-SALE ALCOHOLIC BEVERAGE**
CONDITIONAL USE PERMITS
(Community Development Director Ken Robertson)
Recommendation: Staff recommends that the City Council affirm the attached clarifications to the Conditional Use Permit (CUP) review process.
- j) [REPORT](#) **ACTION MINUTES OF THE PUBLIC WORKS COMMISSION**
[19-0206](#) **MEETING OF JANUARY 16, 2019**
Recommendation: Staff recommends that the City Council receive and file the action minutes of the Public Works Commission meeting of January 16, 2019.

k) [REPORT](#)
[19-0137](#)

**AWARD OF CONSTRUCTION MANAGEMENT AND
INSPECTION SERVICES CONTRACT TO TRANSTECH
ENGINEERS, INC. FOR CIP 17-687 AND CIP 18-691,
ADA IMPROVEMENTS ON PROSPECT AVENUE**
(Acting Public Works Director Lucho Rodriguez)

- Recommendation:** Staff recommends that the City Council:
1. Award the Professional Service Agreement for Construction Management and Inspection Services for CIP 17-687 and CIP 18-691 for ADA Improvements on Prospect Avenue, in the amount of \$40,460;
 2. Authorize the Mayor to execute the Agreement and the City Clerk to attest subject to approval by the City Attorney; and
 3. Authorize 25% project contingency for a total contract budget of \$50,575.00.

l) [REPORT](#)
[19-0184](#)

**AWARD OF CONSTRUCTION CONTRACT FOR CIP 17-687
AND CIP 18-691, ADA IMPROVEMENTS ON PROSPECT AVENUE**
(Acting Public Works Director Lucho Rodriguez)

- Recommendation:** Staff recommends that the City Council:
1. Award a construction contract for CIP17-687 and CIP 18-691 for ADA Improvements on Prospect Avenue in the amount of \$141,900.00;
 2. Adopt the attached resolution entitled "A Resolution of the City Council of the City of Hermosa Beach Approving the Construction of CIP 17-687 and CIP 18-691 ADA Improvements on Prospect Avenue;
 3. Authorize the Mayor to execute the construction contract and the City Clerk to attest, subject to approval by the City Attorney;
 4. Authorize the Acting Director of Public Works to establish a 25% project contingency for a total construction budget of \$177,375; and
 5. Authorize the Acting Director of Public Works to file a Notice of Completion following final completion of the project.

m) [REPORT](#)
[19-0197](#)

BROWN ACT COMPLAINT FILED BY ANTHONY HIGGINS
(City Attorney Mike Jenkins)

- Recommendation:** Staff recommends that the City Council:
1. Receive and file this report; and
 2. Direct the City Attorney to send a letter (Attachment 2) pursuant to Government Code ☐54960.1 (c)(2) communicating the City Council's determination that no Brown Act violation occurred and therefore that the City Council will not cure or correct the challenged actions.

n) [REPORT](#)
[19-0180](#)

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: Stephen Allan Diamond
Date of Loss: August 22, 2018
Date Claim Filed: December 31, 2018
Date Revised Claim Filed: January 28, 2019
Allegation: Claimant alleges he stepped into a hole in the walkway near a parking meter at Hermosa Ave. and 26th Street which resulted in physical injuries to his ankle.

o) [REPORT](#)
[19-0192](#)

**A RESOLUTION OF THE HERMOSA BEACH CITY
COUNCIL ELECTING TO BE EXEMPT FROM THE
CALIFORNIA CONGESTION MANAGEMENT PROGRAM**

(Environmental Analyst Kristy Morris)

Recommendation: Staff recommends that the City Council:

1. Find that the following proposed action is exempt from review pursuant to the California Environmental Quality Act (CEQA), pursuant to State CEQA Guidelines Section 15061(b) (3);
2. Adopt the following Resolution waiving further reading: a resolution of the City Council of the City of Hermosa Beach, California, electing to be exempt from the Congestion Management Program.

p) [REPORT](#)
[19-0204](#)

**NORTH SCHOOL RECONSTRUCTION PROJECT
SUBCOMMITTEE AND MEMORANDUM OF UNDERSTANDING
FULFILLMENT OVERSIGHT ROLE**

(City Manager Suja Lowenthal)

Recommendation: The North School Reconstruction Project Subcommittee (Subcommittee) members recommend that the City Council authorize the Subcommittee to continue to serve as the Council's representatives on the joint City and Hermosa Beach City School District collaborative charged with overseeing the fulfillment of the North School Reconstruction Project Memorandum of Understanding executed on February 27, 2019.

q) [REPORT](#)
[19-0187](#)

**APPROVAL OF LETTER OPPOSING ASSEMBLY BILL NO. 377
(GARCIA): MICROENTERPRISE HOME KITCHEN OPERATIONS**

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

Recommendation: Staff recommends that the City Council approve and authorize the Mayor to sign a letter of opposition on behalf of the City regarding Assembly Bill 377 (AB 377) related to permitting and regulation of microenterprise home kitchen operations, to be shared with key legislators and local stakeholders.

3. CONSENT ORDINANCES

NONE

4. ITEMS REMOVED FROM THE CONSENT CALENDAR FOR SEPARATE DISCUSSION

5. PUBLIC HEARINGS

NONE

6. MUNICIPAL MATTERS

a) [REPORT](#)
[19-0191](#)

GREENBELT INFILTRATION PROJECT NEXT STEPS

(Environmental Analyst Kristy Morris)

- Recommendation:** Staff recommends that the City Council:
1. Proceed with a project at the existing Greenbelt location; or
 2. Proceed with a project at an alternative location within the City's jurisdiction that would capture and treat the equivalent volume of stormwater; or
 3. Initiate a dissolution or an amendment of the Memorandum of Understanding (MOU) to negotiate a suitable substitute or revised MOU and project with the City's partners, relinquish the Grant and forfeit the grant funding.

7. MISCELLANEOUS ITEMS AND MEETING ATTENDANCE REPORTS - CITY COUNCIL

a) [19-0200](#)

**COUNCILMEMBER FANGARY PROVIDES UPDATE
ON MEETING WITH SENATOR SCOTT WIENER'S
LEGISLATIVE AIDE TO DISCUSS SENATE BILL 50**

b) 19-0201

**UPDATES FROM CITY COUNCIL AD HOC SUBCOMMITTEES
AND STANDING COMMITTEE DELEGATES/ALTERNATES**

8. OTHER MATTERS - CITY COUNCIL

a) [19-0202](#)

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:

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

April 30, 2019 - Tuesday - Adjourned Regular Meeting:
6:00 PM - Budget Revenue Strategy

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

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

CITY COUNCIL MEETINGS - CONTINUED:

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:

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)