



# 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, May 14, 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.     **19-0297**     **MINUTES:** Approval of minutes of the following Closed Session meetings.

- a) April 30, 2019
- b) May 9, 2019

2.     **19-0298**     **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**

***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 City Clerk's office.

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

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.

**Oral and Written Communication**

Persons who wish to have written materials included in the agenda packet at the time the agenda is published on the City's website must submit the written materials to the City Manager's office by email ([anny@hermosabch.org](mailto:anny@hermosabch.org)) or in person by noon of the Tuesday, one week before the meeting date.

Written materials pertaining to matters listed on the posted agenda received after the agenda has been posted will be added as supplemental materials under the relevant agenda item on the City's website at the same time as they are distributed to the City Council by email. Supplemental materials may be submitted via eComment (instructions below) or emailed to [anny@hermosabch.org](mailto:anny@hermosabch.org).

Supplemental materials must be received before 4:00 p.m. on the date of the meeting to ensure Council and staff have the ability to review materials prior to the meeting. Supplemental materials submitted after 4:00 p.m. on the date of the meeting or submitted during the meeting will be posted online the next day.

**Submit Supplemental eComments 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.

**Public Participation Speaker Cards:**

If you wish to speak during Public Participation, please fill out a speaker card at the meeting. The purpose of the speaker card is to streamline and better organize our public comment process to ensure names of speakers are correctly recorded in the minutes and where appropriate, to provide contact information for staff follow-up.

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

- a) 19-0290 RECOGNIZING GRADES OF GREEN WASTE CAMPAIGN;  
OUR LADY OF GUADALUPE "TRASH AT ART" CLASS  
PROJECTS; AND ENVIRONMENTAL PROGRESS  
AT HERMOSA VIEW & VALLEY SCHOOLS
- b) 19-0291 LEADERSHIP HERMOSA BEACH  
EMERGING LEADER AWARD RECIPIENTS
- c) 19-0292 MENTAL HEALTH AWARENESS MONTH PROCLAMATION

**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:** If you wish to provide public comment, please fill out a speaker card to ensure names of speakers are correctly recorded in the minutes and where appropriate, to provide contact information for staff follow-up. 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:

a) [19-0306](#) **SUPPLEMENTAL WRITTEN COMMUNICATION**

**Recommendation:** Staff recommends that the City Council receive and file the supplemental written communication.

**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**  
[19-0271](#) (Interim Deputy City Clerk Carol Cowley)

**Recommendation:** Staff recommends that the City Council approve the following minutes:  
1. Regular meeting of April 23, 2019  
2. Adjourned Regular meeting of April 30, 2019

b) [REPORT](#) **CHECK REGISTERS**  
[19-0279](#) (Finance Director Viki Copeland)

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

c) [REPORT](#) **ACCEPTANCE OF DONATIONS**  
[19-0288](#) (Finance Director Viki Copeland)

**Recommendation:** Staff recommends that the City Council accept the donations received by the City to be used for the purpose noted.

d) [REPORT](#) **ACTION MINUTES OF THE PARKS, RECREATION AND**  
[19-0301](#) **COMMUNITY RESOURCES ADVISORY COMMISSION**  
**MEETING OF MARCH 5, 2019 AND APRIL 2, 2019**

**Recommendation:** Staff recommends that the City Council receive and file the action minutes of the Parks, Recreation and Community Resources Advisory Commission meeting of March 5, 2019 and April 2, 2019.

e) [REPORT](#) **ACTION MINUTES OF THE EMERGENCY PREPAREDNESS**  
[19-0296](#) **ADVISORY COMMISSION MEETING OF MARCH 4, 2019**

**Recommendation:** Staff recommends that the City Council receive and file the action minutes of the Emergency Preparedness Advisory Commission meeting of March 4, 2019.

- f) [REPORT](#) [19-0278](#) **SUBJECT: FINAL MAP NO. 74969 (C.U.P. CON NO. 17-4, PDP NO. 17-4)**  
**LOCATION: 1703 MANHATTAN AVENUE**  
**APPLICANT(S): GREGORY & LEIGH RICHART AND DANIEL & LISA NGUYEN**  
**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. 74969, 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](#) [19-0275](#) **SUBJECT: FINAL MAP NO. 74236 (C.U.P. CON NO. 16-16, PDP NO. 16-18)**  
**LOCATION: 959 5TH STREET**  
**APPLICANT(S): SBL DEVELOPMENT, LLC C/O ISAAC LAUFER**  
**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. 74236, 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](#) [19-0277](#) **SUBJECT: FINAL MAP NO. 74237 (C.U.P. CON NO. 16-17, PDP NO. 16-19)**  
**LOCATION: 961 5TH STREET**  
**APPLICANT(S): SBL DEVELOPMENT, LLC C/O ISAAC LAUFER**  
**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. 74237, which is consistent with the approved Vesting Tentative Parcel Map; and  
2. Request the City Clerk to endorse the certificate for said map.
- i) [REPORT](#) [19-0283](#) **REVIEW OF SUBMITTAL OF THE 2018 HERMOSA BEACH HOUSING ELEMENT ANNUAL PROGRESS REPORT**  
(Community Development Director Ken Robertson)
- Recommendation:** Staff recommends that the City Council:  
1. Receive and file the 2018 Housing Element Annual Progress Report; and  
2. Direct staff to submit the report to the California Department of Housing and Community Development.

j) [REPORT](#)  
[19-0281](#)

**RECOMMENDATION TO APPROVE THE FIRST AMENDMENT  
TO THE PROFESSIONAL SERVICES AGREEMENT WITH  
HARTZOG & CRABILL, INC. TO CONTINUE ON-CALL  
TRAFFIC ENGINEERING SERVICES**

(Acting Public Works Director Lucho Rodriguez)

**Recommendation:** Staff recommends that the City Council:  
1. Approve the First Amendment to the existing Professional Services Agreement (PSA) with Hartzog & Crabill, Inc. (HCI) for on-call traffic engineering services, increasing the PSA to a new not to exceed amount of \$85,000, and extending the term of the PSA for six months; and  
2. Authorize the Mayor to Execute and the City Clerk to attest the attached First Amendment subject to approval by the City Attorney.

**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.**

a) [REPORT](#)  
[19-0276](#)

**CONSIDER AMENDMENT TO THE MUNICIPAL CODE CHAPTER  
5.78 (TOBACCO RETAILERS) TO INCLUDE PROHIBITIONS ON THE  
SALE OF FLAVORED TOBACCO PRODUCTS IN ALL TOBACCO  
RETAIL ESTABLISHMENTS REGARDLESS OF WHETHER THEY  
LIMIT ENTRY TO THEIR ESTABLISHMENTS TO ADULTS ONLY  
(I.E. PATRONS 21 YEARS OF AGE OR OLDER, OR ACTIVE DUTY  
MILITARY PERSONNEL WHO ARE 18 YEARS OF AGE OR OLDER)**

(Community Development Director Ken Robertson)

**Recommendation:** Staff recommends that the City Council waive full reading and introduce on first reading an ordinance amending Section 5.78.030 (Definitions) and Section 5.78.100 (Operating Requirements) in Chapter 5.78 of the HBMC (Tobacco Retailers) to ban tobacco retailers from selling all flavored tobacco products.

**6. MUNICIPAL MATTERS**



a) [REPORT](#)  
[19-0285](#)

**AWARD OF CONSTRUCTION CONTRACT FOR CIP 14-173,  
8TH STREET IMPROVEMENTS PROJECT**

(Acting Public Works Director Lucho Rodriguez)

- Recommendation:** Staff recommends that the City Council:
1. Award a construction contract to the lowest bidder, Concept Consultant, Inc., for CIP14-173 8th Street Improvements Project in the amount of \$561,950.50, unless Council finds the low bid to be unresponsive based on the information in this staff report.
  2. If Council determines that the low bidder's bid is unresponsive, award construction contract to 2nd lowest bidder, Gentry General Engineering, Inc. for \$714,000;
  3. Authorize the Mayor to execute the construction contract and the City Clerk to attest, subject to approval by the City Attorney;
  4. Authorize a 20% project contingency for a total construction budget of \$674,340.60 (Concept) or \$856,800.00 (Gentry); and
  5. Authorize the Acting Director of Public Works to file a Notice of Completion following final completion of the project.

b) [REPORT](#)  
[19-0270](#)

**AWARD OF CONTRACT FOR LANDSCAPE  
MAINTENANCE SERVICES TO MERCHANTS LANDSCAPING**

(Acting Public Works Director Lucho Rodriguez)

- Recommendation:** Staff recommends that the City Council:
1. Award Merchants Landscaping Inc. the contract to provide landscape maintenance services for the City for three years for a total amount not to exceed \$937,205.00;
  2. Authorize the Mayor to execute and the City Clerk to attest the attached Professional Services Agreement subject to approval by the City Attorney; and
  3. Authorize the Director of Public Works to make changes to the contract within the project budget.

c) [REPORT](#)  
[19-0284](#)

**CONSIDERATION OF AGREEMENT FOR LEASE OF  
AIRSPACE WITH PIERSIDE PROPERTIES, LLC FOR  
AIRSPACE OVER 51 PIER PLAZA (LORETO PLAZA)**

(City Manager Suja Lowenthal and  
City Attorney Michael Jenkins)

- Recommendation:** Staff recommends that the City Council approve an Agreement for Lease of Airspace with Pierside Properties, LLC.

d) [REPORT](#)  
[19-0302](#)

**CONSIDERATION OF ARAKELIAN ENTERPRISES  
(ATHENS SERVICES) REQUEST FOR AN ANNUAL  
RATE ADJUSTMENT TO THE MAXIMUM RATES  
FOR SOLID WASTE MANAGEMENT SERVICES**

(Environmental Analyst Kristy Morris)

- Recommendation:** Staff recommends that the City Council endorse the rate adjustments proposed by Athens Services for its services not to exceed the attached rate schedule effective July 1, 2019 for residential and commercial cart and bin rates.

e) [REPORT](#)  
[19-0295](#)

**PURCHASE AND INSTALLATION OF  
FURNISHINGS FOR HERMOSA BEACH BUS STOPS**

(Environmental Analyst Kristy Morris)

**Recommendation:** Staff recommends that City Council appropriate \$100,636 of Proposition A funds and authorize the purchase and installation of new benches and trash receptacles to replace existing furnishings at bus stops on Hermosa Avenue, Manhattan Avenue, and Pacific Coast Highway.

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

a) [REPORT](#)  
[19-0272](#)

**APPOINTMENT OF CITY COUNCIL DELEGATE TO  
THE SOUTH BAY CITIES COUNCIL OF GOVERNMENTS  
BOARD OF DIRECTORS**

(Interim Deputy City Clerk Carol Cowley)

**Recommendation:** Staff recommends that the City Council appoint from among its members, a Delegate to replace Councilmember Fangary as the Delegate to the South Bay Cities Council of Governments Board of Directors.

b) [REPORT](#)  
[19-0282](#)

**RECEIPT OF RESIGNATION LETTER FROM EMERGENCY  
PREPAREDNESS ADVISORY COMMISSION (EPAC) MEMBER**

(Interim Deputy City Clerk Carol Cowley)

**Recommendation:** Staff recommends that the City Council receive and file, with regret, the resignation letter from Rabbi Gila Katz, Chairperson of the Emergency Preparedness Advisory Commission.

c) [REPORT](#)  
[19-0294](#)

**VACANCIES - BOARDS AND COMMISSIONS  
UPCOMING EXPIRATION OF TERMS**

(City Clerk Elaine Doerfling)

**Recommendation:** The City Clerk recommends that the City Council direct the City Clerk to immediately advertise and request applications from interested parties for two Planning Commission terms that will expire June 30, 2019; two Parks, Recreation and Community Resources Advisory Commission terms that will expire June 30, 2019; and two Civil Service Board terms that will expire July 15, 2019.

d) **19-0287**

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

**8. OTHER MATTERS - CITY COUNCIL**

a) [19-0300](#)

**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:**

May 22, 2019 - Wednesday - Adjourned Regular Meeting:

6:00 PM - FY 2019-20 Budget

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

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:

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)