

# City of Hermosa Beach

City Hall  
1315 Valley Drive  
Hermosa Beach, CA 90254



## Regular Meeting Agenda

Tuesday, November 12, 2019

6:00 PM

Closed Session - 6:00 PM

Regular Meeting - 7:00 PM

### Council Chambers

### City Council

*Mayor*

*Stacey Armato*

*Mayor Pro Tem*

*Mary Campbell*

*Councilmembers*

*Hany S. Fangary*

*Justin Massey*

*Jeff Duclos*

*City Clerk*

*Elaine Doerfling*

*City Treasurer*

*Karen Nowicki*

*City Attorney*

*Mike Jenkins*

Executive Team

Suja Lowenthal, City Manager

Nico De Anda-Scaia, Assistant to the City Manager

Viki Copeland, Finance Director  
Marnell Gibson, Public Works Director  
Milton McKinnon, Acting Police Chief

Ken Robertson, Community Development Director  
Vanessa Godinez, Human Resources Manager  
Kelly Orta, Community Resources Manager

**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.     **19-0716**           **MINUTES:** Approval of minutes of Closed Session held on October 22, 2019.

2.     **19-0717**           **CONFERENCE WITH LEGAL COUNSEL: Pending 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.

**Name of Case:** Hermosa Fitness LLC v. City of Hermosa Beach, et al.  
**United States District Court, Case Number:** 2:19-cv-08666

***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) [19-0729](#) **RECOGNIZING CHIEF SHARON PAPA FOR HER SERVICE TO THE CITY OF HERMOSA BEACH AS CHIEF OF POLICE FROM 2013-2019 AND FOR HER 40 YEARS AS A LAW ENFORCEMENT VETERAN**

**Attachments:** [SUPPLEMENTAL Email from Sheryl Main \(submitted 11-12-19 at 4:07pm\).pdf](#)

- b) **19-0730** **PROCLAMATION DECLARING NOVEMBER 12, 2019 AS SANDPIPERS FOUNDER'S DAY AND CELEBRATING THEIR 88TH YEAR AS A SOUTH BAY COMMUNITY SERVICE ORGANIZATION**

- c) **19-0731** **PROCLAMATION DECLARING NOVEMBER 16, 2019 AS INTERNATIONAL DAY OF TOLERANCE**

**MISCELLANEOUS ITEMS AND REPORTS - CITY MANAGER**

- a) **19-0732** **UPDATE ON VALLEY PARK RESTROOM RENOVATIONS**

- b) [REPORT 19-0712](#) **LOS ANGELES COUNTY FIRE DEPARTMENT AND MCCORMICK AMBULANCE QUARTERLY UPDATE**  
(Emergency Management Coordinator Brandy Villanueva)

**Recommendation:** Staff recommends that the City Council receive and file the Los Angeles County Fire Department and McCormick Ambulance services third quarter update review for the July 1, 2019-September 30, 2019 period.

- Attachments:**
- [1. South Bay RCC Report LA County July 2019 through September 2019](#)
  - [2. LACoFD Call Transfer Time](#)
  - [3. Fire and Ambulance Comparison 3 quarter 2019](#)
  - [4. Auto Aid 3rd Quarter Final](#)
  - [5. 2019 Film Permits 3QUARTER](#)

**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:

- 1) during discussion of items removed from the Consent Calendar;
- 2) during Public Hearings; and,
- 3) during discussion of items appearing under Municipal Matters. Comments from the public are limited to three minutes per speaker. 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) [19-0733](#)

#### WRITTEN COMMUNICATION

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

- Attachments:**
- [1. Email from Anthony Higgins dated 10-19-19 regarding construction noise impacting residential community.pdf](#)
  - [2. Email from Anthony Higgins dated 11-4-19 regarding status of survey to determine level of resident support for large special events.pdf](#)
  - [3. Email from Anthony Higgins dated 11-5-19 regarding residential construction timeline improvements.pdf](#)

**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  
19-0742](#) **MEMORANDUM REGARDING  
CITY COUNCIL MEETING MINUTES**  
(City Clerk Elaine Doerfling)
- Recommendation:** The City Clerk recommends that the City Council receive and file this memorandum.
- b) [REPORT  
19-0720](#) **CHECK REGISTERS**  
(Finance Director Viki Copeland)
- Recommendation:** Staff recommends that the City Council ratify the following check registers.
- Attachments:** [1. 10-17-19](#)  
[2. 10-21-19](#)  
[3. 10-24-19](#)
- c) [REPORT  
19-0740](#) **ACTION MINUTES OF THE PARKS, RECREATION AND  
COMMUNITY RESOURCES ADVISORY COMMISSION  
MEETING OF OCTOBER 1, 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 October 1, 2019.
- Attachments:** [PR Minutes 10.01.2019](#)
- d) [REPORT  
19-0734](#) **DESIGNATION OF CITY NEGOTIATOR**  
(City Attorney Mike Jenkins)
- Recommendation:** City Attorney recommends that the City Council designate Stacey Armato as the City's negotiator for purposes of conducting a closed session under Government Code section 54957.6 relative to negotiations with the City Manager concerning a compensation adjustment.
- e) [REPORT  
19-0735](#) **REQUEST FOR APPROVAL OF SPONSORSHIP DONATION TO  
MIRA COSTA HIGH SCHOOL GRAD NITE 2020**  
(City Manager Suja Lowenthal)
- Recommendation:** Staff recommends that the City Council approve a donation of \$1,000 to the Mira Costa High School G.R.A.D. Booster Club for 2020.
- Attachments:** [Mira Costa Grad Nite 2020 Donation Request and Sponsorship Form.pdf](#)
- f) [REPORT  
19-0743](#) **REQUEST FOR APPROVAL OF SPONSORSHIP DONATION TO  
THE BEACH CITIES HEALTH DISTRICT'S 21st ANNUAL  
HOLIDAY GIFT BAG PROJECT**  
(City Manager Suja Lowenthal)
- Recommendation:** Staff recommends that the City Council approve a donation of \$660 to the Beach Cities Health District's Holiday Gift Bag Project for 2019.
- Attachments:** [1. Request from BCHD.pdf](#)  
[2. Link to Holiday Gift Bag Program Webpage](#)

### 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](#)  
[19-0715](#)
- AN ORDINANCE OF THE CITY OF HERMOSA BEACH,  
CALIFORNIA, AMENDING CHAPTER 8.64 OF THE HERMOSA  
BEACH MUNICIPAL CODE TO EXPAND THE BAN ON  
POLYSTYRENE FOOD SERVICE WARE TO INCLUDE A BAN  
ON CERTAIN POLYSTYRENE PRODUCTS, SINGLE-USE PLASTIC  
PRODUCTS, AND SINGLE-USE PRODUCTS AND AMENDING  
CHAPTER 1.10 TO MAKE VIOLATIONS OF CHAPTER 8.64  
AS AMENDED SUBJECT TO ADMINISTRATIVE  
PENALTY PROCEDURES**

*(Continued from meeting of August 27, 2019)*

(Environmental Programs Manager Douglas Krauss)

**Recommendation:** Staff recommends that the City Council introduce an ordinance amending the Municipal Code to expand the ban on polystyrene food service ware to include a ban on certain polystyrene products, single-use plastic products, and single-use products.

**Attachments:** [1. List of Cities and Counties with Similar Ordinances](#)

[2. Draft Ordinance](#)

[3. Draft Ordinance Red-Lined.pdf](#)

[4. Outreach Plan](#)

[5. Draft Business Guide](#)

[6. SUPPLEMENTAL eComment from Maureen Hunt \(submitted 11-10-19 at 2:32pm\).pdf](#)

[7. SUPPLEMENTAL eComment from David Grethen \(submitted 11-11-19 at 12:12pm\).pdf](#)

[8. SUPPLEMENTAL Letter and Attachment from California Grocers Association \(submitted 11-12-19 at 2:24pm\).pdf](#)

[9. SUPPLEMENTAL Email and Attachment from Craig Cadwallader \(submitted 11-12-19 at 2:47pm\).pdf](#)

- b) [REPORT](#)  
[19-0726](#)

**AN ORDINANCE ADOPTING THE 2019  
CALIFORNIA BUILDING STANDARDS CODE**

(Community Development Director Ken Robertson)

**Recommendation:** Staff recommends that the City Council introduce on first reading an ordinance amending Title 15 of the Hermosa Beach Municipal Code to adopt the 2019 Edition of the California Building Standards Code.

- Attachments:**
- [1. Draft Ordinance](#)
  - [2. Table of Express Findings for Local Amendments](#)
  - [3. Summary of Code Appendices](#)
  - [4. Building Official's Report on Use of Plastic Pipes in Residential Plumbing](#)
  - [5. Redline version of current Title 15 code](#)

## 6. MUNICIPAL MATTERS

- a) [REPORT](#)  
[19-0714](#)

**CONSIDERATION OF PROHIBITION OF  
RETAIL SALE OF TOBACCO PRODUCTS**

(Community Development Director Ken Robertson)

**Recommendation:** Staff recommends that the City Council discuss and provide direction on whether to prohibit the retail sale of all tobacco products in Hermosa Beach.

- Attachments:**
- [1. May 21, 2019 Beverly Hills Staff Report and Attachments](#)
  - [2. October 1, 2019 Manhattan Beach Staff Report and Minutes](#)
  - [3. November 7, 2019 Beach Reporter Article on MB Urgency Vaping Ban](#)
  - [4. SUPPLEMENTAL eComment from Chris Bostic \(submitted 11-12-19 at 8:52am\).pdf](#)
  - [5. SUPPLEMENTAL Email from Lauren Nakano/BCHD \(submitted 11-12-19 at 8:58pm\).pdf](#)

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

- a) [REPORT](#)  
[19-0722](#)
- A RESOLUTION OF THE CITY COUNCIL OF HERMOSA  
BEACH, CALIFORNIA, FOR THE CITY OF HERMOSA BEACH  
TO ACHIEVE GENDER EQUITY THROUGH ITS WORKFORCE,  
OPERATIONS AND SERVICES**
- (City Manager Suja Lowenthal)

**Recommendation:** Staff recommends that the City Council adopt a resolution for the City of Hermosa Beach to achieve gender equity through its workforce, operations and services.

- Attachments:**
- [1. Gender Equity Resolution Draft](#)
  - [2. Los Angeles gender equity website](#)

- b) 19-0736
- MAYOR ARMATO, COUNCILMEMBER DUCLOS AND  
COUNCILMEMBER FANGARY REPORT ON THEIR ATTENDANCE  
AT THE LEAGUE OF CALIFORNIA CITIES ANNUAL CONFERENCE  
IN LONG BEACH FROM OCTOBER 16-18, 2019**
- c) 19-0737
- COUNCILMEMBER DUCLOS REPORTS ON HIS  
ATTENDANCE AT THE ANNUAL SISTER CITY ASSOCIATION  
TRIP TO THE CITY OF LORETO IN BAJA CALIFORNIA SUR,**



**MEXICO FROM OCTOBER 24-28, 2019**

- d) 19-0738 **UPDATES FROM CITY COUNCIL AD HOC SUBCOMMITTEES  
AND STANDING COMMITTEE DELEGATES/ALTERNATES**

**8. OTHER MATTERS - CITY COUNCIL**

*Requests from Councilmembers for possible future agenda items. No discussion or debate of these requests shall be undertaken; the sole action is whether to schedule the item for consideration on a future agenda. No public comment will be taken. Councilmembers should consider the city's work plan when considering new items.*

- a) 19-0749 **COUNCILMEMBER FANGARY REQUESTS PLACING ON THE  
AGENDA FOR THE CITY COUNCIL'S NOVEMBER 18, 2019  
MEETING AN AGENDA ITEM FOR DISCUSSION AND POSSIBLE  
DIRECTION REGARDING DRAFTING AN URGENCY ORDINANCE  
TO PROHIBIT NO-FAULT EVICTIONS THROUGH DECEMBER 31,  
2019 IN HERMOSA BEACH FOR RESIDENTIAL REAL PROPERTY  
BUILT PRIOR TO JANUARY 1, 2005. COUNCILMEMBER FANGARY  
REQUESTS THAT STAFF EVALUATE AND PROVIDE INPUT  
REGARDING THE POSSIBILITY OF HAVING THE ORDINANCE  
BECOME EFFECTIVE IMMEDIATELY IF VOTED ON BY COUNCIL AT  
THE NOVEMBER 18, 2019 MEETING, OR MAKING THE ORDINANCE  
RETROACTIVE TO OCTOBER 8, 2019, IF POSSIBLE. THIS ITEM  
RELATES TO THE RECENT PASSAGE OF AB 1482, THE TENANT  
PROTECTIONS ACT OF 2019, BY THE CALIFORNIA STATE  
LEGISLATURE ON OCTOBER 8, 2019.**

- b) [19-0739](#) **TENTATIVE FUTURE AGENDA ITEMS**

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

**Attachments:** [Tentative Future Agenda.pdf](#)

**ADJOURNMENT**

**FUTURE MEETINGS AND CITY HOLIDAYS****CITY COUNCIL MEETINGS:**

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. 17)

December 17, 2019 - Tuesday - 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:**

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:**

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)