



# City of Hermosa Beach

City Hall  
1315 Valley Drive  
Hermosa Beach, CA  
90254

## Regular Meeting Agenda - Final City Council

*Mayor*  
*Mary Campbell*

*Mayor Pro Tem*  
*Justin Massey*

*Councilmembers*  
*Hany S. Fangary*  
*Michael Detoy*  
*Stacey Armato*

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Tuesday, January 28, 2020

6:00 PM

Council Chambers

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**Closed Session - 6:00 PM**

**Regular Meeting - 7:00 PM**

**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.      **20-0047**            **MINUTES:** Approval of minutes of Closed Session held on January 14, 2020.

2.      **20-0048**            **CONFERENCE WITH LABOR NEGOTIATOR**

**Government Code Section 54957.6**

**City Negotiator:**      City Manager

**Employee**

**Organizations:**      Hermosa Beach Police Officers' Association  
Police Management Bargaining Group  
Hermosa Beach Management Association  
Unrepresented Employees

**3. 20-0016 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: Linda Bauer v. City of Hermosa Beach  
Los Angeles County Superior Court, Case Number: 19STCV32667
- b) 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
- c) Name of Case: Arlene Buschbach v. City of Hermosa Beach  
Los Angeles County Superior Court, Case Number: 19STCV11390
- d) Name of Case: Samantha Carter v. City of Hermosa Beach  
United States District Court, Case Number: LACV1907236-PA-ADS
- e) Name of Case: Kerry Cartwright v. City of Hermosa Beach  
Los Angeles County Superior Court, Case Number: 18STCV05692
- f) Name of Case: Stephan Diamond v. City of Hermosa Beach  
Los Angeles County Superior Court, Case Number: 19STCV34179
- g) Name of Case: Dina Fangary v. City of Hermosa Beach, et al.  
Los Angeles County Superior Court, Case Number: 19STCP05134
- h) Name of Case (State): Hermosa Fitness LLC v. City of Hermosa Beach  
Los Angeles County Superior Court, Case Number: 18STCP02840
- i) Name of Case (Federal): Hermosa Fitness LLC v. City of Hermosa Beach  
United States District Court, Case Number: 2:19-cv-08666-CAS-AFMx
- j) Name of Case: Rosie Johnson v. City of Hermosa Beach  
Los Angeles County Superior Court, Case Number: BC717427
- k) Name of Case: Mark Roth v. City of Hermosa Beach  
Los Angeles County Superior Court, Case Number: 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.hermosabeach.gov](http://www.hermosabeach.gov). 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@hermosabeach.gov](mailto:anny@hermosabeach.gov)) 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@hermosabeach.gov](mailto:anny@hermosabeach.gov). 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) | <b>20-0049</b>                 | <b>INTRODUCTION OF HERMOSA BEACH POLICE OFFICER<br/>MATT RUSHTON AND HIS NEW K-9 PARTNER, CHARLIE</b> |
| b) | <u><a href="#">20-0050</a></u> | <b>HERMOSA BEACH CHAMBER OF COMMERCE<br/>REVIEW OF 2019 PROGRAMS AND VISION FOR 2020</b>              |

## MISCELLANEOUS ITEMS AND REPORTS - CITY MANAGER

- a) [20-0063](#) UPDATE ON REGIONAL HOUSING NEEDS  
ASSESSMENT (RHNA) AND HOUSING ELEMENT

**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:

**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](#) [20-0051](#) **MEMORANDUM REGARDING  
CITY COUNCIL MEETING MINUTES**  
**Recommendation:** Staff recommends that the City Council receive and file this memorandum.
- b) [REPORT](#) [20-0043](#) **CHECK REGISTERS**  
(Finance Director Viki Copeland)  
**Recommendation:** Staff recommends that the City Council ratify the following check registers.
- c) [REPORT](#) [20-0044](#) **MEMORANDUM REGARDING  
REVENUE REPORT, EXPENDITURE REPORT,  
AND CIP REPORT BY PROJECT FOR DECEMBER 2019**  
(Finance Director Viki Copeland)  
**Recommendation:** Staff recommends that the City Council receive and file the memorandum regarding the December 2019 Financial Reports.
- d) [REPORT](#) [20-0055](#) **MEMORANDUM REGARDING  
CITY TREASURER'S REPORT AND CASH BALANCE REPORT  
FOR DECEMBER 2019**  
(City Treasurer Karen Nowicki)  
**Recommendation:** Staff recommends that the City Council receive and file the memorandum regarding the December 2019 City Treasurer's Report and Cash Balance Report.
- e) [REPORT](#) [20-0054](#) **CANCELLATION OF CERTAIN CHECKS**  
(City Treasurer Karen Nowicki)  
**Recommendation:** The City Treasurer recommends that the City Council approve cancellation of certain checks.
- f) [REPORT](#) [20-0038](#) **PUBLIC WORKS PROJECT STATUS REPORT  
AS OF JANUARY 10, 2020**  
(Public Works Director Marnell Gibson)  
**Recommendation:** Staff recommends that the City Council receive and file the Public Works Project Status Report as of January 10, 2020.
- g) [REPORT](#) [20-0037](#) **ACTION MINUTES OF THE PUBLIC WORKS COMMISSION  
MEETING OF NOVEMBER 20, 2019**  
**Recommendation:** Staff recommends that the City Council receive and file the action minutes of the Public Works Commission meeting of November 20, 2019.

h) [REPORT](#)  
[20-0046](#)

**AWARD OF PROFESSIONAL SERVICE AGREEMENT  
WITH TOOLE DESIGN GROUP LLC TO PROVIDE  
CALTRANS SYSTEMIC SAFETY ANALYSIS REPORT**

(Public Works Director Marnell Gibson)

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

1. Award a professional services agreement with Toole Design Group LLC in a not-to-exceed amount of \$92,298 to prepare the Systemic Safety Analysis Report and Local Roadway Safety Plan Programs; and
2. Authorize the Mayor to execute and the City Clerk to attest the attached agreement, subject to approval by the City Attorney.

i) [REPORT](#)  
[20-0057](#)

**ACTION SHEET OF THE PLANNING COMMISSION  
MEETING OF JANUARY 21, 2020**

**Recommendation:** Staff recommends that the City Council receive and file the action sheet of the Planning Commission meeting of January 21, 2020.

j) [REPORT](#)  
[20-0058](#)

**PLANNING COMMISSION TENTATIVE FUTURE AGENDA ITEMS  
(Community Development Director Ken Robertson)**

**Recommendation:** Staff recommends that the City Council receive and file the February 18, 2020 Planning Commission tentative future agenda items.

k) [REPORT](#)  
[20-0010](#)

**AMENDMENT TO WIRELESS COMMUNICATIONS SITE LICENSE  
AGREEMENT BETWEEN SPRINT AND THE CITY OF HERMOSA  
BEACH TO EXPAND AN EXISTING WIRELESS COMMUNICATIONS  
SITE WITHIN THE CITY'S MUNICIPAL PARKING STRUCTURE  
(LOT C-1301 HERMOSA AVENUE) BY APPROXIMATELY  
25 SQUARE FEET FOR ADDITIONAL FACILITIES, WHILE  
INCREASING MONTHLY RENT BY \$250.00**

(Community Development Director Ken Robertson)

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

1. Consent to amend the Wireless Communications Site License Agreement between Sprint and the City of Hermosa Beach to expand the lease area by 25 square feet and increase monthly rent by \$250.00; and
2. Authorize the City Manager to execute the agreement.

**3. CONSENT ORDINANCES**

a) [REPORT](#)  
[20-0059](#)

**ORDINANCE NO. 20-1404**

**AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF  
HERMOSA BEACH AMENDING SECTION 17.04.040, CHAPTER  
17.21, AND SECTION 17.44.020 OF THE HERMOSA BEACH  
MUNICIPAL CODE RELATING TO ACCESSORY DWELLING UNITS  
AND JUNIOR ACCESSORY DWELLING UNITS AND DETERMINING  
THE ORDINANCE TO BE EXEMPT FROM CEQA**

(City Manager Suja Lowenthal)

**Recommendation:** Staff recommends that the City Council waive full reading and adopt by title Ordinance No. 20-1404.

**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](#)  
[20-0045](#)

**TEXT AMENDMENT 20-1 TO AMEND CHAPTER 5.78 "TOBACCO  
RETAILERS" OF TITLE 5 OF THE HERMOSA BEACH MUNICIPAL  
CODE TO PROHIBIT THE ISSUANCE OF NEW TOBACCO  
RETAILER LICENSES, THE SALE OF ELECTRONIC SMOKING  
DEVICES AND PRODUCTS FOR ELECTRONIC SMOKING DEVICES  
AND DETERMINE THAT THE AMENDMENT IS EXEMPT FROM THE  
CALIFORNIA ENVIRONMENTAL QUALITY ACT (CEQA)**

***(Continued from meeting of January 14, 2020)***

(Community Development Director Ken Robertson)

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

1. Introduce the attached Ordinance to amend Chapter 5.78 of Title 5 of the Hermosa Beach Municipal Code to prohibit the issuance of new Tobacco Retailer Licenses and to prohibit the sale of electronic smoking devices and products for the electronic smoking devices, and determination that the amendment is exempt from the California Environmental Quality Act (CEQA); and
2. Discuss and provide direction to staff regarding process and timing of a potential future ban of all tobacco sales in Hermosa Beach.

**6. MUNICIPAL MATTERS**



- a) [REPORT](#) [19-0793](#) **AUTHORIZE THE REMOVAL OF THE TRASH COMPACTOR IN  
PARKING LOT A AND APPROVE INDIVIDUAL AND SHARED  
CONTAINER SERVICE FOR PIER PLAZA BUSINESSES**

*(Continued from meeting of December 17, 2019)*

(Environmental Programs Manager Doug Krauss)

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

1. Authorize the removal of the trash compactor in Parking Lot A; and
2. Authorize Athens Services to implement individual and shared container service for Pier Plaza businesses including the construction of temporary enclosures.

- b) [REPORT](#) [20-0042](#) **HERMOSA BEACH LOGO REFINEMENT UPDATE**  
(Environmental Analyst Leeanne Singleton &  
Assistant to the City Manager Nico De Anda-Scaia)

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

1. Select one of the two logo refinement options prepared by Daniel Inez; and
2. Provide feedback on the selected logo option for staff and the design team to develop a style guide that articulates the graphic standards and proper use of logo and other brand elements.

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

- a) **20-0060** **MAYOR CAMPBELL REPORTS ON HER ATTENDANCE  
AT THE UNITED STATES CONFERENCE OF MAYORS  
WINTER MEETING IN WASHINGTON D.C.  
FROM JANUARY 21-24, 2020**
- b) [20-0061](#) **COUNCILMEMBER DETOY REPORTS ON HIS  
ATTENDANCE AT THE LEAGUE OF CALIFORNIA CITIES  
NEW COUNCILMEMBERS ACADEMY IN SACRAMENTO,  
CALIFORNIA FROM JANUARY 22-24, 2020**
- c) **20-0052** **UPDATES FROM CITY COUNCIL AD HOC SUBCOMMITTEES  
AND STANDING COMMITTEE DELEGATES/ALTERNATES**

## **8. OTHER MATTERS - CITY COUNCIL**

- a) [20-0053](#) **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:**

February 3, 2020 - Monday - 7:00 PM - Adjourned Regular Meeting:

Joint Meeting with School Board

February 11, 2020 - Tuesday - 6:00 PM - Closed Session,

7:00 PM - City Council Meeting

February 25, 2020 - Tuesday - 6:00 PM - Closed Session,

7:00 PM - City Council Meeting

March 4, 2020 - Wednesday - Adjourned Regular Meeting:

6:00 PM - Revenue Study Session

March 10, 2020 - Tuesday - 6:00 PM - Closed Session,

7:00 PM - City Council Meeting

March 24, 2020 - Tuesday - 6:00 PM - Closed Session,

7:00 PM - City Council Meeting

April 4, 2020 - Saturday - Adjourned Regular Meeting:

9:00 AM - City Council Retreat

April 14, 2020 - Tuesday - 6:00 PM - Closed Session,

7:00 PM - City Council Meeting

April 22, 2020 - Wednesday - Adjourned Regular Meeting:

6:00 PM - FY 2020-2021 Capital Improvement Program

April 28, 2020 - Tuesday - 6:00 PM - Closed Session,

7:00 PM - City Council Meeting

May 6, 2020 - Wednesday - Adjourned Regular Meeting:

6:00 PM - Study Session

May 12, 2020 - Tuesday - 6:00 PM - Closed Session,

7:00 PM - City Council Meeting

May 21, 2020 - Thursday - Adjourned Regular Meeting:

6:00 PM - Budget Study Session

May 26, 2020 - Tuesday - 6:00 PM - Closed Session,

7:00 PM - City Council Meeting

June 3, 2020 - Wednesday - Adjourned Regular Meeting:

6:00 PM - Study Session

June 9, 2020 - Tuesday - 6:00 PM - Closed Session,

7:00 PM - City Council Meeting

June 23, 2020 - Tuesday - 6:00 PM - Closed Session,

7:00 PM - City Council Meeting

July 1, 2020 - Wednesday - Adjourned Regular Meeting:

6:00 PM - Study Session

July 14, 2020 - Tuesday - 6:00 PM - Closed Session,

7:00 PM - City Council Meeting

July 23, 2020 - Thursday - Adjourned Regular Meeting:

7:00 PM - Joint Meeting with all Boards/Commissions

July 28, 2020 - Tuesday - 6:00 PM - Closed Session,

7:00 PM - City Council Meeting

August 11, 2020 - Tuesday - No Meeting (Dark)

August 25, 2020 - Tuesday - 6:00 PM - Closed Session,

7:00 PM - City Council Meeting

## CITY COUNCIL MEETINGS - CONTINUED:

September 2, 2020 - Wednesday - Adjourned Regular Meeting:

6:00 PM - Study Session

September 8, 2020 - Tuesday - 6:00 PM - Closed Session,

7:00 PM - City Council Meeting

September 22, 2020 - Tuesday - 6:00 PM - Closed Session,

7:00 PM - City Council Meeting

October 7, 2020 - Wednesday - Adjourned Regular Meeting:

6:00 PM - Study Session

October 13, 2020 - Tuesday - 6:00 PM - Closed Session,

7:00 PM - City Council Meeting

October 27, 2020 - Tuesday - 6:00 PM - Closed Session,

7:00 PM - City Council Meeting

November 4, 2020 - Wednesday - Adjourned Regular Meeting:

6:00 PM - Study Session

November 10, 2020 - Tuesday - 6:00 PM - Closed Session,

7:00 PM - City Council Meeting

November 12, 2020 - Thursday - Adjourned Regular Meeting:

6:00 PM - Appointment of Mayor & Mayor Pro Tem

November 24, 2020 - Tuesday - 6:00 PM - Closed Session,

7:00 PM - City Council Meeting

December 2, 2020 - Wednesday - Adjourned Regular Meeting:

6:00 PM - Study Session

December 8, 2020 - Tuesday - 6:00 PM - Closed Session,

7:00 PM - City Council Meeting

December 22, 2020 - Tuesday - No Meeting (Dark)

## BOARDS, COMMISSIONS AND COMMITTEE MEETINGS:

February 4, 2020 - Tuesday - 7:00 PM - Parks and Recreation Advisory Commission Meeting  
February 18, 2020 - Tuesday - 7:00 PM - Planning Commission Meeting  
March 2, 2020 - Monday - 7:00 PM - Parks and Recreation Advisory Commission Meeting  
March 16, 2020 - Monday - 7:00 PM - Planning Commission Meeting  
March 18, 2020 - Wednesday - 7:00 PM - Public Works Commission Meeting  
April 2, 2020 - Thursday - 7:00 PM - Parks and Recreation Advisory Commission Meeting  
April 21, 2020 - Tuesday - 7:00 PM - Planning Commission Meeting  
May 5, 2020 - Tuesday - 7:00 PM - Parks and Recreation Advisory Commission Meeting  
May 19, 2020 - Tuesday - 7:00 PM - Planning Commission Meeting  
May 20, 2020 - Wednesday - 7:00 PM - Public Works Commission Meeting  
June 2, 2020 - Tuesday - 7:00 PM - Parks and Recreation Advisory Commission Meeting  
June 16, 2020 - Tuesday - 7:00 PM - Planning Commission Meeting  
July 7, 2020 - Tuesday - 7:00 PM - Parks and Recreation Advisory Commission Meeting  
July 15, 2020 - Wednesday - 7:00 PM - Public Works Commission Meeting  
July 21, 2020 - Tuesday - 7:00 PM - Planning Commission Meeting  
August 4, 2020 - Tuesday - 7:00 PM - Parks and Recreation Advisory Commission Meeting  
August 18, 2020 - Tuesday - 7:00 PM - Planning Commission Meeting  
September 1, 2020 - Tuesday - 7:00 PM - Parks and Recreation Advisory Commission Meeting  
September 15, 2020 - Tuesday - 7:00 PM - Planning Commission Meeting  
September 16, 2020 - Wednesday - 7:00 PM - Public Works Commission Meeting  
October 6, 2020 - Tuesday - 7:00 PM - Parks and Recreation Advisory Commission Meeting  
October 20, 2020 - Tuesday - 7:00 PM - Planning Commission Meeting  
November 5, 2020 - Thursday - 7:00 PM - Parks and Recreation Advisory Commission Meeting  
November 17, 2020 - Tuesday - 7:00 PM - Planning Commission Meeting  
November 18, 2020 - Wednesday - 7:00 PM - Public Works Commission Meeting  
December 1, 2020 - Tuesday - 7:00 PM - Parks and Recreation Advisory Commission Meeting  
December 15, 2020 - Tuesday - 7:00 PM - Planning Commission Meeting

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

February 17, 2020 - Monday - President's Day  
May 25, 2020 - Monday - Memorial Day  
September 7, 2020 - Monday - Labor Day  
November 11, 2020 - Wednesday - Veteran's Day  
November 26, 2020 - Thursday - Thanksgiving Day