



City of Hermosa Beach

City Hall
1315 Valley Drive
Hermosa Beach, CA
90254

Regular Meeting Agenda - Final City Council

Mayor
Justin Massey

Mayor Pro Tem
Michael Detoy

Councilmembers
Hany S. Fangary
Stacey Armato
Mary Campbell

Tuesday, November 24, 2020

5:00 PM

Closed Session - 5:00 PM

Regular Meeting - 6:00 PM

Agenda Amended on November 20, 2020 at 7:15 p.m. by E.S.

VIEWING OPTIONS FOR PUBLIC MEETINGS

Public meetings are broadcast live on Spectrum Channel 8 and Frontier Channel 31 in Hermosa Beach. Additional viewing options are provided as a courtesy.

ZOOM: Join the meeting link if available or participate by phone

YOUTUBE CHANNEL: www.youtube.com/channel/UCaiZxw06ue-Tgc8DmXYzh2Q

CITY WEBSITE: www.hermosabeach.gov and visit the Agendas/Minutes/Videos page

*****PLEASE NOTE: IF YOU EXPERIENCE TECHNICAL DIFFICULTIES WHILE VIEWING THE MEETING ON ONE OF THESE PLATFORMS, PLEASE TRY ONE OF THE OTHER VIEWING OPTIONS*****

5:00 P.M. - CLOSED SESSION**CALL TO ORDER****ROLL CALL****PUBLIC COMMENT ON THE CLOSED SESSION AGENDA****JOIN THE VIRTUAL MEETING AT:**

<https://us02web.zoom.us/j/87032785286?pwd=RGVVZnduNGVlVGJLOFlvaFNuYTBIUT09>

OR PARTICIPATE BY PHONE:

- Toll Free: 877-853-5257
- Meeting ID: 870 3278 5286
- Participant ID: 513185

ATTENDEES WILL BE MUTED UNTIL THE PUBLIC PARTICIPATION PERIOD IS OPENED.

If you are joining by phone, press * 6 to unmute your line. Comments from the public are limited to 3 minutes per speaker.

RECESS TO CLOSED SESSION

1. [20-0746](#) **MINUTES:** Approval of minutes of Closed Session held on October 13, 2020.

2. [20-0747](#) **CONFERENCE WITH LEGAL COUNSEL: 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 (**State**): Hermosa Fitness LLC v. City of Hermosa Beach
Los Angeles County Superior Court, Case Number: 18STCP02840
 - b) Name of Case (**Federal**): Hermosa Fitness LLC v. City of Hermosa Beach
United States District Court, Case Number: 2:19-cv-08666-CAS-AFMx

3. [20-0762](#) **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.
 - a) Michael Frilot v. City of Hermosa Beach, et al. Los Angeles County
Superior Court, Case Number: 20TRCV00045
 - b) Michael Frilot, Workers Compensation Case number ADJ13507308
and ADJ13553832

ADJOURNMENT OF CLOSED SESSION

6:00 P.M. - REGULAR AGENDA**Public Participation**

City Hall will be closed to the public until further notice. Virtual Meetings are held pursuant to Executive Order N-29-20 issued by Governor Gavin Newsom on March 17, 2020. Members of the public may email comments to Esarmiento@hermosabeach.gov or submit eComments until 3:00 p.m. on the meeting date. Members of the public may also participate by phone.

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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 (esarmiento@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 esarmiento@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.

I. CALL TO ORDER**II. PLEDGE OF ALLEGIANCE****III. ROLL CALL****IV. CLOSED SESSION REPORT****V. ANNOUNCEMENTS - UPCOMING CITY EVENTS****VI. APPROVAL OF AGENDA****VII. PROCLAMATIONS / PRESENTATIONS**

- a. [20-0733](#) COVID-19 HEALTH UPDATE FROM
BEACH CITIES HEALTH DISTRICT
- b. [20-0740](#) RECOGNIZING CLEAN BAY RESTAURANTS
- c. [20-0741](#) HERMOSA BEACH KIWANIS CLUB PRESENTS CHECK TO CITY
- d. [20-0763](#) PROCLAMATION DECLARING NOVEMBER 30 - DECEMBER 6, 2020
AS "UNITED AGAINST HATE WEEK" IN HERMOSA BEACH

VIII. CITY MANAGER REPORT - The City Manager and staff may provide brief reports on pending City business. Longer oral reports to be provided are as follows:

- a. [20-0738](#) COVID-19 UPDATE
- b. [20-0764](#) UPDATE FROM JIM FASOLA - CITY DELEGATE TO THE
LOS ANGELES COUNTY WEST VECTOR & VECTOR-BORNE
DISEASE CONTROL DISTRICT BOARD OF TRUSTEES

IX. PUBLIC PARTICIPATION -- ORAL AND WRITTEN COMMUNICATIONS FROM THE PUBLIC: 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 (City Manager Reports, City Councilmember Reports and Future Agenda Items), or to request the removal of an item from the consent calendar. Public comments on the agenda items called City Manager Reports, City Councilmember Reports and Future Agenda Items 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 during discussion of items removed from the Consent Calendar; during Public Hearings; and, during discussion of items appearing under Municipal Matters.

a. [20-0730](#) **WRITTEN COMMUNICATION**

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

All comments from the public under this agenda item are limited to three minutes per speaker, but this time allotment may be reduced due to time constraints. The City Council acknowledges receipt of the oral and written communications listed below. No action will be taken on matters raised in written communications, provided that the Council may take action to schedule issues raised in oral and written communications for a future agenda. Speakers with comments regarding City management or departmental operations are encouraged to submit those comments to the City Manager.

X. CITY COUNCILMEMBER COMMENTS: Councilmembers may briefly respond to public comments, may ask a question for clarification or make a brief announcement or report on his or her own activities or meetings attended.

a. [20-0736](#) **UPDATES FROM CITY COUNCIL AD HOC SUBCOMMITTEES
AND STANDING COMMITTEE DELEGATES/ALTERNATES**

XI. CONSENT CALENDAR: The following more routine matters will be acted upon by one vote to approve with the majority consent of the City Council. The title is deemed to be read and further reading waived of any ordinance listed on the consent calendar for introduction or adoption. 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 XII (12), with public comment permitted at that time.

a. [REPORT](#) **CITY COUNCIL MEETING MINUTES**
[20-0739](#) (City Clerk Eduardo Sarmiento)

Recommendation: Staff recommends that the City Council approve the following minutes:

1. November 10, 2020 Regular Meeting

b. [REPORT](#)
[20-0742](#)

CHECK REGISTERS

(Finance Director Viki Copeland)

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

c. [REPORT](#)
[20-0755](#)

**REVENUE REPORT, EXPENDITURE REPORT, COVID-19 REVENUE
TRACKING REPORT, AND CIP REPORT BY PROJECT FOR
OCTOBER 2020**

(Finance Director Viki Copeland)

Recommendation: Staff recommends that the City Council receive and file the October 2020 Financial Reports.

d. [REPORT](#)
[20-0751](#)

CITY TREASURER'S REPORT AND CASH BALANCE REPORT

(City Treasurer Karen Nowicki)

Recommendation: The City Treasurer recommends that the City Council receive and file the October 2020 City Treasurer's Report and Cash Balance Report.

e. [REPORT](#)
[20-0750](#)

CANCELLATION OF CERTAIN CHECKS

(City Treasurer Karen Nowicki)

Recommendation: The City Treasurer recommends that the City Council approve cancellation of certain checks.

f. [REPORT](#)
[20-0761](#)

**ACTION MINUTES OF THE PUBLIC WORKS COMMISSION
MEETING OF SEPTEMBER 16, 2020**

Recommendation: Staff recommends that the City Council receive and file the action minutes of the Public Works Commission meeting of September 16, 2020.

g. [REPORT](#)
[20-0754](#)

**CAPITAL IMPROVEMENT PROGRAM STATUS REPORT
AS OF NOVEMBER 17, 2020**

(Public Works Director Marnell Gibson)

Recommendation: Staff recommends that the City Council receive and file the Capital Improvement Program Status Report as of November 17, 2020.

h. [REPORT](#)
[20-0745](#)

PLANNING COMMISSION TENTATIVE FUTURE AGENDA ITEMS

(Community Development Director Ken Robertson)

Recommendation: Staff recommends that the City Council receive and file the December 15, 2020 Planning Commission tentative future agenda items.

i. [REPORT](#)
[20-0744](#)

**ACTION SHEET OF THE PLANNING COMMISSION
MEETING OF NOVEMBER 17, 2020**

Recommendation: Staff recommends that the City Council receive and file the action sheet of the Planning Commission meeting of November 17, 2020.

j. [REPORT](#)
[20-0748](#)

**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).

k. [REPORT](#)
[20-0756](#)

**LIST OF REGULAR AND ONGOING CITY BOARD
AND COMMISSION APPOINTIVE TERMS THAT WILL
EXPIRE DURING THE 2021 CALENDAR YEAR
(Eduardo Sarmiento City Clerk)**

Recommendation: Staff recommends that the City Council receive and file the attached list, prepared for posting pursuant to State law, of all regular and ongoing Hermosa Beach board, commission and committee appointive terms, which will expire during the 2021 calendar year.

l. [REPORT](#)
[20-0743](#)

**APPROVAL OF THE COMMENCEMENT OF SPECIAL EVENT
LONG-TERM AGREEMENT NEGOTIATIONS WITH FRIENDS
OF THE PARKS FOR ITS ANNUAL EVENTS INCLUDING:
“PETS IN THE PARK” HELD AT VALLEY PARK; “PUMPKINS IN
THE PARK” HELD AT EDITH RODAWAY FRIENDSHIP PARK; AND
“MOVIES AT THE BEACH” HELD SOUTH OF THE PIER
(Community Resources Manager Kelly Orta)**

Recommendation: Staff recommends that the City Council approve the commencement of special event long-term agreement negotiations with Friends of the Parks for the following annual events:

- * "Pets in the Park" held at Valley Park;
- * "Pumpkins in the Park" held at Edith Rodaway Friendship Park; and
- * "Movies at the Beach" held on the south side of the Pier.

m. [REPORT](#)
[20-0749](#)

**REQUEST FOR APPROVAL OF SPONSORSHIP DONATION TO
THE BEACH CITIES HEALTH DISTRICT'S 22nd ANNUAL
HOLIDAY GIFT BAG PROJECT
(City Manager Suja Lowenthal)**

Recommendation: Staff recommends that the City Council approve a donation of \$1,380 to the Beach Cities Health District's Holiday Gift Bag Project for 2020.

n. [REPORT](#)
[20-0753](#)

**ORDINANCE NO. 20-1419 AN ORDINANCE OF THE CITY
OF HERMOSA BEACH, CALIFORNIA, AMENDING TEXT
AMENDMENT 20-02, CONSIDERATION OF AMENDMENTS TO
CHAPTER 17.44, "OFF-STREET PARKING" OF THE HERMOSA
BEACH MUNICIPAL CODE TO ALLOW PARKING PROVIDED WITH
MECHANICAL VEHICLE LIFTS TO COUNT TOWARDS
THE REQUIRED NUMBER OF PARKING SPACES AND TO
SET STANDARDS FOR THE PERMITTING AND USE
OF MECHANICAL VEHICLE LIFTS**

(City Clerk Eduardo Sarmiento)

Recommendation: Staff recommends that the City Council waive full reading and adopt by title Ordinance No. 20-1419.

XII. ITEMS REMOVED FROM THE CONSENT CALENDAR FOR SEPARATE DISCUSSION - Items pulled from the Consent Calendar will be handled separately. Public comment will be taken prior to Council deliberation and action on each item pulled from the Consent Calendar.

XIII. PUBLIC HEARINGS - TO COMMENCE AT 6:30 P.M.

NONE

XIV. MUNICIPAL MATTERS

a. [REPORT](#)
[20-0737](#)

**RECEIVE VERBAL REPORT ON EMERGENCY
ENFORCEMENT MEASURES TO ENSURE
COMPLIANCE WITH PANDEMIC-RELATED HEALTH
ORDERS FROM BOTH THE CITY AND THE COUNTY
OF LOS ANGELES HEALTH DEPARTMENT**

(City Manager Suja Lowenthal and Police Chief Paul LeBaron)

b. [REPORT](#)
[20-0758](#)

**CONSIDERATION OF A TEMPORARY SUSPENSION OF
HERMOSA BEACH MUNICIPAL CODE REGULATION OF
OUTDOOR STEREO SPEAKERS AT COMMERCIAL
ESTABLISHMENTS**

(City Manager Suja Lowenthal)

Recommendation: Staff recommends that the City Council adopt Urgency Ordinance No 20-1421U of the City of Hermosa Beach to temporarily suspend section 8.24.040A of the Hermosa Beach Municipal Code regulating the placement of stereo speakers outdoors or in windows/doorways facing outdoors from November 25, 2020 through January 3, 2021 at restaurants that offer outdoor dining onsite.

The urgency ordinance requires four-fifths vote of the city council and if approved, will take effect immediately

c. [REPORT](#)
[20-0760](#)

**ADOPTION OF AN URGENCY ORDINANCE OF THE CITY OF
HERMOSA BEACH, CALIFORNIA, AMENDING THE
TEMPORARY MORATORIUM ON COMMERCIAL EVICTIONS
TO PREVENT PREMATURE EVICTIONS IN ADVANCE OR
REMODEL/DEMOLITION DURING THE COVID-19 PANDEMIC
AND SETTING FORTH THE FACTS CONSTITUTING SUCH
URGENCY**

(City Attorney Michael Jenkins)

(Assistant City Attorney Lauren Langer)

Recommendation: Staff recommends that the City Council adopt Urgency Ordinance No.20-1420U of the City of Hermosa Beach to amend provisions of the moratorium on commercial evictions and setting forth the facts constituting such urgency (Attachment 1).

The urgency ordinance requires four-fifths vote of the city council and if approved, will take effect immediately

d. [REPORT](#)
[20-0757](#)

**AUTHORIZATION OF CITY CLERK TO CONTINUE ADVERTISING
AND REQUESTING APPLICATIONS FOR A REPRESENTATIVE
TO THE LOS ANGELES COUNTY WEST VECTOR AND
VECTOR-BORNE CONTROL DISTRICT BOARD**

(City Clerk Eduardo Sarmiento)

Recommendation: Staff recommends that City Council direct the City Clerk to continue advertising and requesting applications for a Hermosa Beach representative to the Los Angeles County West Vector and Vector-Borne Control District Board, to be appointed at the Council meeting of January 12, 2021, and interviews to be scheduled prior to the January 12, 2021 meeting if more than one application is received.

XV. FUTURE AGENDA ITEMS - Requests from Councilmembers for possible future agenda items and questions from Councilmembers regarding the status of 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. [20-0752](#) TENTATIVE FUTURE AGENDA ITEMS

XVI. ADJOURNMENT

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

December 8, 2020 - Tuesday - 5:00 PM - Closed Session,

6:00 PM - City Council Meeting

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

BOARDS, COMMISSIONS AND COMMITTEE MEETINGS:

December 1, 2020 - Tuesday - 7:00 PM - Parks and Recreation Advisory Commission Meeting

December 7, 2020 - Monday - 6:00 PM - Economic Development Committee

December 15, 2020 - Tuesday - 7:00 PM - Planning Commission Meeting

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

November 11, 2020 - Wednesday - Veteran's Day

November 26, 2020 - Thursday - Thanksgiving Day