

# City of Hermosa Beach

*City Hall  
1315 Valley Drive  
Hermosa Beach, CA 90254*



## Regular Meeting Minutes - Final

**Tuesday, September 25, 2018**

**6:00 PM**

**Closed Session - 6:00 PM**

**Regular Meeting - 7:00 PM**

**Council Chambers**

### **City Council**

*Mayor  
Jeff Duclos*

*Mayor Pro Tem  
Stacey Armato*

*Councilmembers  
Mary Campbell  
Hany S. Fangary  
Justin Massey*

**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 - 6:02 p.m.****ROLL CALL**

*Present: Armato, Campbell, Fangary, Massey, Mayor Duclos*  
*Absent: None*

**PUBLIC COMMENT - None****RECESS TO CLOSED SESSION IN SECOND FLOOR CONFERENCE ROOM - 6:03 p.m.**

1. 18-0586 **MINUTES:** Approval of minutes of Closed Session held on September 17, 2018.

2. 18-0587 **CONFERENCE WITH LEGAL COUNSEL: Initiation of Litigation**  
**Government Code Section 54956.9(d)(4)**

The City Council 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**

3. 18-0590 **CONFERENCE WITH REAL PROPERTY NEGOTIATOR**  
**Government Code Section 54956.8**

**Property:** Airspace at 51 Pier Avenue (Loreto Plaza)

**City Negotiator:** City Manager

**Negotiating Party:** Pierside Properties, LLC

**Under Negotiation:** Price and Terms of Payment for Lease of Airspace

4. 18-0599 **CONFERENCE WITH LEGAL COUNSEL: Workers Comp Litigation**  
**Government Code Section 54956.9(d)(1)**

The City Council 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:** Elliott v. City of Hermosa Beach

**WCAB Number:** ADJ11073671

**ADJOURNMENT OF CLOSED SESSION - 7:10 p.m.**

**7:00 P.M. - REGULAR AGENDA****CALL TO ORDER - 7:16 p.m.****PLEDGE OF ALLEGIANCE***Hermosa School District Superintendent Patricia Escalante***ROLL CALL***Present: Armato, Campbell, Fangary, Massey, Mayor Duclos**Absent: None***CLOSED SESSION REPORT***City Attorney Jenkins said there were no public comments, no items added, and no reportable actions, and that the Closed Session would resume after the Regular meeting if time permits.***ANNOUNCEMENTS**

- Councilmember Massey invited everyone to the L.A. Philharmonic's centennial celebration on Sunday, September 30, from 9 a.m. to 4 p.m.
- Mayor Duclos said the paintings in the Chambers foyer were created by children at 2018 Fiesta Hermosa with guidance from the Hermosa Beach Artist Collective, and invited everyone to the (1) Saturday, September 29, annual Walk to End Alzheimer's, beginning at 9 a.m. at Pier Plaza; (2) the Sunday, September 30, Hermosa Beach Hotdogger surfing championship from 7 a.m. to 4 p.m. on the south side of the Pier; (3) the Tuesday, October 2, Hermosa Beach Mural Project's unveiling of their eighth mural at 13th Street and Hermosa Avenue, from 5:30 to 6:30 p.m., with a fundraiser reception to follow at The Standing Room; and (4) the community reception for new City Manager Lowenthal Wednesday, October 3, at Locale 90 in Hermosa from 6:00 to 7:30 p.m.

**PROCLAMATIONS / PRESENTATIONS**

- a)     **18-0588**                                 **RECOGNIZING LOS ANGELES COUNTY  
SUPERVISOR JANICE HAHN FOR HER ROLE IN  
RESOLVING THE VISTA DEL MAR DISPUTE**

*Mayor Duclos thanked and presented a tile plaque to Supervisor Hahn, joined by Mayor and Council representatives from Manhattan Beach and Redondo Beach in honoring Ms. Hahn.*

- b)     **18-0589**                                 **LEADERSHIP HERMOSA BEACH PRESENTS  
OVERVIEW OF 2019 CLASS CURRICULUM**

Attachments:     [LHB PowerPoint Presentation](#)

*Laura Misel, President, and Kim Noble, Emerging Leader Director, gave a PowerPoint presentation providing an overview of the 2019 Leadership Hermosa Beach class curriculum.*

## **MISCELLANEOUS ITEMS AND REPORTS - CITY MANAGER**

*City Manager Lowenthal spoke of the current power outage in the City and reported on the following: (1) the City's submittal of a comment letter on the recirculated draft Environmental Impact Report (North School site); (2) Police Chief Papa's four to six week medical leave, with Captain McKinnon serving as Acting Chief until her return; and (3) Captain McKinnon's letter to the community regarding public concerns about recent incidents involving homeless persons in Hermosa Beach, noting that she would call a community meeting soon to address the issues. She then invited Acting Chief McKinnon forward to update Council and the community on recent incidents in Hermosa and respond to Council questions.*

## **PUBLIC PARTICIPATION:**

*Coming forward to address the Council at this time were:  
Margie Dupuis, Woman's Club of Hermosa Beach  
Maria Haase  
Anthony Higgins  
Traci Horowitz  
Katie Sullivan, Hermosa Library Manager  
Steve Izant, Hermosa Murals Project  
Vic Arizpe*

## **1. ORAL AND WRITTEN COMMUNICATIONS:**

- a)     **18-0596                   LETTER FROM TONY HIGGINS DATED SEPTEMBER 11, 2018  
REGARDING LEGAL BASIS FOR DIRECT ROUTE  
OVERWEIGHT TRUCKS ON 27TH STREET**

**Attachments:**     [Letter from Tony Higgins.pdf](#)

*City Attorney Jenkins provided information about commercial truck routes in the City.*

**Action:** *To receive and file the written communication from Tony Higgins.  
Motion Armato, second Massey. The motion carried by a unanimous vote.*

## **2. CONSENT CALENDAR:**

**Action:** *To approve consent calendar items 2(a) through 2(i), with the exception of item 2(g), which was pulled by Councilmember Fangary for discussion later in the meeting.  
Motion Massey, second Armato. The motion carried by a unanimous vote.*

**2a) REPORT**  
**18-0595**

**CITY COUNCIL MEETING MINUTES**  
(City Clerk Elaine Doerfling)

**Attachments:** [1. 050818 Reg mtg](#)  
[2. 052218 Adj & Reg](#)  
[3. 082818 Reg mtg](#)  
[4. 091118 reg mtg \(canceled\)](#)  
[5. 091718 Adj Reg](#)

**Action:** To approve the above-listed minutes.

**2b) REPORT**  
**18-0581**

**CHECK REGISTERS**  
(Finance Director Viki Copeland)

**Attachments:** [1. 09-04-18](#)  
[2. 09-06-18](#)  
[3. 09-11-18](#)  
[4. 09-13-18](#)

**Action:** To ratify the above-listed check registers.

**2c) REPORT**  
**18-0597**

**MEMORANDUM REGARDING  
REVENUE AND EXPENDITURE REPORTS,  
CITY TREASURER'S AND CASH BALANCE REPORT  
FOR AUGUST 2018**  
(Finance Director Viki Copeland)

**Action:** To receive and file the memorandum regarding the Financial Reports for August 2018.

**2d) REPORT**  
**18-0577**

**CANCELLATION OF CERTAIN CHECKS**  
(City Treasurer Karen Nowicki)

**Action:** To approve cancellation of certain checks as recommended by the City Treasurer.

**2e) REPORT**  
**18-0569**

**PROJECT STATUS REPORT AS OF AUGUST 31, 2018**  
(Public Works Director Glen W.C. Kau)

**Attachments:** [FY18-19 CIP-Projects STATUS-gk](#)

**Action:** To receive and file the Project Status Report as of August 31, 2018.

**2f) REPORT**  
**18-0584**

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

**Attachments:** [Planning Commission 10/16/18 Tentative Future Agenda](#)

**Action:** To receive and file the Planning Commission Tentative Future Agenda Items.

**2g) REPORT ACTION SHEET OF THE PLANNING COMMISSION  
18-0585 MEETING OF SEPTEMBER 18, 2018**

**Attachments:** [Action Sheet of 9/18/18](#)

**Action:** To receive and file the action sheet of the Planning Commission meeting of September 18, 2018 as presented.

Motion Fangary, second Armato. The motion carried by a unanimous vote.

**2h) REPORT ACTION MINUTES OF THE EMERGENCY PREPAREDNESS  
18-0564 ADVISORY COMMISSION MEETING OF JULY 9, 2018**

**Attachments:** [Minutes - 070918 - July Meeting FINAL.pdf](#)

**Action:** To receive and file the action minutes of the Emergency Preparedness Advisory Commission meeting of July 9, 2018.

**2i) REPORT AWARD PRIVATE SECURITY CONTRACT  
18-0567 TO ABSOLUTE INTERNATIONAL SECURITY  
(Acting Police Chief Milton McKinnon)**

**Attachments:** [1. 2018 RFP for Unarmed Security Guard Services](#)  
[2. Agreement for Private Security-Absolute International Security](#)

**Action:** To:

1. Award the Private Security Services contract to Absolute International Security, for the period beginning October 1, 2018 and ending June 30, 2019, in an amount not to exceed \$79,372.80 for one year, with two one-year renewal options, with future year funding contingent upon Council budget approval; and
2. Authorize the Mayor to approve and execute the Agreement and the City Clerk to attest.

**3. CONSENT ORDINANCES - None**

**4. ITEMS REMOVED FROM THE CONSENT CALENDAR FOR SEPARATE DISCUSSION**

*Item 2(g) was heard at this time but is shown in order for clarity.*

**5. PUBLIC HEARINGS**

**5a) REPORT CONSIDERATION OF AN ORDINANCE TO ALLOW  
18-0583 AND REGULATE WIRELESS COMMUNICATION FACILITIES  
IN THE PUBLIC RIGHT-OF-WAY, AND UPDATE ON AT&T'S  
PROPOSAL FOR MULTIPLE INSTALLATIONS OF SMALLER  
WIRELESS COMMUNICATION FACILITIES TO PROVIDE**

**REPLACEMENT COVERAGE TO EXISTING SITES  
LOCATED AT 20TH AND 29TH COURT**  
(Community Development Director Ken Robertson)

**Action:** To:

1. Continue to October 23, 2018 the public hearing to consider an ordinance to allow and regulate wireless communication facilities in the public right-of-way; and
2. Provide an update on AT&T's proposal for multiple installations of smaller wireless communication facilities to provide replacement coverage to existing sites located at 20th and 29th Court.

*Motion Campbell, second Armato. The motion carried by a unanimous vote.*

**5b) REPORT  
18-0593**

**RECOMMENDATION TO VACATE -  
100 FOOT PORTION OF AN ALLEY EASEMENT  
BETWEEN 30TH STREET AND GOULD AVENUE**  
(Public Works Director Glen W.C. Kau)

**Attachments:**

- [1. Exhibit A - Alley Vacation Legal Description - Plan.pdf](#)
- [2. Exhibit B - Affidavit of Notice of Easement Vacation.pdf](#)
- [3. Exhibit C - Legal description and map of the new easement location .pdf](#)
- [4. Exhibit D - 2901 EASEMENT EXHIBIT.pdf](#)
- [5. SUPPLEMENTAL Resolution \(added 9-25-18 at 4:30pm\).pdf](#)

*The public hearing opened at 8:49 p.m. As no one came forward to address the Council on this item, the public hearing closed at 8:49 p.m.*

**Action:** To:

1. Adopt Resolution No. 18-7146, entitled "**A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF HERMOSA BEACH, CALIFORNIA, APPROVING A PUBLIC SERVICE EASEMENT VACATION BETWEEN 30TH STREET AND GOULD AVENUE**";
2. Reserve a utility easement pursuant to Streets and Highways Code 8340; and
3. Order the City Clerk to record the Resolution of Vacation with the Los Angeles County Recorder.

*Motion Massey, second Campbell. The motion carried by a unanimous vote.*

**6. MUNICIPAL MATTERS**

**a) REPORT                      AWARD EXTERIOR AND INTERIOR PAINTING SERVICE  
18-0582                      FOR THE COMMUNITY CENTER (CIP 15-650)**  
(Public Works Director Glen W.C. Kau)

**Attachments:**

- [1. 09-25-18 ESA Paint Analysis-Community Center-Att 1](#)
- [2. 09-25-18 Bid Results - Community Center Paint Project-Att2](#)

*No one came forward to address the Council on this item.*

*Public Works Superintendent Ells Freeman responded to Council questions.*

**Action: To:**

1. Award a painting contract for CIP 15-650 to TL Veterans Painting Inc. in the amount of \$129,000;
2. Authorize the Mayor to execute and the City Clerk to attest the contract subject to City Attorney approval;
3. Authorize a 20% contingency amount of \$25,800 from CIP # 15-650 project budget \$418,031; and
4. Authorize the Director of Public Works to file a Notice of Completion following final completion and acceptance of the project.

*Motion Armato, second Massey. The motion carried by a unanimous vote.*

**Additional Action:** *To direct staff to return to Council at a future meeting with a better solution than the ineffectual communal dumpster in Lot A, perhaps reinstating porter service for restaurants in the downtown.*

*Motion Armato, second Massey. The motion carried by a unanimous vote.*

b) **REPORT** **REQUEST FOR ON STREET DISABLED PARKING SPACE**  
**18-0575** **AT 2459 MYRTLE AVENUE**  
*(Public Works Director Glen W.C. Kau)*

**Attachments:**

- [1. Public Notice](#)
- [2. Proposed Parking Space Layout](#)
- [3. Resident Request Documents](#)
- [4. SUPPLEMENTAL Letter from S. Beshke \(added 9-24-18 at 4pm\).pdf](#)
- [5. SUPPLEMENTAL Memo from Public Works Director Glen Kau \(added 9-25-18 at 11am\).pdf](#)
- [6. SUPPLEMENTAL Email from Kathy Dunbabin \(added 9-25-18 at 11am\).pdf](#)

*No one came forward to address the Council on this item.*

**Action:** To approve the request for a disabled parking space in front of 2459 Myrtle Avenue. Motion Armato, second Campbell. The motion carried by a unanimous vote.

**6c)   REPORT**

**18-0549**

**SECOND AMENDMENT TO THE CONTRACT FOR STREET  
SWEEPING SERVICES BETWEEN THE CITY OF HERMOSA BEACH  
AND ARAKELIAN ENTERPRISES (ATHENS SERVICES)**

(Public Works Director Glen W.C. Kau)

**Attachments:**

- [1. FIRST AMENDMENT 3-26-13 TO ATHENS extend 8 years.pdf](#)
- [2. Enhanced Hermosa Beach Steam Cleaning Services current.pdf](#)
- [3. Enhanced Steam Cleaning Scrubber Proposedpdf](#)
- [4. Street Sweeping Prices FY 18-19 r1.pdf](#)
- [5. Second Amendment.pdf](#)
- [6. Athens Sweeping Cost Projection 2nd Amendment att6 revised](#)



*Public Works Superintendent Ells Freeman responded to Council questions. Gary Clifford, Athens Services Executive Vice President, and Cesar Ortiz, Athens Operations Manager, also responded to Council questions.*

*No one came forward to address the Council on this item.*

**Action: To:**

1. *Authorize the Mayor to execute the SECOND AMENDMENT TO THE AGREEMENT FOR STREET SWEEPING SERVICES BETWEEN THE CITY OF HERMOSA BEACH AND ARAKELIAN ENTERPRISES (Athens Services) that includes enhanced scrubber services to The Strand, Hermosa Avenue and Pier Avenue, sidewalks, Parking Lots A, B, and C, Beach Drive from 10th Street to 14th Street, and three additional days of eight (8) hour porter service to the downtown area;*
2. *Approve an additional appropriation of \$2,200 from Prospective Expenditures to cover enhanced porter costs; and*
3. *Authorize the Director of Public Works to make changes as necessary within the budgeted amount.*

*Motion Massey, second Armato. The motion carried by a unanimous vote.*

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

**7a) REPORT 2018 LOCAL AGENCY BIENNIAL NOTICE REGARDING  
18-0592 THE CITY'S CONFLICT OF INTEREST CODE  
(City Clerk Elaine Doerfling)**

**Attachments:** [\*\*2018 Local Agency Biennial Notice\*\*](#)

*As there were no members of the public present, public comment was not solicited.*

**Action: To:**

1. *Receive and file the 2018 Local Agency Biennial Notice indicating that the City's Conflict of Interest Code is currently under review; and*
2. *Direct staff to continue its review of the Code and, within 90 days, submit an amended version for Council adoption.*

*Motion Campbell, second Armato. The motion carried by a unanimous vote.*

**7b) 18-0591 MAYOR DUCLOS AND COUNCILMEMBER CAMPBELL  
TO REPORT ON THEIR ATTENDANCE AT THE LEAGUE  
OF CALIFORNIA CITIES ANNUAL CONFERENCE IN  
LONG BEACH FROM SEPTEMBER 12-14, 2018**

*Mayor Duclos and Councilmember Campbell reported on their attendance.*

**8. OTHER MATTERS - CITY COUNCIL****a) 18-0594 TENTATIVE FUTURE AGENDA ITEMS**

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

*It was Council consensus to receive and file the Tentative Future Agenda Items.*

**ADJOURNMENT**

*The Regular City Council meeting of Tuesday, September 25, 2018 recessed at 10:13 p.m. to a continuation of this evening's Closed Session, which adjourned at 10:46 p.m. to an Adjourned Regular meeting (a community reception for new City Manager Lowenthal) at 6:00 p.m., Wednesday, October 3, 2018 at Locale 90 (1040 Hermosa Avenue), which will adjourn to the Regular meeting of Tuesday, October 9, 2018.*

**Elaine Doerfling**  
City Clerk

**Linda Abbott**  
Deputy City Clerk