

# City of Hermosa Beach

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



## Meeting Minutes - Draft

**Tuesday, October 23, 2018**

**6:00 PM**

**Closed Session - 6:00 P.M.**

**Regular Meeting - 7:00 P.M.  
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**

*6:01 p.m.*

**ROLL CALL**

**Present:** 3 - Mayor Duclos, Mayor Pro Tempore Armato, and Councilmember Campbell

**Absent:** 2 - Councilmember Fangary, and Councilmember Massey

*(Councilmember Fangary arrived at 6:03 p.m.)*

*(Councilmember Massey arrived at 6:05 p.m.)*

**PUBLIC COMMENT**

*None*

**RECESS TO CLOSED SESSION IN SECOND FLOOR CONFERENCE ROOM**

*6:02 p.m.*

1.      **18-0640**      **MINUTES:** Approval of minutes of Closed Session held on October 9, 2018.
  
2.      **18-0641**      **CONFERENCE WITH LEGAL COUNSEL: Pending 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: City of Hermosa Beach v. Edward P. Zappia, The Zappia Law Firm  
                         Los Angeles County Superior Court, Case No. BC709770
  
3.      **18-0642**      **CONFERENCE WITH LABOR NEGOTIATOR**  
                         **Government Code Section 54957.6**  
  
                         **City Negotiator:** City Manager  
  
                         **Employee**  
                         **Organization:** Hermosa Beach Police Officers' Association

**4. 18-0667 CONFERENCE WITH LEGAL COUNSEL: Threatened Litigation****Government Code Section 54956.9(d)(2) and (e)(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

**ADJOURNMENT OF CLOSED SESSION**

7:00 p.m.

**7:00 P.M. - REGULAR AGENDA****CALL TO ORDER**

7:08 p.m.

**PLEDGE OF ALLEGIANCE**

*Scott Hale, Los Angeles County Fire Department Chief Officer*

**ROLL CALL**

**Present:** 5 - Mayor Duclos, Mayor Pro Tempore Armato, Councilmember Campbell, Councilmember Fangary, and Councilmember Massey

**Absent:** 0

**CLOSED SESSION REPORT**

*City Attorney Jenkins said no public comment was received prior to Closed Session, nothing was added to the agenda, and there were no reportable actions.*

**ANNOUNCEMENTS**

*Councilmember Fangary (1) thanked all who attended last Saturday's Community First meeting, and said November's meeting is cancelled as it falls on Thanksgiving weekend; (2) thanked all involved in the Fine Arts Festival last weekend; and (3) invited everyone to Resin Gallery's "Save Our Gallery" fundraiser Saturday, November 10 from 6-9 p.m.*

*Councilmember Campbell said she attended Leadership Hermosa's recent third annual mock City Council meeting.*

*Mayor Duclos (1) invited everyone to Community Movie Night (hosted by the Hermosa Historical Society) at the Community Theater Thursday, October 29, with a reception at 6:30 p.m., followed by the film "Carrie" at 8 p.m.; (2)*

*invited everyone to the Saturday, Oct. 27 "La La Land" Day at the Beach, with film-related events (including installation of the Pier lights used in the film) and jazz performances at the Lighthouse Cafe from 6-7 p.m. nightly, Wednesday, October 24-Saturday, October 27; (3) invited everyone to participate in the Skechers Pier to Pier Friendship Walk Sunday, October 28, beginning at 9 a.m. at the Manhattan Beach Pier; (4) invited everyone to the Monday, October 29 special joint meeting of Hermosa, Redondo and Manhattan's Councils and Beach Cities Health District, a study session on the Beach Cities Draft Living Streets Design Manual, at the Redondo Beach Library, 303 North Pacific Coast Highway at 6:30 p.m.; and (5) invited everyone to the Sunday, November 11 Veterans Commemorative Ceremony from 5-7 p.m. at the Veterans Memorial at 710 Pier Avenue.*

## PROCLAMATIONS / PRESENTATIONS

a) **18-0646** **PRESENTATION FROM SAM KUHR**  
**ON BREAST CANCER AWARENESS**

*Ms. Kurh, a breast cancer survivor, spoke about prevention, and noted that early detection is key.*

b) [REPORT](#) **LOS ANGELES COUNTY FIRE SERVICES AND**  
[18-0657](#) **MCCORMICK AMBULANCE QUARTERLY UPDATE**  
(Emergency Management Coordinator Brandy Villanueva)

**Attachments:** [1. 2018 LACoFD Incident and McCormick Transports](#)  
[2. 2018 3rd Quarter AUTO AID- JULY-SEPTEMBER](#)

*Brian Hale, Los Angeles County Fire Department Chief Officer, presented the report and responded to Council questions.*

## MISCELLANEOUS ITEMS AND REPORTS - CITY MANAGER

**City Manager Lowenthal requested that Council continue item 6e.**

**It was Council consensus to approve her request.**

PUBLIC PARTICIPATION:

### 1. ORAL AND WRITTEN COMMUNICATIONS:

*Heather Longridge, Behavioral Health Services Prevention Outreach Specialist*  
*Anthony Higgins*  
*David Grethen*  
*Isabel Rodriguez*  
*Jack Tracy*

- a) [18-0648](#) **LETTER FROM RON FELSING DATED OCTOBER 5, 2018  
REGARDING FIESTA HERMOSA SHUTTLE ROUTES**

Attachments: [Email from Ron Felsing.pdf](#)

It was Council consensus to move Mr. Felsing's letter to item 6c.

- b) [18-0650](#) **LETTER FROM ANTHONY HIGGINS DATED OCTOBER 17, 2018  
REGARDING 27TH STREET PEDESTRIAN SAFETY ISSUES**

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

Motion by Fangary and seconded by Campbell to receive and file the written communication from Anthony Higgins.

**Aye:** 5 - Mayor Duclos, Armato, Campbell, Fangary, and Massey

**Absent:** 0

## 2. CONSENT CALENDAR:

Motion Armato and seconded by Campbell to approve the Consent Calendar, with the exception of item 2(e), which was removed for separate discussion later in the meeting by Massey.

**Aye:** 5 - Mayor Duclos, Armato, Campbell, Fangary, and Massey

**Absent:** 0

- a) [REPORT](#) **CITY COUNCIL MEETING MINUTES**  
[18-0662](#) (Deputy City Clerk Linda Abbott)

- Attachments:** [1. 032216 draft.docx](#)  
[2. 041216 draft.docx](#)  
[3. 042616 draft.docx](#)  
[4. 072616 draft.docx](#)  
[5. 082316 draft.docx](#)  
[6. 091316 draft.docx](#)  
[7. 092716 draft.docx](#)  
[8. 090617-draft.docx](#)  
[9. 022818 draft.docx](#)  
[10. 061218 draft min.docx](#)  
[11. 062618 meeting-cancelled.docx](#)  
[12. 071018 draft min.docx](#)  
[13. 071818 Special meeting-closed session notes.docx](#)  
[14. 071918 Council-joint meeting.docx](#)  
[15. 080418 draft.docx](#)  
[16. 081518 Closed Session draft.docx](#)  
[17. 082918 draft.docx](#)  
[18. 092518 draft min.docx](#)  
[19. 100418 draft.docx](#)  
[20. 100918 draft min.docx](#)

b) [REPORT](#)  
[18-0638](#)

**CHECK REGISTERS**

(Finance Director Viki Copeland)

- Attachments:** [1. 10-02-18](#)  
[2. 10-04-18](#)  
[3. 10-11-18](#)

c) [REPORT](#)  
[18-0653](#)

**REVENUE REPORTS, EXPENDITURE REPORTS, AND  
CIP REPORTS BY PROJECT FOR AUGUST & SEPTEMBER 2018**

(Finance Director Viki Copeland)

- Attachments:** [1. August 2018 Revenue Status Report](#)  
[2. August 2018 Expenditure Report](#)  
[3. August 2018 CIP Report by Project](#)  
[4. September 2018 Revenue Report](#)  
[5. September 2018 Expenditure Report](#)  
[6. September 2018 CIP Report by Project](#)

d) [REPORT](#)  
[18-0654](#)

**CITY TREASURER'S REPORT AND CASH BALANCE REPORT**

(City Treasurer Karen Nowicki)

**Attachments:** [1. August 2018 Treasurer's Report](#)  
[2. August 2018 Cash Balance Report](#)  
[3. September 2018 Treasurer's Report](#)  
[4. September 2018 Cash Balance Report](#)

e) [REPORT](#) **PROJECT STATUS REPORT AS OF OCTOBER 23, 2018**  
[18-0665](#) (Public Works Director Glen W.C. Kau)

**Attachments:** [10-15-18 FY18-19 CIP-Projects STATUS-gk](#)

*This item was pulled by Councilmember Massey.*

*As Director Kau was not present, City Manager Lowenthal responded to Council questions. Assistant to the City Manager Nico de Anda-Scaia also responded to Council questions.*

*Public comment:*

*David Grethen, Public Works Commissioner*

**Motion Fangary and seconded by Armato to receive and file the Project Status Report as of October 23, 2018.**

**Aye:** 5 - Mayor Duclos, Armato, Campbell, Fangary, and Massey

**Absent:** 0

f) [REPORT](#) **PLANNING COMMISSION TENTATIVE FUTURE AGENDA ITEMS**  
[18-0639](#) (Community Development Director Ken Robertson)

**Attachments:** [Planning Commission November 20, 2018 Tentative Future Agenda](#)

g) [REPORT](#) **ACTION SHEET OF THE PLANNING COMMISSION**  
[18-0661](#) **MEETING OF OCTOBER 16, 2018**

**Attachments:** [Action Sheet of 10/16/18](#)

### 3. CONSENT ORDINANCES

NONE

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

\* Public comments on items removed from the Consent Calendar.

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

### 5. PUBLIC HEARINGS

a) [REPORT](#)  
[18-0651](#)

**APPROVAL OF 2019 IMPACT LEVEL III SPECIAL EVENTS:  
USAV COLLEGIATE BEACH CHAMPIONSHIPS (5/6 - 5/12);  
HERMOSA BEACH TRIATHLON (6/21 - 6/23); AAU JUNIOR  
NATIONAL BEACH VOLLEYBALL CHAMPIONSHIPS (7/8 - 7/13);  
JVA & BVCA NATIONAL BEACH CHAMPIONSHIPS (7/13 - 7/18);  
AVP PRO BEACH VOLLEYBALL (7/19 - 7/31); AND  
DESIGNATE 6/28 - 6/30 AS THE NOTHING WEEKEND  
(Community Resources Manager Kelly Orta)**

**Attachments:** [1. 2019 Tentative Event Calendar](#)  
[2. USAV Collegiate Championships Special Event Application](#)  
[3. Hermosa Beach Triathlon Special Event Application](#)  
[4. AAU Junior National Beach Championships Special Event Application](#)  
[5. JVA & BVCA National Beach Championships Special Event Application](#)  
[6. AVP Pro Beach Volleyball Special Event Application](#)

*Al Lau, AVP Vice President of New Media and Player Relations, was invited forward to respond to Council questions.*

*The public hearing opened at 8:10 p.m. As no one came forward to address the Council on this item, the public hearing closed at 8:10 p.m.*

**Motion Massey and seconded by Fangary to approve the Parks, Recreation and Community Resources Advisory Commission's recommendation to approve the following 2019 Impact Level III special events:**

- 1. USAV Collegiate Beach Championships on Monday, May 6 - Sunday, May 12 on the beach volleyball courts north of the Pier;**
- 2. Hermosa Beach Triathlon on Friday, June 21 - Sunday, June 23 on Pier Plaza, the beach south of the Pier, and various roads;**
- 3. AAU Junior National Beach Volleyball Championships from Monday, July 8 - Saturday, July 13 on the beach north and south of the Pier (weekdays only);**
- 4. JVA & BVCA National Beach Championships on Saturday, July 13 - Thursday, July 18 (weekdays only);**
- 5. AVP Pro Beach Volleyball on Friday, July 19 - Wednesday, July 31 on the beach north and south of the Pier; and**
- 6. Designate Friday, June 28 - Sunday, June 30 as the "Nothing Weekend."**

**Aye:** 5 - Mayor Duclos, Armato, Campbell, Fangary, and Massey

**Absent:** 0

b) [REPORT](#)  
[18-0643](#)

**TA 18-2 - TEXT AMENDMENTS TO THE HERMOSA BEACH  
MUNICIPAL CODE TITLE 17 REGARDING DEFINITIONS AND  
STANDARDS FOR LIVE ENTERTAINMENT AND LIMITED LIVE**



**ENTERTAINMENT FOR THE PURPOSE OF ADDING A LOW IMPACT  
ENTERTAINMENT OPTION AS AN ACCESSORY USE TO BUSINESS  
IN COMMERCIAL ZONES, AND DETERMINATION THAT THE  
PROJECT IS CATEGORICALLY EXEMPT FROM THE  
CALIFORNIA ENVIRONMENTAL QUALITY ACT  
(Community Development Director Ken Robertson)**

**Attachments:** [1. Plannig Commissoin Resolution 18-25 Limited Live Entertainment](#)  
[2. Ordinance for City Council Introduction - Limited Live Entertainment](#)  
[- CC 10-23-18](#)  
[3. Link to the 9-18-18 Planning Commission Meeting](#)  
[4. Link to the 8-21-18 Planning Commission Meeting](#)  
[5. Link to the 6-25-18 Planning Commission Meeting](#)

*Planning Manager Kim Chafin responded to Council questions.*

*The public hearing opened at 8:51 p.m. Coming forward to address the Council at this time were:*

*Kathy Knoll, The Deck and Uncorked Owner  
Barbara Ellman, THRIVE Hermosa*

*The public hearing closed at 8:57 p.m.*

**Motion Armato and seconded by Campbell to waive full reading and introduce Ordinance No. 18-1388. In addition, the permit application fee for Limited Live Entertainment was set at \$250.**

**Aye:** 5 - Mayor Duclos, Armato, Campbell, Fangary, and Massey

**Absent:** 0

**c) [REPORT](#)  
[18-0644](#)**

**CONSIDERATION OF AN ORDINANCE TO ALLOW  
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  
(Continued from meeting of September 25, 2018)  
(Community Development Director Ken Robertson)**

**Attachments:** [FCC Declaratory Ruling and Third Report and Order: Accelerating wireless broadband deployment by removing barriers to infrastructure investment](#)

*The public hearing opened at 9:16 p.m. Coming forward to address the Council*

*was:*

*David Grethen*

*The public hearing closed at 9:17 p.m.*

**Motion Armato and seconded by Campbell to continue to November 27, 2018 the public hearing to consider an ordinance to allow and regulate wireless communication facilities in the public right-of-way, and, 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.**

**Aye:** 5 - Mayor Duclos, Armato, Campbell, Fangary, and Massey

**Absent:** 0

## 6. MUNICIPAL MATTERS

- a) [REPORT](#) **SUPPORT FOR LOS ANGELES COUNTY MEASURE W TO**  
[18-0645](#) **ESTABLISH THE SAFE, CLEAN WATER (SCW) PROGRAM**  
(Management Analyst Katrina Nguyen)

**Attachments:** [1. Safe Clean Water Program Overview](#)  
[2. Draft Letter of Support - Measure W](#)

*Public comment:*

*Craig Cadwallader, Surfrider Foundation South Bay Chapter*  
*Isabel Rodriguez*

**Motion Fangary and seconded by Massey to approve and authorize the Mayor to sign a letter of support on behalf of the City regarding Los Angeles County Measure W, and direct staff to provide signed copies to Supervisor Janice Hahn and appropriate local stakeholders.**

**Aye:** 5 - Mayor Duclos, Armato, Campbell, Fangary, and Massey

**Absent:** 0

- b) [REPORT](#) **SUMMER BEACH CONCERT SERIES SUBCOMMITTEE**  
[18-0649](#) **RECOMMENDATION TO ISSUE A REQUEST FOR PROPOSAL FOR**  
**THE SUMMER BEACH CONCERT SERIES, BEGINNING IN 2019,**  
**TO INCLUDE INPUT FROM THE PARKS, RECREATION AND**  
**COMMUNITY RESOURCES ADVISORY COMMISSION**  
(Community Resources Manager Kelly Orta)

**Attachments:** [1. Summer Concert Series Agreement with Allen Sanford](#)  
[2. SUPPLEMENTAL eComment from John Randolph \(submitted 10-22-18 at 4:46pm\).pdf](#)  
[3. SUPPLEMENTAL City Administrative Policy on Professional Services \(added 10-23-18 at 11am\).pdf](#)

*Public comment:*

*Craig Cadwallader*

**Motion Armato and seconded by Massey to:**

- 1. Approve the Summer Beach Concert Series Subcommittee's recommendation to issue a Request for Proposal (RFP) for the production and management of the Summer Beach Concert Series, beginning in 2019, and at the discretion of the subcommittee, re-engage with the original producer (Allen Sanford/St. Rocke) if he is interested and willing to be transparent with his event-related financials, then negotiate with him as well; and**
- 2. Request the Parks, Recreation and Community Resources Advisory Commission to provide input on the scope of the RFP at its November 6, 2018 regular meeting.**

**Aye:** 4 - Mayor Duclos, Armato, Fangary, and Massey

**No:** 1 - Campbell

**Absent:** 0

(It was Council consensus to receive and file Mr. Felsing's letter-moved from 1a.)

**Motion Massey and seconded by Armato to continue tonight's meeting until 11:15 p.m. The motion carried by a unanimous vote.**

**c) [REPORT](#)  
[18-0664](#)**

**FIESTA HERMOSA COUNCIL SUBCOMMITTEE UPDATE**

(Assistant to the City Manager Nico De Anda-Scaia)

- Attachments:**
- [1. Fiesta Subcommittee Council Report \(Feb 2018\)](#)
  - [2. 2018 Fiesta Hermosa Agreement](#)
  - [3. Fiesta Town Hall and Public E-comment Summary](#)
  - [4. Chamber Fiesta Mid-Yr Presentation \(July 2018\)](#)
  - [5. Letter from Chamber \(Budget Request FY17-18\)](#)
  - [6. SUPPLEMENTAL eComment from Christine Tasto \(submitted 10-19-18 at 7:09pm\).pdf](#)
  - [7. SUPPLEMENTAL Letter from Anthony Higgins \(moved from Item 1b\).pdf](#)

**Motion Campbell and seconded by Armato to:**

- 1. Reaffirm the Fiesta Hermosa Subcommittee's recommendations for improvements to future Fiesta Hermosa events;**
- 2. Authorize and direct the City Manager to engage the Hermosa Beach Chamber of Commerce and Visitors' Bureau in negotiating a new Fiesta Hermosa agreement (utilizing Council feedback from tonight's meeting), and to return to the full Council with an update on those efforts.**

**Aye:** 5 - Mayor Duclos, Armato, Campbell, Fangary, and Massey

**Absent:** 0

It was Council consensus to continue tonight's meeting until midnight.

- d) [REPORT](#) **REVIEW AND DISCUSSION OF COMMISSION ROLES AND**  
[18-0637](#) **RESOURCES TO ADDRESS TOPICS OF ACCESSIBILITY,**  
**SENIOR LIVING, AND ARTS & CULTURE**  
(City Manager Suja Lowenthal)

**Attachments:** [1. Link to September 2017 Staff Report on Formation of New Commissions](#)  
[2. Link to July 2018 Joint City Council and All Commissions Meeting Video](#)  
[3. BCHD Community Services Programs and Services.pdf](#)  
[4. Link to Hermosa Beach Tour of Public Art](#)  
[5. Link to Hermosa Beach Community Working Groups Purpose and Members](#)  
[6. Link to AARP Age-Friendly Communities Network Description](#)

*Leeanne Singleton, Environmental Analyst, came forward to respond to Council questions.*

*Public comment:*

*Geoffrey Hirsch*

*Kathy Dunbabin, Public Works Commission Chairperson*

*David Grethen, Public Works Commission*

*Isabel Rodriguez*

*Barbara Ellman, Parks, Recreation and Community Resources Advisory Commission, and Access Hermosa*

**Motion Armato and seconded by Campbell to:**

- 1. Assign the primary responsibility of reviewing permits/projects, policies/plans, and programs in the areas of:**
  - a. Accessibility - to the Public Works Commission**
  - b. Senior Living - to the Parks, Recreation and Community Resources Advisory Commission**
  - c. Arts & Culture - to the Parks, Recreation and Community Resources Advisory Commission**
- 2. Assign the Access Hermosa Working Group the focused task of providing input to the Public Works Department on the development of the City's ADA Transition Plan, for review and approval by the Public Works Commission and City Council;**
- 3. Direct staff to prepare and submit an application to AARP to be designated as an age-friendly community;**
- 4. Direct each of the City's commissions to review and agendaize a discussion of the duties and responsibilities assigned to that commission, as written in the Hermosa Beach Municipal Code, and to include the additional topics of accessibility, senior living, and arts and culture as appropriate based on Council**

direction. And further request the City Clerk, in coordination with commission staff liaisons, to review and prepare updates to the Duties and Responsibilities of each commission as they are listed in the Hermosa Beach Municipal Code based on the discussions by each commission; and

5. Request the City Clerk and staff to prepare an Advisory Body Handbook, for City Council consideration, that clearly defines the roles and responsibilities of different commissions, boards, and working groups; outlines meeting procedures and the decision-making process; and assists in orienting new commissioners and the public to the role of the City's advisory bodies.

**Aye:** 5 - Mayor Duclos, Armato, Campbell, Fangary, and Massey

**Absent:** 0

e) [REPORT](#)  
[18-0666](#)

**POLICY ON PROCEDURE FOR VOTING  
ON BOARDS/COMMISSIONS APPLICANTS**

(City Clerk Elaine Doerfling)

**Attachments:** [1. Draft Resolution 18-XXXX.pdf](#)  
[2. Example of past voting - July 11, 2017 meeting video](#)

**Motion Massey and seconded by Armato to continue this item.**

**Aye:** 5 - Mayor Duclos, Armato, Campbell, Fangary, and Massey

**Absent:** 0

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

NONE

**8. OTHER MATTERS - CITY COUNCIL**

a) [18-0663](#)

**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, October 23, 2018 adjourned at 12:00 a.m., Wednesday, October 24, 2018, to an Adjourned Regular meeting at 6:30 p.m., Monday, October 29, 2018 (Tri Cities Study Session: Draft Living Streets Design Manual/Aviation Blvd Living Streets Design) at Redondo Beach Library, 303 N. Pacific Coast Highway (2nd Floor Meeting Room), which will adjourn to the Regular meeting of Tuesday, November 13, 2018.*