

# City of Hermosa Beach

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



## **Regular Meeting Minutes**

**Tuesday, March 12, 2019**

**6:00 PM**

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

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

### **Council Chambers**

### **City Council**

*Mayor  
Stacey Armato*

*Mayor Pro Tem  
Mary Campbell*

*Councilmembers  
Hany S. Fangary  
Justin Massey  
Jeff Duclos*

**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** 6:00 p.m.**ROLL CALL**

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

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

*\*Massey arrived at the start of Closed Session*

*\*\*Fangary arrived at 6:10 p.m.*

**PUBLIC COMMENT** None**RECESS TO CLOSED SESSION IN SECOND FLOOR CONFERENCE ROOM** 6:01 p.m.

1.     **19-0153**     **MINUTES:** Approval of minutes of Closed Session held on February 26, 2019.
  
2.     **19-0154**     **CONFERENCE WITH LEGAL COUNSEL: Initiation of Litigation**  
                          **Government Code Section 54956.9(d)(4)**  
                          The City 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.     **19-0128**     **CONFERENCE WITH LEGAL COUNSEL: Non-Litigated Claims Update**  
                          **Existing Litigation - Government Code Section 54956.9(d)(2) and (e)(3)**  
                          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) Claimant: Brian Anstey, Claim Number: 18-138992  
                              Date of Loss: 6/26/2018, Date Filed: 11/19/2018  
                              Allegation: Suspect in Redondo Police Department Chase damaged Claimant's fence  
  
                          b) Claimant: Arlene Buschbach, Claim Number: 19-139883  
                              Date of Loss: 10/27/2018, Date Filed: 1/22/2019  
                              Allegation: Injuries suffered from fall due to broken pathway  
  
                          c) Claimant: Nathan Carroll, Claim Number: 19-139480  
                              Date of Loss: 8/26/2018, Date Filed: 12/31/2018  
                              Allegation: Money and property stolen by security guard hired by City

- d) Claimant: Jason Clark, Claim Number: 19-139872  
Date of Loss: 7/2018, Date Filed: 1/23/2019  
Allegation: Car accident was result of a blind spot that was reported to City
- e) Claimant: Carissa De Blasi, Claim Number: 18-138649  
Date of Loss: 6/18/2018, Date Filed: 11/6/2018  
Allegation: Damage to Claimant's vehicle caused by an asphalt company truck
- f) Claimant: Stephen Allan Diamond, Claim Number: 19-139484  
Date of Loss: 8/22/2018, Date Filed: 12/31/2018, Revised Claim: 1/28/2019  
Allegation: Broken ankle due to hole in walkway
- g) Claimant: Valerie Rhodes, Claim Number: 19-140423  
Date of Loss: 9/1/2018, Date Filed: 2/25/2019  
Allegation: Fractured foot and ankle due to trip/fall in park
- h) Claimant: John Zamora, Claim Number: 18-134743  
Date of Loss: 8/4/2017, Date Filed with Los Angeles County: 2/1/2018  
Allegation: Failure to reasonably own, maintain, supervise beach and shoreline

**4. 19-0123 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: BKK Working Group et al. v. City of Hermosa Beach et al.  
United States District Court, Case Number: 2:18-cv-5810
- b) Name of Case: Kerry Cartwright v. City of Hermosa Beach  
Los Angeles County Superior Court, Case Number: 18STCV05692
- c) Name of Case: Hermosa Fitness LLC v. City of Hermosa Beach  
Los Angeles County Superior Court, Case Number: 18STCP02840
- d) Name of Case: Mark Roth v. City of Hermosa Beach  
Los Angeles County Superior Court, Case Number: YC072628
- e) Name of Case: City of Hermosa Beach v. Edward P. Zappia, The Zappia Law Firm  
Los Angeles County Superior Court, Case Number: BC709770

**ADJOURNMENT OF CLOSED SESSION** 7:00 p.m.

**7:00 P.M. - REGULAR AGENDA**

**CALL TO ORDER** 7:08 p.m.**PLEDGE OF ALLEGIANCE** *Kim Taylor, Principal, Hermosa Valley School***ROLL CALL**

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

**Absent:** 0

**CLOSED SESSION REPORT**

*City Attorney Jenkins said no public comment was received prior to Closed Session, no changes were made to the agenda, and there were no reportable actions.*

**ANNOUNCEMENTS**

*Mayor Armato announced the following upcoming community events:*

*\*Saturday, March 16, 11 a.m.: The Chamber of Commerce will hold their annual St. Patrick's Day Parade, with over 100 local businesses, civic organizations and school marching bands taking part in the seven-block parade down Pier Avenue and ending at the corner of Hermosa Avenue and 10th Street. Come out and enjoy the family affair which has become a popular tradition in Hermosa Beach, while also enjoying the great dining, shopping and beautiful beach weather that Hermosa Beach has to offer.*

*\*Monday, March 18, 7 p.m.: The City Council and School Board will be holding a joint meeting in Council Chambers. The agenda will be posted by the end of day this Thursday.*

*\*Saturday, March 23, 6-11 p.m.: Hermosa Beach Schools' largest fundraiser, Hearts of Hermosa, will take place at the Hermosa Beach Community Center, 710 Pier Avenue. It's sure to be an amazing night with many local food and beverage vendors, an auction, some March Madness viewing, and celebrity DJ Daisy O'Dell. All proceeds go directly to the Hermosa Beach Education Foundation. Tickets are on sale now at [www.hbef.org](http://www.hbef.org).*

*\*Saturday, March 30, 7 a.m.-12 noon: The Second Annual Community-Wide Garage Sale, with dozens of concurrent garage sales throughout Hermosa Beach. If you are interested in hosting a garage sale for your home, building, or neighborhood block, coordinate with your neighbors and sign up on the City website. Additionally, the City has once again partnered with local and national non-profit organizations to create a place where you can donate any unsold items the same afternoon from 12 noon-4 p.m. Learn more about the event and register at [www.hermosabch.org/communitygaragesale](http://www.hermosabch.org/communitygaragesale).*

**APPROVAL OF AGENDA**

*City Manager Lowenthal said item 6e would be continued.*

**Motion Campbell, seconded by Duclos to approve the agenda.**

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

**Absent:** 0

## PROCLAMATIONS / PRESENTATIONS

- a) **19-0151** **RECOGNIZING HERMOSA BEACH CITY SCHOOL DISTRICT  
AS THE NATIONAL FIRST PLACE WINNER OF THE SANDY  
HOOK PROMISE 2019 *START WITH HELLO* COMMUNITY  
REACH AND SUSTAINABILITY AWARD**

*Mayor Armato presented Certificates of Recognition to Hermosa Valley School Principal Kim Taylor and Hermosa Valley School teacher Caitlin Fuller, and a City plaque to Superintendent Patricia Escalante.*

- b) 19-0150 RECOGNIZING SKYE FENTON FOR HER OUTSTANDING EFFORTS TO HELP HOMELESS INDIVIDUALS THROUGHOUT THE SOUTH BAY BY STARTING THE BACKPACK CLUB WHICH DONATES STUFFED PACKS OF GOODS TO U.S. VETERANS**

*Mayor Armato presented Skye with a Certificate of Recognition and thanked her for inspiring others to help those experiencing homelessness.*

- c) 19-0152 CHAD RICHARDSON DONATES “PIER” CANVAS ARTWORK  
TO CITY OF HERMOSA BEACH**

*Mayor Armato presented Mr. Richardson with a City Certificate which recognized his generosity toward the City.*

**MISCELLANEOUS ITEMS AND REPORTS - CITY MANAGER** None

## PUBLIC PARTICIPATION:

**1. ORAL AND WRITTEN COMMUNICATIONS:**

*Coming forward:*  
*Craig Cadwallader*  
*Sheryl Main*

- a) REPORT** **WRITTEN COMMUNICATION**  
**19-0156**

**Attachments:** Letter from Tony Higgins regarding CEQA Safety and Hazards

[Analysis for 27th Street.pdf](#)

*Coming forward:  
Anthony Higgins*

**Motion Duclos and seconded by Massey to receive and file the written communication.**

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

**Absent:** 0

## **2. CONSENT CALENDAR:**

**Motion Massey and seconded by Duclos to approve the Consent Calendar.**

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

**Absent:** 0

- a) **REPORT** **CITY COUNCIL MEETING MINUTES**  
**19-0148** (Deputy City Clerk Linda Abbott)  
**Attachments:** [022619 draft min.docx](#)
- b) **REPORT** **CHECK REGISTERS**  
**19-0139** (Finance Director Viki Copeland)  
**Attachments:** [02-14-19](#)
- c) **REPORT** **ACTION MINUTES OF THE PARKS, RECREATION AND**  
**19-0159** **COMMUNITY RESOURCES ADVISORY COMMISSION**  
**MEETING OF FEBRUARY 5, 2019**  
**Attachments:** [PR Minutes 02.05.2019.pdf](#)
- d) **REPORT** **ACTION MINUTES OF THE EMERGENCY PREPAREDNESS**  
**19-0072** **ADVISORY COMMISSION MEETING OF JANUARY 7, 2019**  
**Attachments:** [EPAC Meeting Minutes - January 7, 2019](#)
- e) **REPORT** **ACCEPTANCE OF DONATION**  
**19-0138** **ARTWORK FROM CHAD RICHARDSON**  
(Finance Director Viki Copeland)

*The artwork was valued at \$200 by the artist-donor. It will be displayed at City Hall.*

- f) **REPORT** **APPROVAL OF FINAL PARCEL MAP NO. 74179**

19-0140

**AT 226 2ND STREET***(Community Development Director Ken Robertson)*

Attachments: [1. Proposed Resolution](#)  
[2. Final Map No. 74179](#)

g) **REPORT**  
**19-0145**

**MEMORANDUM OF UNDERSTANDING  
BETWEEN THE DEPARTMENT OF JUSTICE AND  
THE HERMOSA BEACH POLICE DEPARTMENT**  
*(Acting Police Chief Milton McKinnon)*

Attachments: [1. Resolution-Tobacco Law Enforcement Program](#)  
[2. Tobacco grant-HBPD MOU](#)

h) **REPORT**  
**19-0086**

**APPROVE FIRST AMENDMENT TO THE PROFESSIONAL  
SERVICES AGREEMENT WITH FILE KEEPERS, LLC FOR  
DOCUMENT SCANNING SERVICES AND IMPLEMENTATION  
OF AN ELECTRONIC DOCUMENT MANAGEMENT SYSTEM**  
*(Assistant to the City Manager Nico De Anda-Scaia)*

Attachments: [1. First Amendment to File Keepers, LLC Professional Services Agreement](#)  
[2. American Microimaging Inc. Professional Services Agreement](#)  
[3. Contract Assignment Letter to File Keepers, LLC](#)  
[4. Link to City Council 10-10-17 Meeting - Item 6c](#)  
[5. Link to City Council 04-24-18 Meeting - Item 2j](#)  
[6. Link to City of South Pasadena Site](#)

3. **CONSENT ORDINANCES** None

4. **ITEMS REMOVED FROM THE CONSENT CALENDAR FOR SEPARATE DISCUSSION** None

5. **PUBLIC HEARINGS**

a) **REPORT**  
**19-0141**

**CONSIDERATION OF AN ORDINANCE REGULATING  
SIDEWALK VENDING IN COMPLIANCE WITH SB 946**  
*(Acting Public Works Director Lucho Rodriguez)*

Attachments: [1. Sidewalk Vending Ordinance](#)  
[2. Sidewalk Vending Administrative Fine Resolution](#)  
[3. Sidewalk Vending Application and Renewal Fees Resolution](#)

[4. SUPPLEMENTAL eComment from Lori Ford \(submitted 3-12-19 at 11:59am\).pdf](#)

[5. SUPPLEMENTAL Letter from Downtown Hermosa Business Association \(submitted 3-12-19 at 1:22pm\).pdf](#)

[6. SUPPLEMENTAL Letter from Chamber of Commerce \(submitted 3-12-19 at 2:49pm\).pdf](#)

*The Public Hearing opened at 8:51 p.m. Coming forward:*  
*Carolyn Petty, Hermosa Chamber of Commerce*  
*Andrea Jacobsson, Hermosa Chamber of Commerce*  
*Maureen Hunt, President/CEO, Hermosa Chamber of Commerce*  
*Bob Jones*  
*Amanda Bauer, Hermosa Business Owner*  
*Bob Jones*  
*Gina Rothwell, Sol Baby Owner*  
*Kathy Dunbabin*

*The Public Hearing closed at 9:13 p.m.*

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

**Aye:** 3 - Campbell, Fangary, and Massey

**No:** 2 - Mayor Armato, and Duclos

**Absent:** 0

## 6. MUNICIPAL MATTERS

- a) **REPORT** **MIDYEAR BUDGET REVIEW 2018-19**  
**19-0101** **(Continued from meeting of February 26, 2019)**  
(Finance Director Viki Copeland)

**Attachments:** [1. Revenue Detail Report](#)  
[2. Additional Appropriations Report](#)  
[3. Budget Transfers Report](#)  
[4. Midyear Budget Summary Report](#)  
[5. City Council Travel Summary 2018-19](#)

*Public comment:*  
*Geoff Hirsch*

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

- 1. Approve the revisions to estimated revenue, appropriations, budget transfers**



and fund balances as shown herein and in the attached Revenue Detail Report, Additional Appropriations Report, Budget Transfers Report, and Budget Summary Report;

2. From the General Fund, approve the addition of \$120,134 to the assigned fund balance for Contingencies in order to meet the City's target of 16% for this goal; add \$21,731 to the Compensated Absences assignment to meet the City's goal amount of 25% of the current liability; add \$21,575 to the retirement rate stabilization assignment;
3. Transfer the remaining funds available in the General Fund of \$427,335 to the Insurance Fund; and
4. Receive and file the attached information about City Council travel.

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

**Absent:** 0

**Motion Duclos and seconded by Campbell to continue tonight's meeting to 11:30 p.m.**

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

**Absent:** 0

**b) REPORT**

**19-0045**

**PURCHASE OF POLICE DEPARTMENT VEHICLES**

**(Continued from meeting of January 22, 2019)**

**(Acting Police Chief Milton McKinnon)**

- Attachments:** [1. National Auto Fleet Toyota Tacoma](#)  
[2. DriveClean.ca.gov-vehicle rating](#)  
[3. 911vehicle Command Vehicle outfitting quote](#)  
[4. Pictures of Buena Park command vehicle](#)  
[5. Long Beach BMW motorcycle quote](#)

**Motion Massey and seconded by Duclos to authorize the purchase of the following vehicles for the Police Department:**

- a. Three (3) 2019 Chevrolet Tahoe utility vehicles to replace existing Chevrolet Tahoes, which include the Watch Commander HB9 vehicle, and Patrol vehicles HB1 and HB5;
- b. Two (2) 2019 BMW R1200RT-P motorcycles to replace two (2) Honda ST 1300 motorcycles; and
- c. One (1) 2019 Toyota Tacoma pick-up truck to replace one (1) Ford Ranger P/U truck for Parking Enforcement.

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

**Absent:** 0

**c) REPORT**

**19-0155**

**CONSIDERATION OF SPECIAL EVENT FEE WAIVER  
REQUESTS FOR HEARTS OF HERMOSA (MARCH 23);**

**SANDPIPERS STROLL THE STRAND (MARCH 24);  
HOPE CHAPEL'S EASTER EGG HUNT (APRIL 20); AND  
HOPE CHAPEL'S EASTER SUNRISE SERVICE (APRIL 21)**  
(Community Resources Manager Kelly Orta)

**Attachments:** [1. Hearts of Hermosa Special Event Application](#)  
[2. Hearts of Hermosa Fee Waiver Application](#)  
[3. Stroll the Strand Special Event Application](#)  
[4. Stroll the Strand Application Fee Waiver Application](#)  
[5. Hope Chapel Easter Egg Hunt Special Event Application](#)  
[6. Hope Chapel Easter Egg Hunt Fee Waiver Application](#)  
[7. Hope Chapel Easter Sunrise Service Special Event Application](#)  
[8. Hope Chapel's Easter Sunrise Service Fee Waiver Application](#)

*Public comment:*

*Debra Luckey, Hermosa Beach Education Foundation Executive Committee  
Tasha Gates, Vice President of Sponsorship, Sandpipers  
Alan Kisaka, Pastor, Hope Chapel*

**Motion Fangary and seconded by Duclos to approve 50% fee waivers for the following organizations:**

- 1. Hermosa Beach Education Foundation for 'Hearts of Hermosa Beach' on Saturday, March 23 (requesting fee waiver of \$7,814.29-50% of that amount granted);**
- 2. Sandpipers for 'Sandpipers Stroll the Strand' on Sunday, March 24 (requesting fee waiver of \$400-50% of that amount granted);**
- 3. Hope Chapel's Easter Egg Hunt on Saturday, April 20 (requesting fee waiver of \$2,612-50% of that amount granted); and**
- 4. Hope Chapel's Easter Sunrise Service on Sunday, April 21 (requesting fee waiver of \$11,304-50% of that amount granted).**

**Aye:** 3 - Fangary, Massey, and Duclos

**No:** 2 - Mayor Armato, and Campbell

**Absent:** 0

- d) REPORT                      ESTABLISHMENT OF PERMANENT RIDESHARE ZONES  
19-0117                      IN DOWNTOWN HERMOSA BEACH**  
(Environmental Analyst Leeanne Singleton &  
Acting Chief of Police Milton McKinnon)

**Attachments:** [1. Staff Report May 2017 Request to Renew Exclusive Taxicab Franchise Agreements](#)  
[2. Pilot Phase 1 - Downtown Rideshare Locations.jpg](#)  
[3. Downtown Rideshare Proposed Permanent Rideshare Zones-02.jpg](#)

[4. Permanent Rideshare Zone Signage.pdf](#)

Motion Duclos and seconded by Campbell to approve the implementation of a permanent rideshare zone program in Downtown Hermosa Beach to improve safety and better facilitate pick-up and drop-off of passengers from rideshare services, private vehicles, and taxicab operations.

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

**Absent:** 0

- e) **REPORT** **APPROVAL OF AGREEMENT WITH GRANICUS, INC. TO**  
**19-0158** **CONTINUE PROVIDING MEETING AND AGENDA MANAGEMENT,**  
**VIDEO STREAMING, AND CITIZEN PARTICIPATION SERVICES;**  
**AND TO PROVIDE A NEW CLOSED CAPTIONING SERVICE FOR**  
**CITY MEETINGS FROM MARCH 12, 2019 - JUNE 30, 2022**  
(Assistant to the City Manager Nico De Anda-Scaia)

**Attachments:** [1. Link to example of meeting captions](#)  
[2. Granicus Proposal 2019-2022.pdf](#)

*This item was continued.*

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

- a) **19-0149** **UPDATES FROM CITY COUNCIL AD HOC SUBCOMMITTEES**  
**AND STANDING COMMITTEE DELEGATES/ALTERNATES**

*None*

**8. OTHER MATTERS - CITY COUNCIL**

- a) **19-0160** **COUNCILMEMBERS DUCLOS AND MASSEY REQUEST THAT**  
**STAFF EXPAND THE SCOPE OF THE OTHER MATTERS AGENDA**  
**ITEM ON PLASTIC SERVICE WARE SUPPORTED BY CTIY**  
**COUNCIL ON NOVEMBER 27, 2018 TO INCLUDE CONSIDERATION**  
**OF DIRECTION TO THE DOWNTOWN ENHANCEMENT**  
**SUBCOMMITTEE (WHICH, ON APRIL 10, 2018, THE CITY COUNCIL**  
**AUTHORIZED TO COLLABORATE WITH STAKEHOLDERS TO**  
**INCREASE ECONOMIC VITALITY DOWNTOWN), OR OTHER**  
**SUBCOMMITTEE, TO DEVELOP THE FOLLOWING FOR CITY**  
**COUNCIL APPROVAL: (1) AN ORDINANCE TO REDUCE AND**  
**ELIMINATE THE SALE AND USE OF SINGLE USE PLASTICS IN**

**HERMOSA BEACH; AND (2) LETTERS OF SUPPORT FOR  
LEGISLATIVE AND CONGRESSIONAL EFFORTS TO ACHIEVE THE  
SAME OBJECTIVE ACROSS CALIFORNIA AND NATIONWIDE.**

*Councilmembers Massey and Duclos spoke to their request, garnering support from Armato and Campbell.*

**b) 19-0157 TENTATIVE FUTURE AGENDA ITEMS**

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

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

**ADJOURNMENT**

*11:36 p.m., in memory of Roger Bacon, to an adjourned Regular meeting (a joint meeting with the Hermosa Beach School District) on Monday, March 18, 2019 at 7 p.m. in Council Chambers, which will adjourn to the Regular meeting of Tuesday, March 26, 2019.*

**Elaine Doerfling  
City Clerk**

**Linda Abbott  
Deputy City Clerk**