

City of Hermosa Beach

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



**City Council Meeting Minutes
Monday, November 18, 2019
Closed Session - 6:00 P.M.
Adjourned 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

CALL TO ORDER

The meeting was called to order at 6:02 p.m.

ROLL CALL

Present: Councilmembers Duclos, Fangary, Massey, Mayor Armato

Late: Mayor Pro Tem Campbell

PUBLIC PARTICIPATION:

None.

RECESS TO CLOSED SESSION IN THE SECOND FLOOR CONFERENCE ROOM

The City Council recessed to Closed Session at 6:03 p.m. to:

1. **MINUTES:** Approval of minutes of Closed Session held on November 12, 2019.

2. **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. **CONFERENCE WITH LABOR NEGOTIATOR**
Government Code Section 54957.6

City Designated Representative: Mayor Armato

Unrepresented Employee: City Manager

RECESS TO OPEN SESSION IN THE COUNCIL CHAMBERS

The Closed Session adjourned at 7:00 p.m.

7:00 P.M. - REGULAR AGENDA

CALL TO ORDER

The meeting was called to order at 7:10 p.m.

PLEDGE OF ALLEGIANCE

The Pledge of Allegiance was led by Christine Duclos.

NATIONAL ANTHEM

Guitarist Joe Cipolla performed the National Anthem.

ROLL CALL

Present: Councilmembers Duclos, Fangary, Massey, Mayor Pro Tem Campbell, Mayor Armato

CLOSED SESSION REPORT

The City Attorney provided the Closed Session report advising the Council received no public comments and took no reportable action.

ANNOUNCEMENTS

Mayor Pro Tem Campbell made the following announcements:

- 1) The Great Santa Stroll event benefitting Michael's Learning Place which serves children with special needs will take place at the Hermosa Beach Pier starting at 10 a.m. on December 14th.
- 2) She attended a Zonta International event, an organization which works to improve the lives of women and girls, at the Bluewater Grill on Saturday, November 16th.
- 3) She attended a Neighborhood Watch block captain meeting hosted by the Police Department at the Community Center's 2nd Story Theatre on Thursday, November 14th.

Mayor Armato announced that residents may have received a Police Officers Association (POA) robocall this past weekend. The City is negotiating with the POA to renew their contract. Negotiations have historically been done in private; however, these calls violated longstanding tradition by attempting to stoke fear in the community and harm the morale of current police staff. The City Council is committed to protecting the safety of the entire community and values the Police Department and public safety staff. The City is committed to meeting and conferring in good faith and asks that the POA does the same.

APPROVAL OF AGENDA

Moved by Councilmember Duclos, and second by Mayor Pro Tem Campbell, to approve the agenda as presented. The motion carried as follows:

AYES: Councilmembers Duclos, Fangary, Massey, Mayor Pro Tem Campbell, Mayor Armato

PROCLAMATIONS / PRESENTATIONS

- a) **RESOLUTION DECLARING THE RESULTS OF THE GENERAL MUNICIPAL ELECTION OF NOVEMBER 5, 2019, AND INSTALLATION OF ELECTED OFFICERS**
(City Clerk Elaine Doerfling)

Recommendation: The City Clerk recommends that the City Council adopt the resolution (to be made available prior to the meeting) declaring the results of the General Municipal Election of November 5, 2019, as certified by the Registrar-Recorder/County Clerk after completing the official canvass of votes.

The City Clerk noted minor differences (2 votes) in ballot counts provided on the staff report and advised a revised resolution would be provided with corrected information.

Moved by Councilmember Duclos, and second by Councilmember Massey. The motion carried as follows:

AYES: Councilmembers Duclos, Fangary, Massey, Mayor Pro Tem Campbell, Mayor Armato

Outgoing City Councilmember Jeff Duclos and City Clerk Elaine Doerfling were recognized by the City Council and received certificates, commendations and plaques from:

- 1) Representative Ted Lieu
- 2) Assemblymember Al Muratsuchi
- 3) State Senator Ben Allen
- 4) Los Angeles County Supervisor Janice Hahn
- 5) Manhattan Beach Mayor Pro Tem Richard Montgomery
- 6) Redondo Beach Mayor Bill Brand
- 7) Lomita Councilmember Mark Waronek
- 8) Beach Cities Health District - Tom Bakaly and Lauren Nakano

Councilmember Duclos received parting mementos from:

- 1) Beach Cities Health District – framed Pier Plaza photo
- 2) City Manager – musical carousel and photo album
- 3) Los Angeles County Fire Department – engraved axe
- 4) Police Department – challenge coin, ballcap and t-shirt
- 5) Public Works Department – 2000 block Ava Avenue street sign

The City Clerk administered the oaths of office to Councilmembers Justin Massey and Michael Detoy. Councilmember Detoy replaced Councilmember Duclos on the dais.

Mayor Armato recessed the meeting at 8:50 p.m. and invited all to attend a reception in the lobby.

Mayor Armato reconvened the meeting at 9:10 p.m.

Ann Yang replaced Elaine Doerfling as City Clerk.

MISCELLANEOUS ITEMS AND REPORTS - CITY MANAGER

City Manager Suja Lowenthal reported Valley Park restroom renovations had been delayed due to late partition delivery but were anticipated to be installed this week.

PUBLIC PARTICIPATION:

1. ORAL AND WRITTEN COMMUNICATIONS:

The following individuals addressed the City Council:

- 1) Grant Currie
- 2) Quint Carroll
- 3) Sarah Harper
- 4) Michael Leahy
- 5) Dency Nelson

Mayor Armato requested staff work with Grant Currie and Quint Carroll to address a reported parking issue on Ocean View Avenue.

2. CONSENT CALENDAR:

Mayor Pro Tem Campbell requested Item 2(f) be pulled from the Consent Calendar.

Moved by Councilmember Massey, and second by Mayor Pro Tem Campbell, to approve the balance of the Consent Calendar consisting of Items (a) through (e), and (g) through (k). The motion carried as follows:

AYES: Councilmembers Detoy, Fangary, Massey, Mayor Pro Tem Campbell, Mayor Armato

a) MEMORANDUM REGARDING CITY COUNCIL MEETING MINUTES *(City Clerk Elaine Doerfling)*

Recommendation: The City Clerk recommends that the City Council receive and file this memorandum.

b) CHECK REGISTERS

(Finance Director Viki Copeland)

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

c) REVENUE REPORT, EXPENDITURE REPORT, AND CIP REPORT BY PROJECT FOR SEPTEMBER 2019, UPDATED JUNE 2019 CIP REPORT BY PROJECT

(Finance Director Viki Copeland)

Recommendation: Staff recommends that the City Council receive and file the September 2019 Financial Reports

d) 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 September 2019 City Treasurer's Report and Cash Balance Report

e) CANCELLATION OF CERTAIN CHECKS

(City Treasurer Karen Nowicki)

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

g) 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).

h) APPLICATION FOR SB 2 PLANNING GRANTS PROGRAM FUNDS

(Community Development Director Ken Robertson)

Recommendation: Staff recommends that the City Council adopt the attached resolution, thereby approving an application for SB 2 Planning Grants Program Funds and authorizing the City Manager to execute the grant agreement.

i) REQUEST TO RENEW A DIAL-A-TAXI SERVICE AGREEMENT

(Acting Chief of Police Milton McKinnon)

Recommendation: Staff recommends that Council authorize the City Manager to renew the Dial-a-Taxi Service Agreement with South Bay Yellow Co-Op.

j) REJECT ALL BIDS FOR THE PURCHASE OF CATENARY LIGHTS FOR PIER PLAZA

(Public Works Director Marnell Gibson)

Recommendation: Staff recommends that the City Council reject all bids received for the Purchase of Catenary Lights for Pier Plaza.

k) CONSENT TO CONFLICT OF INTEREST WAIVER REQUEST FROM PUBLIC COUNSEL

(City Attorney Michael Jenkins)

Recommendation: Staff recommends that the City Council consent to waive potential conflict

of interest as requested by the public interest law firm Public Counsel.

Public Hearing Items 5(a) and 5(b) were considered and acted upon prior to Consent Ordinance Items 3(a) and 3(b); and Item 4 / 2(f) – Items Removed From the Consent Calendar for Separate Discussion.

5. PUBLIC HEARINGS - TO COMMENCE AT 7:30 P.M

- a) APPROVAL OF 2020 IMPACT LEVEL III EVENTS INCLUDING: “USAV COLLEGIATE BEACH CHAMPIONSHIPS” (5/4 - 5/10); “AAU SUMMER PACIFIC SUMMER SERIES” (5/31, 6/30 AND 8/7 - 8/9); “HERMOSA BEACH TRIATHLON” (6/12 - 6/14); AAU JUNIOR NATIONAL BEACH VOLLEYBALL CHAMPIONSHIPS (7/6 - 7/11); “JVA AND BVCA NATIONAL BEACH CHAMPIONSHIPS” (7/11 - 7/16); “HERMOSA BEACH OPEN AND AVP FIRST NATIONAL CHAMPIONSHIP” (7/17 - 7/29); AND “CBVA SUMMER TOURNAMENTS” (8/1 - 8/2 AND 8/22)**
(Community Resources Manager Kelly Orta)

Recommendation: Staff recommends that the City Council:

1. Approve the Parks, Recreation and Community Resources Advisory Commission’s recommendation to include the following Impact Level III Special Events on the 2020 Special Event Calendar:

- “USAV Collegiate Beach Championships” on Monday, May 4 - Sunday, May 10 on the beach tennis and volleyball courts north of the pier;
- “AAU Southern Pacific Summer Series” on Sunday, May 31, Tuesday, June 30, and Friday, and August 7 - Sunday, August 9 on the volleyball courts north of the pier;
- “Hermosa Beach Triathlon” on Friday, June 12 - Sunday, June 14 on Pier Plaza, the beach south of the pier, and various roads;
- “AAU Junior National Beach Volleyball Championships” on Monday, July 6 - Saturday, July 11 on the volleyball courts north of the pier, the beach tennis courts, and the volleyball courts south of the pier (weekdays only);
- “JVA and BVCA National Beach Championships” on Saturday July 11- Thursday, July 16 on the volleyball courts north of the pier, the beach tennis courts, and the volleyball courts south of the pier (weekdays only);
- “Hermosa Beach Open and AVP First National Championship” on Friday, July 17 - Wednesday, July 29 on the volleyball courts north of the pier, the beach tennis courts and the volleyball courts south of the pier (weekdays only); and
- “CBVA Summer Tournaments” on Saturday, August 1 - Sunday, August 2, Saturday, August 22 on the volleyball courts north of the pier.

2. Approve the designation of two Nothing Weekends on the 2020 Special Event Calendar on Friday, June 26 to Sunday, June 28; and Friday, August 28 to Sunday, August 30.

The Mayor opened the public hearing. The City Council received presentations and input from volleyball group representatives:

- 1) Al Lau, AVP
- 2) Gino Grajeda, AAU
- 3) Jeff Smith, JVA / BVCA

The following individuals addressed the City Council:

- 1) Scott Hayes
- 2) Mark Pollard
- 3) Danny Lennon

The Mayor closed the public hearing.

Moved by Councilmember Detoy, and second by Councilmember Fangary with a friendly amendment to include the two "Nothing Weekends" as noted in staff recommendation #2 for June 26-28 and August 28-30, 2020. Councilmember Detoy accepted the amendment. The motion carried as follows:

AYES: Councilmembers Detoy, Fangary, Massey, Mayor Pro Tem Campbell, Mayor Armato.

The City Council continued Item 6(a) to the next Council Meeting.

6. a) COASTAL ZONE PARKING ASSESSMENT & RECOMMENDATIONS
(*Environmental Analyst Leeanne Singleton*)

Recommendation: Staff recommends that the City Council:

1. Accept the Coastal Zone Parking Assessment Study recommendations;
2. Direct staff to return to Council and the applicable City Commissions with the related implementation actions for each of the near-term recommendations; and
3. Direct staff to incorporate the policy recommendations into the draft Local Coastal Program and, if appropriate, draft an amendment to the City's Coastal Development Permit for the Preferential Parking Program and Remote Beach Park and Ride System.

Moved by Councilmember Fangary, and second by Councilmember Detoy, to extend the meeting until midnight. The motion carried as follows:

AYES: Councilmembers Detoy, Fangary, Massey, Mayor Pro Tem Campbell, Mayor Armato.

b) ORDINANCE NO. 19-1399 AN ORDINANCE OF THE CITY OF HERMOSA BEACH TO TEMPORARILY PROHIBIT NO-FAULT EVICTIONS THROUGH DECEMBER 31, 2019 FOR RESIDENTIAL REAL PROPERTY BUILT PRIOR TO JANUARY 1, 2005 AND DECLARING THE URGENCY THEREOF
(*City Attorney Michael Jenkins*)

Recommendation: Staff recommends that the City Council adopt Urgency Ordinance No 19-1399 enacting a temporary prohibition on no-fault evictions through December 31, 2019, for residential real property built prior to January 1, 2005 to take effect immediately.

The Mayor opened the public hearing. The following individual addressed the City Council:

- 1) Scott Hayes

The Mayor closed the public hearing.

Moved by Councilmember Fangary, and second by Mayor Pro Tem Campbell. The motion carried as follows:

AYES: Councilmembers Detoy, Fangary, Massey, Mayor Pro Tem Campbell, Mayor Armato

Municipal Matters Item 6(d) was considered and acted upon prior to Consent Ordinance Items 3(a) and 3(b); Item 4 / 2(f) – Items Removed From the Consent Calendar for Separate Discussion; and Items 6(b) and 6(c).

6. MUNICIPAL MATTERS

**d) REQUEST FOR ON-STREET DISABLED PARKING SPACE ON 29TH STREET
ADJACENT TO 254 29TH STREET**

(Public Works Director Marnell Gibson)

Recommendation: Staff recommends that the City Council approve a request for the installation of an on-street disabled parking space on 29th Street adjacent to 254 29th Street.

Moved by Councilmember Fangary, second by Councilmember Detoy. The motion carried as follows:

AYES: Councilmembers Detoy, Fangary, Massey, Mayor Pro Tem Campbell, Mayor Armato

3. CONSENT ORDINANCES

a) ORDINANCE NO. 19-1398 AN ORDINANCE OF THE CITY OF HERMOSA BEACH, CALIFORNIA, AMENDING CHAPTER 8.64 OF THE HERMOSA BEACH MUNICIPAL CODE TO EXPAND THE BAN ON POLYSTYRENE FOOD SERVICE WARE TO INCLUDE A BAN ON CERTAIN POLYSTYRENE PRODUCTS, SINGLE-USE PLASTIC PRODUCTS, AND SINGLE-USE PRODUCTS AND AMENDING CHAPTER 1.10 TO MAKE VIOLATIONS OF CHAPTER 8.64 AS AMENDED SUBJECT TO ADMINISTRATIVE PENALTY PROCEDURES

(City Clerk Elaine Doerfling)

Recommendation: The City Clerk recommends that the City Council waive full reading and adopt by title Ordinance No. 19-1398

The following individual addressed the City Council:

1) Craig Cadwallader

Moved by Councilmember Massey, second by Mayor Pro Tem Campbell. The motion carried as follows:

AYES: Councilmembers Detoy, Fangary, Massey, Mayor Pro Tem Campbell, Mayor Armato

b) ORDINANCE NO. 19-1400 AN ORDINANCE OF THE CITY OF HERMOSA BEACH, CALIFORNIA, ADOPTING BY REFERENCE THE 2019 EDITION OF THE CALIFORNIA BUILDING STANDARDS CODE (CALIFORNIA CODE OF REGULATIONS, TITLE 24), INCLUDING THE 2019 CALIFORNIA BUILDING CODE; THE 2019 CALIFORNIA RESIDENTIAL CODE; THE 2019 CALIFORNIA ELECTRICAL CODE; THE 2019 CALIFORNIA MECHANICAL CODE; THE 2019 CALIFORNIA PLUMBING CODE; THE 2019 CALIFORNIA FIRE CODE; THE 2019 ENERGY CODE; THE 2019 CALIFORNIA EXISTING BUILDING CODE; THE 2019 CALIFORNIA GREEN BUILDING STANDARDS CODE; MAKING AMENDMENTS TO SAID CODES; AND FINDING THE ACTION EXEMPT FROM THE CALIFORNIA ENVIRONMENTAL QUALITY ACT

(City Clerk Elaine Doerfling)

Recommendation: The City Clerk recommends that the City Council waive full reading and adopt by title Ordinance No. 19-1400.

Moved by Councilmember Mayor Pro Tem Campbell, second by Councilmember Massey. The motion carried as follows:

AYES: Councilmembers Detoy, Fangary, Massey, Mayor Pro Tem Campbell, Mayor Armato

4. ITEMS REMOVED FROM THE CONSENT CALENDAR FOR SEPARATE DISCUSSION

2(f) PUBLIC WORKS PROJECT STATUS REPORT AS OF NOVEMBER 13, 2019

(Public Works Director Marnell Gibson)

Recommendation: Staff recommends that the City Council receive and file the Public Works Project Status Report as of November 13, 2019.

Mayor Pro Tem Campbell noted progress on a number of capital improvement program projects on the Public Works status report. Councilmember Massey noted reports of sewer project construction notification issues to residents which will be addressed by staff and City contractors. Councilmember Fangary noted a resident complaint about parking taken up by contractor vehicles.

Moved by Mayor Pro Tem Campbell, and second by Councilmember Fangary. The motion carried as follows:

AYES: Councilmembers Detoy, Fangary, Massey, Mayor Pro Tem Campbell, Mayor Armato

6. MUNICIPAL MATTERS

b) APPROVE REIMBURSABLE AGREEMENT AND AWARD OF PROFESSIONAL SERVICE AGREEMENT TO PROVIDE CONSTRUCTION MANAGEMENT & INSPECTION SERVICES FOR THE SKECHERS PROJECT

(Public Works Director Marnell Gibson)

Recommendation: Staff recommends that the City Council:

1. Approve a Reimbursable Agreement with Skechers Project in a not to exceed amount of \$150,000 to pay for construction management and inspection services for the construction of new public sanitary sewer;
2. Award a Professional Services Agreement to Onward Engineering in a not-to-exceed amount of \$150,000 to provide construction management and inspection services for the construction of the new public sanitary sewer for the Skechers Development Project; and
3. Authorize the Mayor to execute and the City Clerk to attest both agreements subject to approval by the City Attorney.

Moved by Mayor Pro Tem Campbell, and second by Councilmember Fangary. The motion carried as follows:

AYES: Councilmembers Detoy, Fangary, Massey, Mayor Pro Tem Campbell, Mayor Armato

c) APPROPRIATION OF ADDITIONAL FUNDS TO CIP 416 SEWER IMPROVEMENTS PHASE 2 FOR CUSTOM SEWER MAINTENANCE ACCESS HOLE COVERS

(Public Works Director Marnell Gibson)

Recommendation: Staff recommends that the City Council:

1. Approve an additional appropriation of \$250,000 in the Sewer Fund for CIP 416 Sewer Improvement Phase 2, to be used for the removal and replacement of standard sewer maintenance access hole covers and frames with custom sewer maintenance access hole covers and frames displaying the City seal; and

2. Authorize the Public Works Director to process a construction change order for an amount up to \$250,000 for this work.

Moved by Councilmember Detoy, and second by Mayor Pro Tem Campbell. The motion carried as follows:

AYES: Councilmembers Detoy, Fangary, Massey, Mayor Pro Tem Campbell, Mayor Armato

7. MISCELLANEOUS ITEMS AND MEETING ATTENDANCE REPORTS - CITY COUNCIL

a) UPDATES FROM CITY COUNCIL AD HOC SUBCOMMITTEES AND STANDING COMMITTEE DELEGATES/ALTERNATES

Mayor Pro Tem Campbell reported on attendance at the Hawthorne Airport noise workshop on November 14, 2019 and provided a noise study binder to staff.

Mayor Armato reported on LAX roundtable attendance and provided updates on a Fly Quieter airline incentive / recognition program and requests for noise monitors for Hermosa Beach and Manhattan Beach which pend Federal Aviation Administration approval.

Councilmember Massey reported he voted in favor of the South Bay Cities Council of Governments' regional broadband project which will be moving forward.

8. OTHER MATTERS - CITY COUNCIL

a) MAYOR ARMATO AND MAYOR PRO TEM CAMPBELL REQUEST THAT STAFF RETURN TO CITY COUNCIL WITH AN ITEM TO CONSIDER DEDICATING THE COMMUNITY GARDEN AT SOUTH PARK IN COUNCILMEMBER JEFF DUCLOS' NAME IN RECOGNITION OF HIS LEADING VOICE AND STRONG ADVOCACY WHICH SPEARHEADED THE MOVEMENT FOR A PERMANENT COMMUNITY GARDEN IN HERMOSA BEACH.

Mayor Armato, Mayor Pro Tem Campbell, and Councilmembers Fangary and Massey supported directing staff to return to Council with an item to consider the creation of a Council subcommittee to work with a Parks and Recreation Commission subcommittee on dedicating the Community Garden at South Park in Councilmember Jeff Duclos' name.

b) TENTATIVE FUTURE AGENDA ITEMS

Recommendation: Staff recommends that the City Council receive and file the tentative future agenda items.

Councilmember Fangary thanked the City Manager for continuing the Municipal Lease Policy item to January 14, 2020 and noted that Coastal Zone Parking Study Item 6(a) from tonight's meeting would be moved to December 17, 2019.

The Tentative Future Agenda Items were received and filed.

ADJOURNMENT

Mayor Armato adjourned the meeting at 11:45 p.m. to an Adjourned Regular Meeting on Thursday, November 21, 2019 at 6:00 p.m. in the Council Chambers for the Mayoral Transition Ceremony.



SUJA LOWENTHAL
CITY MANAGER