



City of Hermosa Beach

City Hall
1315 Valley Drive
Hermosa Beach, CA
90254

Meeting Minutes - Final

City Council

*Mayor
Justin Massey*

*Mayor Pro Tem
Dean Francois*

*Councilmembers
Rob Saemann
Mike Detoy
Ray Jackson*

Thursday, February 15, 2024

6:00 PM

Call and Notice of Special Meeting:
The Mayor of the City of Hermosa Beach has called a Special Meeting of the City Council to consider and take action on only those matters set forth on the agenda.

6:00 PM - OPEN SESSION

1. CALL TO ORDER

Mayor Massey called the special meeting to order at 6:05 p.m.

2. PLEDGE OF ALLEGIANCE

James Rosenberger led the Pledge of Allegiance.

3. ROLL CALL

City Clerk Myra Maravilla announced a quorum.

Present: 5 - Mayor Massey, Mayor Pro Tempore Francois, Councilmember Saemann, Councilmember Detoy, and Councilmember Jackson

Absent: 0

4. ANNOUNCEMENTS - UPCOMING CITY EVENTS

Councilmember Jackson invited the community to attend a Pet Vaccine and Microchip Clinic on Sunday, February 18 at the Redondo Dog Park from 9:00 a.m. to 11:00 a.m.

5. APPROVAL OF AGENDA

A motion was made by Councilmember Detoy, seconded by Councilmember Jackson to approve the order of the agenda. The motion carried by the following vote:

Aye: 5 - Mayor Massey, Francois, Saemann, Deto, and Jackson

Absent: 0

6. CITY MANAGER REPORT

Councilmember Deto asked various questions.

Director SanClemente provided information.

Mayor Pro Tem Francois asked various questions.

City Manager Lowenthal provided information.

7. PUBLIC COMMENT

In Person Public Comment:
James Rosenberger

8. CITY COUNCILMEMBER COMMENTS

Councilmember Saemann provided an update on his attendance to the Independent Cities Association seminar and a session regarding the no-bail system.

Mayor Pro Tem Francois provided an update on his attendance to the Los Angeles County Sanitation District Board of Directors meeting, the Santa Monica Bay Restoration District meeting and the Cal Water Facility on Prospect Avenue.

Mayor Massey provided information about his attendance to the South Bay Council of Government Board of Director's meeting and reported on the C Line Extension to Torrance. The Board voted to support the extension, but defer to LA Metro on which alignment the extension will take.

Councilmember Jackson provided an update on his attendance to the Independent Cities Association seminar.

Mayor Pro Tem Francois requested information about the public's ability to request a parking permit in person.

City Manager Lowenthal provided information.

Councilmember Jackson provided comments.

9. MUNICIPAL MATTERS

a) [REPORT](#)
[24-0063](#)

CIVIC FACILITIES COMMUNITY ENGAGEMENT PLAN
(Continued from January 23, 2024)
(City Manager Suja Lowenthal)

City Manager Lowenthal introduced the staff report.

Jeffrey Fullerton, from Fullerton Consulting Partners LLC, spoke.

Police Chief LeBaron spoke.

Director SanClemente spoke.

Director Tai spoke.

Deputy City Manager Angela Crespi spoke.

Mayor Pro Tem Francois asked various questions.

City Manager Lowenthal provided information.

Jeffrey Fullerton spoke.

Councilmember Saemann spoke.

In Person Public Comment:

Elka Worner

Jim Rosenberger

David Grethen

Virtual Public Comment:

Anthony Higgins

Kent Allen

Matt McCool

Laura Pena

The City Council continued to deliberate on this item.

A motion was made by Councilmember Detoy, seconded by Councilmember Jackson to approve a Professional Services Agreement with Fullerton Consulting Partners, LLC to provide technical support services for the community engagement phase and development services to the City for a term ending December 31, 2025 at a not-to-exceed amount of \$43,750 and authorize the City Manager to execute and the City Clerk to attest to the proposed agreement, subject to approval by the City Attorney; and create an informal civic facilities community advisory group. The motion carried by the following vote:

Aye: 3 - Mayor Massey, Detoy, and Jackson

No: 2 - Francois, and Saemann

Absent: 0

b) [REPORT](#)
[24-0064](#)

CONSIDERATION OF PLACING A LOCAL CONTROL CITY SERVICES MEASURE ON THE NOVEMBER 5, 2024 GENERAL MUNICIPAL ELECTION BALLOT ASKING THE VOTERS TO APPROVE A GENERAL TRANSACTIONS AND USE TAX (SALES TAX or TUT) AT THE RATE OF THREE-QUARTER CENT (3/4¢)

(Continued from January 23, 2024)

(City Manager Suja Lowenthal)

Mayor Massey called for a recess at 8:08 p.m.

The City Council reconvened and City Clerk Maravilla announced a quorum.

City Manager Lowenthal provided a presentation.

Councilmember Saemann asked various questions.

Mayor Massey asked various questions.

Mayor Pro Tem Francois asked various questions.

City Attorney Donegan provided information.

Director Copeland provided information.

Councilmember Jackson asked a question.

Councilmember Deto asked various questions.

Virtual Public Comment:

Kent Allen

Ray Dussault

Anthony Higgins

Matt McCool

Ann Gotthoffer

The City Council continued to deliberate on this item.

A motion was made by Councilmember Deto, seconded by Councilmember Saemann to adopt Resolution for the placement of a locally controlled general tax measure on the ballot for the November 5, 2024 General Municipal Election for the submission to the qualified voters of an ordinance, to enact a General Transactions and Use Tax (Sales Tax or TUT) at the rate of three quarter cent (3/4); with a sunset clause 20 years from the effective date and if passed, the creation of a community oversight board; and adopt Resolution requesting the Board of Supervisors render the election consolidation services for this measure;

and adopt Resolution setting priorities for filing a written Argument and Rebuttal Argument regarding an ordinance to enact a general Transactions and Use Tax (Sales Tax or TUT) at the rate of three-quarter cent (3/4) to be submitted to voters at the General Municipal Election to be held on Tuesday, November 5, 2024, and directing the City Attorney to prepare the impartial analysis. The motion carried by the following vote:

Aye: 4 - Mayor Massey, Saemann, Detoy, and Jackson

No: 1 - Francois

Absent: 0

c) [REPORT](#)
[24-0067](#)

**DISCUSSION REGARDING THE FEES FOR CONDITIONAL USE
PERMITS (CUP) AND AMENDMENTS TO ENTITLEMENTS FOR
OUTDOOR DINING**

(Continued from January 23, 2024)

(Community Development Director Carrie Tai)

Planning Manager Alexis Oropeza provided a presentation.

Councilmember Saemann asked various questions.

Director Tai provided comments.

Mayor Pro Tem Francois asked various questions.

Councilmember Jackson asked various questions.

City Attorney Donegan provided information.

City Manager Lowenthal provided information.

Virtual Public Comment

Laura Pena

The City Council continued deliberations on this item.

The City Council discussed a consensus of not subsidizing this cost.

Director Tai clarified that the CUP study will come back in June.

Various Councilmembers requested the City Attorney review any and all options available to permit businesses to continue to temporarily use outdoor dining decks on private property while staff reviews alternative methods of granting permission, aside from the CUP amendment process, and while the Zoning Code update process takes place.

A motion was made by Councilmember Saemann, seconded by Mayor Pro Tempore Francois to direct staff to come back with alternate approval processes and associated fees for outdoor dining decks on private property (street-level only); and the review of updated CUP fees will be a part of the City's larger fee study expected in June.

Councilmember Jackson provided a friendly amendment to review the option to provide a temporary outdoor dining deck extension. Councilmember Saemann and Mayor Pro Tem Francois accepted the friendly amendment.

Aye: 4 - Francois, Saemann, Detoy, and Jackson

No: 1 - Mayor Massey

Absent: 0

A motion was made by Councilmember Detoy, seconded by Councilmember Saemann to extend the meeting to 11:30 p.m. The motion carried by the following vote:

Councilmember Jackson was not present during roll call.

Present: 4 - Mayor Massey, Mayor Pro Tempore Francois, Councilmember Saemann, and Councilmember Detoy

Absent: 1 - Councilmember Jackson

d) [REPORT](#)
[24-0065](#)

**DISCUSSION REGARDING THE REGULATION OF
BICYCLES AND ELECTRIC BICYCLES IN THE CITY**

(Continued from January 23, 2024)

(City Attorney Patrick Donegan)

City Attorney Patrick Donegan provided a staff report.

Mayor Pro Tem Francois asked various questions.

Councilmember Jackson asked various questions.

Mayor Massey asked various questions.

Chief LeBaron provided information.

City Attorney Donegan provided additional information.

City Manager Lowenthal provided information.

In Person Public Comment

Steve Collins

The City Council continued deliberations on this item.

Information to require private businesses to geofence motorized bicycles was provided.

A motion was made by Councilmember Detoy, seconded by Councilmember Saemann to receive and file the information and to bring back a discussion to review ordinance language with additive rules not found in the vehicle code, and explain if redundant rules are needed, and explore the requirement for local shops to geofence motorized vehicles and the option for broader prohibition of motorized vehicles on the Strand. The motion carried by the following vote:

Aye: 4 - Mayor Massey, Francois, Saemann, and Detoy

Absent: 1 - Jackson

A motion was made by Councilmember Jackson, seconded by Councilmember Detoy to extend the meeting to 12:15 a.m. The motion carried by the following vote:

Aye: 5 - Mayor Massey, Francois, Saemann, Detoy, and Jackson

Absent: 0

e) [REPORT](#)
[24-0066](#)

**CONSIDERATION OF A RESOLUTION AMENDING THE
RULES OF CONDUCT OF CITY COUNCIL MEETINGS AND
SUBSIDIARY CITY BOARDS AND COMMISSIONS**

(Continued from January 23, 2024)

(City Attorney Patrick Donegan)

City Attorney Donegan provided a staff report.

Mayor Pro Tem Francois asked various questions.

Virtual Public Comment
Laura Pena

Councilmember Saemann provided comments.

Mayor Massey provided comments.

A motion was made by Councilmember Jackson, seconded by Councilmember Detoy to adopt a resolution amending the rules of conduct at City Council meetings and making these rules, where feasible, applicable to all subsidiary Boards and Commissions in the City.

Councilmember Saemann made a substitute motion, seconded by Mayor Pro Tem Francois to make general public comment three (3) minutes. The substitute motion failed, 3-2.

**AYES: Mayor Pro Tem Francois and Councilmember Saemann
NOES: Mayor Massey, Councilmember Detoy, and Councilmember Jackson**

The original motion was carried by the following vote:

Aye: 5 - Mayor Massey, Francois, Saemann, Detoy, and Jackson

Absent: 0

10. FUTURE AGENDA ITEMS

a) [24-0070](#)

TENTATIVE FUTURE AGENDA ITEMS

Councilmember Jackson requested support for a future agenda item to discuss an urgency ordinance to put a moratorium on any new ground office space in the City of Hermosa Beach. Councilmember Detoy and Councilmember Saemann expressed support. The requested item will return as an action item for Council's consideration.

City Attorney Donegan provided information.

Councilmember Saemann asked various questions..

Councilmember Jackson provided comments.

11. PUBLIC PARTICIPATION FROM THE PUBLIC

There was no public comment.

12. ADJOURNMENT

Mayor Massey adjourned the meeting in memory of Bill Brand at 12:18 a.m.

Mayor Pro Tem Francois shared a tribute about Bill Brand.

Councilmember Saemann shared a tribute about Bill Brand.

Councilmember Detoy shared a tribute about Bill Brand.

Councilmember Jackson shared memories a tribute about Bill Brand.