



Hermosa Beach City Council Regular Meeting Minutes

Tuesday, July 28, 2020

Closed Session Cancelled Regular Session 6:00 P.M.

Virtual Meeting via Zoom

City Council

Mary Campbell, Mayor

Justin Massey, Mayor Pro Tem

Stacy Armato, Councilmember

Michael Detoy, Councilmember

Hany Fangary, Councilmember

CALL TO ORDER

The City Council Regular Meeting of the City of Hermosa Beach met via a virtual meeting held pursuant to Executive Order N-29-20 issued by Governor Gavin Newsom March 17, 2020 on the above date. Meeting was called to order by Mayor Campbell at 6:06 p.m.

ROLL CALL

Present: Councilmembers Armato, Detoy, Fangary, Mayor Pro Tem Massey, and Mayor Campbell

PLEDGE OF ALLEGIANCE

The pledge of allegiance was led Mayor Campbell

CLOSED SESSION REPORT

City Attorney Michael Jenkins shared that closed session was cancelled no there is no report to provide. Attorney Jenkins did provide an update to the City Council regarding a pending lawsuit filed by Dina Fangary against the City of Hermosa Beach alleging the City had violated the Brown Act. The court found in favor of Hermosa Beach and dismissed the claim. (Complete audio and video is available upon request at the City Clerk's office or can be accessed by clicking the following link: [July 28, City Council Meeting](#)).

ANNOUNCEMENTS

Mayor Campbell shared some announcements (Complete audio and video is available upon request at the City Clerk's office or can be accessed by clicking the following link.

[July 28, City Council Meeting](#)

APPROVAL OF AGENDA

MOTION: Councilmember Detoy moved to approve the agenda, seconded by Councilmember Armato. Motion carried by majority consent.

Councilmember Fangary stated that he will not be supporting the motion due to his disapproval of staff providing verbal staff reports.

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

NOES: Councilmember Fangary

PROCLAMATIONS / PRESENTATIONS

Jacqueline Sun and Tom Bakaly with Beach Cities Health District provided a COVID-19 presentation and update.

MISCELLANEOUS ITEMS AND REPORTS - CITY MANAGER

City Manager Lowenthal provided an update on COVID-19 response. She also introduced Fire Station 100 B Shift Crew, but due to an emergency call, members of the B shift were not available. She closed out her report by introducing Los Angeles County West Vector Control Delegate Jim Fasola to provide an update. (Complete audio and video is available upon request at the City Clerk's office or can be accessed by clicking the following link: [July 28, City Council Meeting](#))

PUBLIC COMMUNICATIONS

The following people provided public comment:

1. Charles Sheldon
2. Mark Hopkins

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1. ORAL AND WRITTEN COMMUNICATIONS

Written communication was provided from Tony Higgins, and Ken Hartley

MOTION: Councilmember Armato moved to receive and file written communications, seconded by Mayor Pro Tem Massey. Motion carried by unanimous consent.

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

Mayor Pro Tem Massey commented that one of the written communications submitted was a cure and correct letter regarding the Brown Act. He then proceeded to ask City Attorney Jenkins if he had any information he could share in regarding the letter.

City Attorney Jenkins responded that this item will be brought back for Council consideration under an agenized item. A staff report and recommendation will be provided to Council as customary with all Brown Act complaints.

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2. CONSENT CALENDAR

Councilmember Fangary asked that item 2k be pulled from the consent calendar for separate consideration.

MOTION: Councilmember Armato moved to approve the balance of the consent calendar, seconded by Councilmember Detoy. Motion carried by unanimous consent.

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

a. CITY COUNCIL MEETING MINUTES

b. CHECK REGISTER

c. REVENUE REPORT, EXPENDITURE REPORT, AND CIP REPORT BY PROJECT FOR JUNE 2020

d. CITY TREASURER'S REPORT AND CASH BALANCE REPORT

- e. **CANCELLATION OF CERTAIN CHECKS**
- f. **ACTION MINUTES OF PUBLIC WORKS COMMISSION MEETING OF MAY 20, 2020**
- g. **CAPITAL IMPROVEMENT PROJECT STATUS REPORT AS OF JULY 21, 2020**
- h. **ACTION SHEET OF PLANNING COMMISSION**
- i. **PLANNING COMMISSION TENTATIVE FUTURE AGENDA ITEMS**
- j. **APPROVE LEASE AGREEMENT BETWEEN CITY OF HERMOSA BEACH AND STAR EDUCATION TO PROVIDE CHILDCARE SERVICES FOR CHILDREN ENROLLED IN THE HERMOSA BEACH CITY SCHOOL DISTRICT**
- k. **EASY READER 50TH ANNIVERSARY AD**

Item 2k was pulled from the consent calendar by Councilmember Fangary for separate consideration.

3. CONSENT ORDINANCE

None

4. ITEMS REMOVED FROM THE CONSENT CALENDAR FOR SEPARATE DISCUSSION

2k. EASY READER 50TH ANNIVERSARY AD

Councilmember Fangary shared his reasons for pulling this item from the consent calendar, which include a possible conflict of interest.

Mayor Pro Tem Massey asked City Attorney Jenkins if he had a response to the letter submitted by a community member regarding a possible conflict of interest with this agenda item.

City Attorney Jenkins clarified that based on his review of current conflict of interest law no conflict exists in this matter.

Ken Helen provided public comment for this item.

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accessed by clicking the following link: [July 28, City Council Meeting](#)).

MOTION: Mayor Pro Tem Massey moved to approve staff recommendation, seconded by Mayor Campbell. Motion was approved by majority consent.

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

NOES: Councilmember Fangary

5. PUBLIC HEARING ITEMS

- a. **C 42 #9 – CERTIFICATE OF APPROPRIATENESS FOR A MURAL DISPLAY MEASUREING APPROXIMATELY 3,376 SQUARE FEET ON THE WEST FACING BUILDING WALL OF THE HISTORIC BIJOU BUILDING LOCATED AT 1221 HERMOSA AVENUE AND DETERMINATION THAT THE PROJECT IS CATEFORICALLY EXEMPT PURSUANT TO SECTIONS 15301 AND 15061 (B)(3) UNDER THE CALIFORNIA ENVIRONMENTAL QUALITY ACT (CEQA)**

MOTION: Councilmember Fangary moved to approve staff recommendation, seconded by Mayor Pro Tem Massey. Motion carried by unanimous consent.

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

NOES: None

6. MUNICIPAL MATTERS

- a. **ADOPTION OF AN URGENCY ORDINANCE OF THE CITY OF HERMOSA BEACH, CALIFORNIA, THAT REQUIRES MEMBERS OF THE PUBLIC TO WEAR FACE COVERINGS; AND TO CONFIRM CITY MANAGER/DIRECTOR OF EMERGENCY SERVICES EXECUTIVE ORDER NO. 2020-09 REGARDING SUSPENDING LOCAL ZONING REGULATIONS TO PERMIT SPECIFIED BUSINESSES TO OPERATE OUTDOORS AND TO PERMIT CERTAIN HOME OCCUPATIONS TO OPERATE WITHOUT A COMMERCIAL BUSINESS LOCATION DURING THE COVID-19 CRISIS** *(Verbal report, no vote required)*

The following people provided public comment:

1. Raymond Dussault
2. Dency Nelson
3. Lauren Nacano
4. Laura Pena
5. Dean Francois
6. John David
7. David Eperly
8. Angelina (no last name provided)

9. Chad (No last name provided)
10. Amanda (No last name provided)
11. Andrew Voguely
12. Dre (No last name provided)
13. Jessica Accamando
14. Jeff Davis

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MOTION: Mayor Pro Tem Massey moved to approve staff recommendation, seconded by Mayor Campbell. Motion carried by majority consent.

AYES: Council Member Armato, Detoy, Fangary, Mayor Pro Tem Massey, and Mayor Campbell

NOES: Councilmember Fangary

b. RECEIVE REPORT ON EMERGENCY ENFORCEMENT MEASURES TO ENSURE COMPLIANCE WITH PANDEMIC-RELATED HEALTH ORDERS FROM BOTH THE CITY AND THE COUNTY OF LOS ANGELES HEALTH DEPARTMENT

MOTION: Mayor Campbell moved to continue item 6b to the August 11 City Council Meeting, seconded by Councilmember Detoy. Motion carried by unanimous consent.

AYES: Council Member Armato, Detoy, Fangary, Mayor Pro Tem Massey, and Mayor Campbell

NOES: None

c. ADOPTION OF AN URGENCY ORDINANCE AMENDING AND EXTENDING THE DURATION OF THE TEMPORARY MORATORIUM ON FORCLOSURERS AND RESIDENTIAL AND COMMERCIAL EVICTIONS FOR NONPAYMENT OF RENT DURING COVID-19 PANDEMIC

MOTION: Mayor Pro Tem moved to adopt the Urgency Ordinance 1414U, seconded by Councilmember Armato. Motion carried by unanimous consent.

AYES: Council Member Armato, Detoy, Fangary, Mayor Pro Tem Massey, and Mayor Campbell

NOES: None

d. REVIEW OF CITY'S PARKING ASSET RESTRICTIONS IN LIGHT OF ONGOING CHANGES TO THE LOS ANGELES COUNTY HEALTH ORDER

MOTION: Councilmember Detoy moved to open Lot C to pre COVID-19 status, seconded by Mayor Campbell. Motion carried by unanimous consent.

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

NOES: None

MOTION TO EXTEND THE CITY COUNCIL MEETING TO 12:45 a.m.

MOTION: Mayor Pro Tem Massey moved to extend the City Council meeting to 12:45 p.m., seconded by Mayor Campbell. Motion carried by unanimous consent.

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

e. APPROVE CONTRACT WITH UNITED STORM WATER INC. TO PURCHASE AND INSTALL STORM DRAIN CATCH BASIN SCREEN DEVICES ON CITY AND COUNTY-OWNED STORM DRAINS FOR CIP 419

Public comment was provided by:

1. Craig Cadwallder

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MOTION: Mayor Pro Tem Massey moved to approve staff recommendation, seconded by councilmember Armato. Motion carried by majority consent.

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

NOES: None

f. AWARD OF PROFESSIONAL SERVICES AGREEMENTS TO PROVIDE ON-CALL GEOTECHNICAL SERVICES

MOTION: Councilmember Armato moved to approve staff recommendation, seconded by Councilmember Detoy. Motion carried by Majority consent.

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

NOES: Councilmember Fangary

g. DISSOLUTION OF MEMORANDUM OF UNDERSTANDING BETWEEN

**THE CITY OF HERMOSA BEACH, THE CITY OF MANHATTAN BEACH,
THE CITY OF REDONDO BEACH, THE CITY OF TORRANCE, AND THE
LOS ANGELES COUNTY FLOOD CONTROL DISTRICT RELATED TO
DESIGN OF JOINT REGIONAL PROJECTS WITHIN THE SMB 6-01
ANALYSIS REGION OF THE ENHANCED WATERSHED MANAGEMENT
PROGRAM (EWMP) FOR THE BEACH CITIES WATERSHED
MANAGEMENT GROUP**

Public comment was provided by:

1. Craig Cadwallder
2. David Grethen

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MOTION: Mayor Pro Tem Massey moved to approve staff recommendation, seconded by Councilmember Armato. Motion carried by majority consent.

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

NOES: Councilmember Fangary

MOTION TO EXTEND THE CITY COUNCIL MEETING TO 1:00 a.m.

MOTION: Councilmember Detoy moved to extend the City Council meeting to 1:00 a.m., seconded by Mayor Campbell. Motion carried by unanimous consent.

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

NOE: None

7. MISCELLANEOUS ITEMS AND MEETING ATTENDANCE REPORTS - CITY COUNCIL

**a. VACANCIES – BOARDS AND COMMISSIONS – EXPIRATION OF TERMS
CIVIL SERVICE BOARD APPOINTMENTS**

MOTION: Mayor Pro Tem Massey moved to approve the appointment of Vanessa Zimmer and Doug Collins to the Civil Service Board, seconded by Councilmember Armato. Motion carried by unanimous consent.

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

NOES: None

b. UPCOMING VACANCIES: THREE PUBLIC WORKS COMMISSION TERMS

EXPIRE OCTOBER 31, 2020

MOTION: Mayor Pro Tem Massey moved to approve staff recommendation, seconded by Councilmember Detoy. Motion carried by unanimous consent.

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

NOES: None

**c. UPDATES FROM CITY COUNCIL AD HOC SUBCOMMITTEES AND
STANDING COMMITTEE DELEGATES/ALTERNATES**

Mayor Campbell shared that the Economic Development committee will be meeting on Monday August 3, 2020.

8. OTHER MATTERS – CITY COUNCIL

a. TENTATIVE FUTURE AGENDA ITEMS

MOTION: Councilmember Detoy moved receive and file, seconded by Councilmember Armato.

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

NOES: None

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ADJOURNMENT

Mayor Campbell adjourned the City Council meeting in memory of Danay DiVirgilio and provided comments about Ms. DiVirgilio and her life. Meeting concluded at 1:04 a.m.

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Eduardo Sarmiento, City Clerk