



Staff Report

File #: REPORT 20-0565, Version: 1

Honorable Mayor and Members of the Hermosa Beach City Council Regular Meeting of August 25, 2020

**A RESOLUTION OF THE CITY COUNCIL OF
THE CITY OF HERMOSA BEACH RATIFYING
EXECUTIVE ORDER NO. 2020-11 AND AUTHORIZING
THE CITY MANAGER TO TEMPORARILY CLOSE
PARTS OF CITY STREETS AS PART OF THE COVID-19
PANDEMIC RESPONSE AND DETERMINING THE
ACTION IS EXEMPT FROM CEQA**

(City Attorney Michael Jenkins)
(Assistant City Attorney Lauren Langer)
(Deputy City Attorney Kathy Shin)
(Environmental Analysis Leeanne Singleton)
(Environmental Programs Manager Doug Krauss)

Recommended Action:

Staff recommends that the City Council:

1. Adopt Resolution No.20-7252, A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF HERMOSA BEACH RATIFYING EXECUTIVE ORDER NO. 2020-11 AND AUTHORIZING THE CITY MANAGER TO TEMPORARILY CLOSE PARTS OF CITY STREETS AS PART OF THE COVID-19 PANDEMIC RESPONSE (Attachment 1), including a determination that the action is exempt from CEQA; and
2. Authorize City staff to extend outdoor permits issued under Ordinance No. 20-1410U, until March 2021, consistent with the approved time for the lane closures.

Executive Summary:

On June 9, 2020, the Hermosa Beach City Council adopted Ordinance No. 20-1410U, establishing a temporary permitting program for outdoor seating and outdoor displays for food and retail establishments. On August 11, 2020, City Council further authorized City staff to implement a traffic control plan that would facilitate foot traffic, bicycle travel, and outdoor dining and retail options for that part of Hermosa Avenue spanning from 8th Street to 14th Street for a minimum period of 6 months. Both efforts require the temporary closure of or encroachment upon vehicle travel lanes on Hermosa Avenue.

As the City Manager, acting in her capacity as the Director of Emergency Services, may close street lanes to facilitate compliance with the Los Angeles County Health Officer Order for controlling the spread of COVID-19, on August 20, 2020, the City Manager adopted Executive Order No. 2020-11, closing specified lanes of traffic on Hermosa Avenue. The proposed resolution thus ratifies the

Executive Order, pursuant to section 2.56.060 of the Hermosa Beach Municipal Code and further authorizes the City Manager to implement lane closures pursuant to the California Vehicle Code.

Background and Analysis:

The history of the City's recent efforts to expand outdoor dining and retail options for local businesses is set forth in the proposed resolution and Executive Order No.2020-11 (Attachment 2), and on the City's COVID website at:

<https://www.hermosabeach.gov/our-government/coronavirus-covid-19-updates-from-the-city-of-hermosa-beach/covid-19-response-business-resources>.

In summary, Executive Order No. 2020-11 authorizes and requires the following:

1. Beginning on August 20, 2020, the City, in consultation with the City's Traffic Consultant, may temporarily close to vehicular traffic the northbound and southbound #2 travel lanes (closest to the curb) on Hermosa Avenue from the 800 block at 8th Street to the 1300 block at 14th Street for the protection and safety of persons using this portion of Hermosa Avenue during the COVID-19 pandemic. The lane closures will continue for a period of six months following complete implementation of the traffic control measures approved by the City Council on August 11, 2020, unless the closures are extended for a longer period or sooner terminated by the City Council or Director of Emergency Services.
2. Beginning on August 20, 2020, the City, in consultation with the City's Traffic Consultant, may temporarily close to vehicular traffic the right turn lanes from westbound Greenwich Village to northbound Hermosa Avenue and the part of Hermosa Avenue immediately adjacent to 2626 Hermosa Avenue, as depicted in the Notice of Construction and Traffic Detour mailed to residents on August 17, 2020. The lanes may remain closed until January 13, 2021, unless the closures are extended for a longer period or sooner terminated by the City Council or Director of Emergency Services.
3. The City shall post signs giving notice of the temporary lane closures on affected parts of Hermosa Avenue in accordance with Vehicle Code Section 21103.
4. Use of the closed lanes or parking spaces for any commercial purpose requires a Temporary Permit for Outdoor Dining/Seating and Outdoor Retail Display pursuant to Ordinance No. 20-1410U.

Pursuant to section 2.56.060 of the Hermosa Beach Municipal Code (HBMC), rules and regulations adopted by the Director of Emergency Services following the declaration of a local emergency must be confirmed at the earliest practicable time by the City Council. The proposed ratification thus advances the City's aims of facilitating safe recreation and economic recovery for local businesses and complies with City procedures for protecting persons and property during a state of declared emergency.

In addition to ratifying Executive Order No.2020-11, the Council should consider reconciling the period of proposed lane closures under the downtown Hermosa Avenue traffic control plan (a minimum of six months anticipated to expire in March 2021) and the term for permits issued under Ordinance No. 20-1410U (which will expire on January 13, 2021). At the August 11, 2020 meeting, the City Council expressed an intent for these closures to stay in place for six months, which would warrant a corresponding extension of outdoor permits for use of the space to March 2021.

Finally, the City Manager, in her capacity as the Director of Emergency Services, may order lane closures pursuant to the emergency powers afforded local officials under Government Code section 8634, as implemented in HBMC § 2.56.060. The City Council also exercises authority to temporarily close street lanes under Vehicle Code section 21101(e), and consistent with City practice, the Council should further authorize the City Manager to implement lane closures under the procedure set out in the Vehicle Code as necessary for the safety of residents and patrons of local businesses as part of the City's COVID-19 pandemic response.

Fiscal Impact:

The total cost for developing the final plans, implementing the reconfigurations, and performing associated traffic counts, estimated to be approximately \$46,000, would be funded from appropriated Capital Improvement Funds. The City would also seek reimbursement from FEMA for these costs. The North End has paid for the traffic study associated with those lane closures and there may be incidental costs associated with signage for the lane closures.

Attachments:

1. Proposed Resolution
2. Executive Order No.2020-11

Respectfully Submitted by:

Legal Review: Lauren Langer, Assistant City Attorney

Approved: Suja Lowenthal, City Manager