



**CITY OF HERMOSA BEACH
CITY COUNCIL MEETING MINUTES**

**September 10, 2024
5:00 p.m.
Council Chambers
1315 Valley Drive
Hermosa Beach, CA 90254**

Members Present: Mayor Dean Francois, Mayor Pro Tem Rob Saemann, Councilmember Mike Detoy, Councilmember Ray Jackson, Councilmember Justin Massey

Staff Present: City Attorney Patrick Donegan, Deputy City Manager Angela Crespi, Administrative Services Director Viki Copeland, City Clerk Myra Maravilla, Community Development Director Carrie Tai, Community Resources Director Lisa Nichols, Public Works Director Joe SanClemente, Captain Landon Phillips, Deputy City Clerk Reanna Guzman, Environmental Programs Manager Doug Krauss

1. CLOSED SESSION—CALL TO ORDER 5:00 PM

Mayor Francois called the Closed Session meeting to order at 5:01 p.m.

2. ROLL CALL

City Clerk Myra Maravilla announced a quorum.

3. PUBLIC COMMENT ON THE CLOSED SESSION AGENDA

Mayor Francois opened public comment. No public comment was provided.

4. RECESS TO CLOSED SESSION

The City Council recessed to Closed Session at 5:02 p.m.

4.a Closed Session Minutes

4.b Conference with Legal Counsel—Existing Litigation

4.c Conference with Legal Counsel—Initiation of Litigation

5. OPEN SESSION—CALL TO ORDER 6:00 PM

Mayor Francois called the Open Session to order at 6:10 p.m.

6. PLEDGE OF ALLEGIANCE

The Pledge of Allegiance was led by Michael Keegan.

7. ROLL CALL

City Clerk Maravilla announced a quorum.

8. CLOSED SESSION REPORT

City Attorney Donegan provided the Closed Session Report. No reportable action was taken.

9. ANNOUNCEMENTS—UPCOMING CITY EVENTS

Mayor Francois announced the following:

- 9/11 Wreath Laying Remembrance Ceremony—the event will take place on September 11, 2024 at 7:30 a.m. at the 9/11 Memorial on Greenbelt & Pier Avenue.
- Movies at the Beach—the Hermosa Beach Friends of the Parks will host a showing of School of Rock on September 14, 2024, on the sand south of the Pier.
- National Voter Registration Day—on Tuesday, September 17, 2024, the City will recognize the civic holiday encouraging voter registration.
- Glow Ride for Cystic Fibrosis—on Saturday, September 21, 2024, the Claire's Place Foundation will host its annual Glow Ride for Cystic Fibrosis. More information is available at www.claresplacefoundation.org.

Mayor Pro Tem Saemann reminded the community of the Hermosa Beach Sister Cities Association Gala on October 5th.

10. APPROVAL OF AGENDA

Mayor Francois requested to table items 15.k and 17.b.

Councilmember Massey concurred with pulling items 15.k and 15.m for separate discussion.

Mayor Pro Tem Saemann requested to pull item 15.g.

Moved by: Councilmember Massey
Seconded by: Mayor Pro Tem Saemann

To approve the order of the agenda and pull items 15.g,15.k and 15.m pulled for separate discussion.

Ayes (5): Mayor Francois, Mayor Pro Tem Saemann, Councilmember Deto, Councilmember Jackson, and Councilmember Massey

Motion Carried

11. PROCLAMATIONS / PRESENTATIONS

11.a RECOGNIZING SEPTEMBER 21–27, 2024 AS UNITED AGAINST HATE WEEK

Mayor Francois presented a proclamation for United Against Hate Week to Hermosa Beach School Board Member Margaret Bove-LaMonica, Beach Cities Health District Board Member Vanessa Poster, and West Basin Water District Board Member Scott Houston.

12. CITY MANAGER REPORT

City Manager Suja Lowenthal provided the City Manager Report.

12.a PUBLIC WORKS DIRECTOR UPDATE

Public Works Director Joe SanClemente provided an update on various Public Works projects.

Councilmember Massey asked various questions about a stairway that was closed off at Rodaway Park. Director SanClemente will provide an update on the status of the stairway.

Councilmember Deto asked various questions about the conditions of the basketball courts at Rodaway Park.

Councilmember Jackson asked about a Hermosa Beach sign north of the park in the entrance way on Prospect Avenue needing a refresh.

12.b POLICE CHIEF UPDATE

Captain Landon Phillips provided the Police Chief Update.

Councilmember Jackson asked about unpermitted fruit vendors.

Mayor Francois asked various questions.

Captain Landon provided information.

City Manager Lowenthal provided information.

13. PUBLIC COMMENT

Mayor Francois opened public comment.

In Person Public Comment:

- Sarah Mae Harper
- Michael Keegan
- Jonathan Cruz
- Matt McCool

14. CITY COUNCILMEMBER COMMENTS

Councilmember Jackson provided various comments related to public comments received.

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

Mayor Francois attended the Chamber of Commerce reception for the new Chamber President Michelle Crispin, at St. Rock on August 24th. Mayor Francois also attended the Rosa Beach Museum Gala held at St. Cross Church. On October 15th, Mayor Francois participated in a meeting as a governing board member of the Santa Monica Bay Restoration Commission.

Councilmember Deto attended the Hermosa Beach Museum Fundraiser and Hermosa Beach Open

Councilmember Jackson attended an event to present a certificate to Doctor Reverend Rachel for 20 years at St. Cross and attended the Hermosa Beach Museum Fundraiser and the Hermosa Beach Open. Additional comments were provided in response to public comments received.

15. CONSENT CALENDAR

Moved by: Councilmember Massey

Seconded by: Mayor Pro Tem Saemann

To approve the Consent Calendar with items 15.k, 15.m, and 15.g pulled for separate discussion.

Ayes (5): Mayor Francois, Mayor Pro Tem Saemann, Councilmember Deto, Councilmember Jackson, and Councilmember Massey

Motion Carried

15.a WAIVE READING IN FULL OF ALL ORDINANCES AND RESOLUTIONS ON THE AGENDA

Moved by: Councilmember Massey
Seconded by: Mayor Pro Tem Saemann

To waive reading in full of all ordinances and resolutions on the agenda and declare that said titles which appear on the public agenda shall be determined to have been read by title and further reading waived.

Motion Carried

15.b CITY COUNCIL MEETING MINUTES - 24-CCO-058

Moved by: Councilmember Massey
Seconded by: Mayor Pro Tem Saemann

To approve the minutes for the Tuesday, August 13, 2024 Regular Meeting.

Motion Carried

15.c VACANCIES—PUBLIC WORKS COMMISSION UPCOMING EXPIRATION OF TERMS - 24-CCO-057

Moved by: Councilmember Massey
Seconded by: Mayor Pro Tem Saemann

To direct staff to immediately advertise and request applications from interested parties for three Public Works Commission vacancies for four-year terms ending October 31, 2028; and schedule the presentation of applicants and applicant interviews on or before the October 22, 2024 regular meeting, with the option to make an appointment on the same date.

Motion Carried

15.d UPCOMING VACANCY—REPRESENTATIVE TO THE LOS ANGELES COUNTY WEST VECTOR AND VECTOR-BORNE DISEASE CONTROL DISTRICT BOARD - 24-CCO-056

Moved by: Councilmember Massey
Seconded by: Mayor Pro Tem Saemann

To direct staff to immediately advertise and request applications from interested parties for one Los Angeles County West Vector and Vector-Borne Disease Control Board representative for a two-year term ending December 31, 2026; and schedule the presentation of applicants for applicant interviews on or before the November 12, 2024 regular meeting.

Motion Carried

15.e CHECK REGISTERS - 24-AS-019

Moved by: Councilmember Massey
Seconded by: Mayor Pro Tem Saemann

To ratify the following check registers.

Motion Carried

**15.f REAPPROPRIATION OF FUNDS FROM FY 2023–24 TO FY 2024–25,
APPROVAL OF RELATED REVENUE REVISIONS - 24-AS-020**

Moved by: Councilmember Massey
Seconded by: Mayor Pro Tem Saemann

To approve the reappropriation of \$431,095 in the General Fund from the FY 2023–24 to the FY 2024–25 Budget; and approve revenue revisions related to the reappropriations.

Motion Carried

15.h PLANNING COMMISSION TENTATIVE FUTURE AGENDA - 24-CDD-047

Moved by: Councilmember Massey
Seconded by: Mayor Pro Tem Saemann

To receive and file the October 15, 2024 Planning Commission tentative future agenda.

Motion Carried

**15.i LOS ANGELES COUNTY FIRE AND AMBULANCE MONTHLY REPORT
FOR JULY 2024 - 24-CMO-037**

Moved by: Councilmember Massey
Seconded by: Mayor Pro Tem Saemann

To receive and file the July 2024 Fire and Ambulance monthly report.

Motion Carried

**15.j ADOPT A RESOLUTION APPROVING A TRANSFER AGREEMENT
BETWEEN THE LOS ANGELES COUNTY FLOOD CONTROL
DISTRICT AND CITY OF HERMOSA BEACH, AGREEMENT NO.
2024MP32 SAFE, CLEAN WATER PROGRAM— MUNICIPAL
PROGRAM - 24-CMO-036**

Moved by: Councilmember Massey
Seconded by: Mayor Pro Tem Saemann

To adopt Resolution No. RES-24-7452 approving the execution of a transfer agreement between the Los Angeles County Flood Control District (District) and the City of Hermosa Beach, Agreement No, 2024MP32 Safe, Clean Water Program—Municipal Program; and authorize the City Manager to execute and the City Clerk to attest to the agreement subject to approval by the City Attorney.

Motion Carried

15.I SOUTH BAY WORKFORCE INVESTMENT BOARD QUARTERLY SUMMARY - 24-CMO-033

Moved by: Councilmember Massey
Seconded by: Mayor Pro Tem Saemann

To receive and file the Quarterly Summary from the South Bay Workforce Investment Board (SBWIB).

Motion Carried

15.g ACTION MINUTES OF THE PLANNING COMMISSION REGULAR MEETING OF AUGUST 20, 2024 - 24-CDD-046

The item was pulled by Mayor Pro Tem Saemann over concerns of the Lot D parking lot project. It was requested to take the project back to the Planning Commission to address various concerns brought up during the discussion.

Mayor Francois asked various questions.

City Attorney Donegan provided information.

City Manager Lowenthal provided information.

Environmental Manager Krauss provided information.

Public Works Director SanClemente provided information.

Virtual Public Comment:

- Anthony Higgins

Councilmember Massey provided comments.

Mayor Pro Tem Saemann and Councilmember Jackson provided support to bring item 7.b under the City Council's jurisdiction.

Moved by: Councilmember Detoy
Seconded by: Mayor Pro Tem Saemann

To receive and file the action minutes of the Planning Commission regular meeting of August 20, 2024 and bring item 7.b listed under the City Council's jurisdiction for deliberation.

Ayes (5): Mayor Francois, Mayor Pro Tem Saemann, Councilmember Detoy, Councilmember Jackson, and Councilmember Massey

Motion Carried

15.k APPROVAL OF THE COMMENCEMENT OF SPECIAL EVENT LONG-TERM AGREEMENT NEGOTIATIONS WITH DAY AT THE BEACH EVENTS FOR THE HERMOSA BEACH OPEN - 24-CR-014

Mayor Massey asked various questions.

Community Resources Director Lisa Nichols provided information.

Councilmember Detoy asked various questions.

Councilmember Massey asked various questions.

In Person Public Comment:

- Eric Wedbush
- Denny Lennon
- Barbara Ellman
- Mark Paaluhui

Mayor Francois asked whether the City has the capacity to host two opens.

Marc Paaluhui provided information.

Virtual Public Comment:

- Anthony Higgins

Councilmember Massey requested to hold off on entering into negotiations with Day at the Beach until the City receives the AVP application and have the Parks, Recreation, and Community Resources Advisory Commission review both applications.

Councilmember Jackson expressed support to move forward with the Hermosa Beach Open.

Moved by: Councilmember Jackson

Seconded by: Mayor Pro Tem Saemann

To approve the initiation of long-term agreement negotiations with Day at the Beach Events for the Hermosa Beach Open, authorizing staff to

proceed with drafting the terms and conditions for Council's future consideration and approval.

Ayes (3): Mayor Pro Tem Saemann, Councilmember Detoy, and Councilmember Jackson

Noes (1): Councilmember Massey

Abstained (1): Mayor Francois

Motion Carried

15.m APPROVAL OF MILITARY EQUIPMENT USE BY THE HERMOSA BEACH POLICE DEPARTMENT PURSUANT TO ASSEMBLY BILL 481 - 24-PD-004

Captain Landon Phillips presented the staff report.

No public comment was provided.

Moved by: Councilmember Massey

Seconded by: Councilmember Jackson

To review and renew Ordinance No. 22-1446, an ordinance of the City of Hermosa Beach adopting a Military Use Equipment Policy, in accordance with Assembly Bill 481 and receive and file the Hermosa Beach Police Department (HBPD) Annual Military Equipment Report, in compliance with Assembly Bill 481, governing the use of military equipment by HBPD.

Ayes (5): Mayor Francois, Mayor Pro Tem Saemann, Councilmember Detoy, Councilmember Jackson, and Councilmember Massey

Motion Carried

16. PUBLIC HEARINGS—TO COMMENCE AT 6:30 P.M

16.a RE-ADOPTION OF THE 2021–2029 HOUSING ELEMENT AS CERTIFIED BY THE STATE OF CALIFORNIA, ALONG WITH ASSOCIATED LAND USE ELEMENT AMENDMENTS FOR GENERAL PLAN CONSISTENCY - 24-CDD-045

Community Development Director Carrie Tai provided a staff report.

Virtual Public Comment:

- Anthony Higgins

Councilmember Detoy provided comments.

Moved by: Councilmember Detoy

Seconded by: Mayor Pro Tem Saemann

To adopt Resolution No. RES-24-7453 to approve General Plan Amendment (GPA) 23-01 consisting of revisions to the previously-adopted 2021–2029 Housing Element and associated changes to the Land Use Element of the General Plan and determine that the revisions to the Housing Element are exempt from the California Environmental Quality Act (CEQA).

Ayes (5): Mayor Francois, Mayor Pro Tem Saemann, Councilmember Detoy, Councilmember Jackson, and Councilmember Massey

Motion Carried

17. MUNICIPAL MATTERS

17.a SIDE LETTERS TO THE PROFESSIONAL AND MANAGEMENT EMPLOYEE (PAE) MEMORANDA OF UNDERSTANDING AND AN AMENDMENT TO THE UNREPRESENTED GROUP REPORT - 24-AS-024

Interim Human Resources Manager Cynthia Stafford provided a staff report.

Councilmember Jackson asked various questions.

Councilmember Detoy asked various questions.

Moved by: Councilmember Massey

Seconded by: Councilmember Detoy

To approve Resolution No. RES-24-7454 and Side Letter to the Professional and Administrative Employees Memorandum of Understanding; approve Resolution No. RES-24-7455 and Side Letter to the Management Employees Group Memorandum of Understanding; and approve Resolution No. RES-24-7456 and Amendment to the Unrepresented Group Report.

Ayes (5): Mayor Francois, Mayor Pro Tem Saemann, Councilmember Detoy, Councilmember Jackson, and Councilmember Massey

Motion Carried

17.b DISCUSSION OF UPDATING THE CITY'S PARKING IN-LIEU FEE - 24-CDD-048

Community Development Director Tai provided a presentation.

Mayor Francois asked various questions.

Councilmember Detoy asked various questions.

Councilmember Saemann asked various questions.

Mayor Francois asked various questions.

Virtual Public Comment:

- Laura Pena

Mayor Pro Tem Saemann requested sliding scale pricing depending on the size of the development.

Councilmember Deto and Councilmember Massey requested to review the program concurrently with the new zoning updates.

Councilmember Jackson provided comments.

Mayor Francois concurred with Councilmembers Deto and Massey.

Director Tai provided information about the Planning Commission's purview.

The City Council continued deliberations.

The City Council provided consensus that the Planning Commission should include parking in-lieu fees when discussing the zoning code update.

The City Council provided staff direction, and no motion was recorded.

17.c CITY COMMUNICATIONS PLAN AND PROTOCOLS UPDATE - 24-CMO-032

Deputy City Manager Angela Crespi provided a staff presentation.

Mayor Francois asked various questions on the Mayor and Mayor Pro Tem providing input on the City press releases; media inquiries; and opposition support.

Councilmember Deto asked various questions.

In Person Public Comment:

- Elka Worner
- John Burry

Virtual Public Comment:

- Laura Pena

The City Council requested the following modifications to the Public Information and Communications Plan:

- Remove strikethrough on page 6 "and Communications Subcommittee" and add language regarding "time permitting"; On page 7 the language should read, "Individual City Council members should refrain from direct contact with media prior to ~~or following~~ a City Council decision. ~~Members may direct inquiries to the recorded~~

~~meeting video, meeting minutes, or PIO.~~"; and replace "Alert Southbay" with "General Alerting System."

The City Council continued deliberations.

Moved by: Councilmember Deto

Seconded by: Mayor Pro Tem Saemann

To approve modifications to the Public Information and Communications Plan with the following changes:

Remove strikethrough on page 6 "and Communications Subcommittee" and add language regarding "time permitting"; On page 7, the language should read, "Individual City Council members should refrain from direct contact with media prior to ~~or following~~ a City Council decision. ~~Members may direct inquiries to the recorded meeting video, meeting minutes, or PIO.~~" and replace "Alert Southbay" with "General Alerting System."

Ayes (4): Mayor Pro Tem Saemann, Councilmember Deto, Councilmember Jackson, and Councilmember Massey

Abstained (1): Mayor Francois

Motion Carried

17.d DESIGNATION OF VOTING DELEGATE & ALTERNATE FOR THE LEAGUE OF CALIFORNIA CITIES 2024 ANNUAL CONFERENCE - 24-CMO-034

Deputy City Manager Angela Crespi provided a staff presentation.

Moved by: Councilmember Deto

Seconded by: Councilmember Massey

To designate Mayor Dean Francois as the voting delegate and Mayor Pro Tem Rob Saemann as the alternate for the League of California Cities General Assembly taking place on Friday, October 18, 2024 at the Long Beach Convention Center.

Ayes (5): Mayor Francois, Mayor Pro Tem Saemann, Councilmember Deto, Councilmember Jackson, and Councilmember Massey

Motion Carried

18. FUTURE AGENDA ITEMS

Councilmember Deto requested support for an item to discuss the Grants Pass Supreme Court decision regarding camping in public areas. Support was provided by Mayor Francois and Mayor Pro Tem Saemann.

Councilmember Deto requested support for an informational item regarding the process by which the Public Works Commission provides input and oversight of the Capital Improvement Project list. Support was provided by Councilmember Jackson.

Councilmember Jackson requested an item to discuss the use of an abstention vote and whether an explanation of an abstention vote should be provided during a public meeting. Support was provided by Councilmember Massey.

18.a TENTATIVE FUTURE AGENDA ITEMS - 24-CMO-035

19. PUBLIC COMMENT

20. ADJOURNMENT

The meeting adjourned at 11:40 p.m.