

City of Hermosa Beach

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



Regular Meeting Minutes – Final

**Tuesday, November 14, 2017
6:00 PM**

**Closed Session - 6:00 PM
Regular Meeting - 7:00 PM**

Council Chambers

City Council

*Mayor
Justin Massey*

*Mayor Pro Tem
Jeff Duclos*

*Councilmembers
Stacey Armato
Carolyn Petty
Hany Fangary*

6:00 P.M. - CLOSED SESSION

(LOCATION: Meetings convene in the Council Chambers and move to the Second Floor Conference Room after Public Comment)

CALL TO ORDER IN COUNCIL CHAMBERS - 6:01 p.m.

ROLL CALL

Present: Armato, Duclos, Fangary, Petty, Mayor Massey
Absent: None

PUBLIC COMMENT - None

RECESS TO CLOSED SESSION IN SECOND FLOOR CONFERENCE ROOM - 6:02 p.m.

1. **17-0667** **MINUTES:** Approval of minutes of Closed Sessions held on October 24, 2017 and November 9, 2017.
2. **17-0668** **CONFERENCE WITH LEGAL COUNSEL: Existing Litigation**
Government Code Section 54956.9(d)(1)
The City finds, based on advice from legal counsel, that discussion in open session will prejudice the position of the City in the litigation.
 - a) Name of Case: McColgan v. City of Hermosa Beach, et al.
Los Angeles County Superior Court, Case Number: BS161470
 - b) Name of Case: Sellan v. City of Hermosa Beach
Los Angeles County Superior Court, Case Number: BC633696
3. **17-0683** **CONFERENCE WITH LEGAL COUNSEL: Pending Litigation**
Government Code Section 54956.9(d)(1)
The City Council finds, based on advice from legal counsel, that discussion in open session will prejudice the position of the City in the litigation.

Name of Case: Hermosa Beach Firefighters Association v.
City of Hermosa Beach (arbitration)

ADJOURNMENT OF CLOSED SESSION - 7:15 p.m.

7:00 P.M. - REGULAR AGENDA

CALL TO ORDER - 7:20 p.m.

PLEDGE OF ALLEGIANCE – Peter Tucker

ROLL CALL

<i>Present: Armato, Duclos, Fangary, Petty, Mayor Massey</i> <i>Absent: None</i>

CLOSED SESSION REPORT

<i>Assistant City Attorney Lauren Langer reported no public comments, no items added and no reportable actions taken, noting that only the first two of the three agenda items were discussed.</i>
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ANNOUNCEMENTS

PROCLAMATIONS / PRESENTATIONS

- a) 17-0665 **CHAMBER OF COMMERCE PRESENTS DONATION
CHECK TO HERMOSA BEACH NON-PROFITS**

- b) 17-0666 **CERTIFICATE OF RECOGNITION
PRESENTED TO KIM MACMULLAN**

MISCELLANEOUS ITEMS AND REPORTS - CITY MANAGER

- a) 17-0680 **UPDATE ON CITY PREPARATIONS FOR STORM SEASON**

Attachments: [SUPPLEMENTAL Memo - Storm Preparations and Response Plan
\(added 11-14-17 at 7pm\).pdf](#)

- b) 17-0687 **8TH STREET UPDATE**

Attachments: [SUPPLEMENTAL Memo - 8th Street Update \(added 11-14-17 at 7pm\).pdf](#)

- c) 17-0688 **UPDATE ON PIER AVE WORK BY SCE**

Attachments: [SUPPLEMENTAL Memo - Update on Pier Ave work by SCE \(added 11-14-17 at 7pm\).pdf](#)

PUBLIC PARTICIPATION:**1. ORAL AND WRITTEN COMMUNICATIONS:****2. CONSENT CALENDAR:**

Action: To approve consent calendar items 2(a) through 2(i).
Motion Duclos, second Petty. The motion carried by a unanimous vote.

**2a) REPORT
17-0682****CITY COUNCIL MEETING MINUTES**
(City Clerk Elaine Doerfling)

Attachments: [061517 adj reg mtg](#)
[062717 reg mtg \(canceled\)](#)

Action: To approve the minutes of the Adjourned Regular Meeting of June 15, 2017, and the Regular Meeting of June 27, 2017.

**2b) REPORT
17-0669****CHECK REGISTERS**
(Finance Director Viki Copeland)

Attachments: [10-19-17](#)
[10-23-17](#)
[10-26-17](#)
[11-02-17](#)

Action: To ratify the above-noted check registers.

**2c) REPORT
17-0671****CANCELLATION OF CERTAIN CHECKS**
(City Treasurer Karen Nowicki)

Action: To approve the cancellation of certain checks as recommended by the City Treasurer.

**2d) REPORT
17-0670****ACCEPTANCE OF DONATIONS**
(Finance Director Viki Copeland)

Action: To accept the donations received by the City from the listed donors, to be used for the purposes noted:

- James and Patricia Ruiz	\$100	Community Outreach
- Our Lady of Guadalupe School	\$200	HBPD K9 Unit

- 2e) **REPORT** **ACTION MINUTES OF THE EMERGENCY PREPAREDNESS**
17-0672 **ADVISORY COMMISSION MEETINGS OF MAY 1, 2017,**
JULY 10, 2017 AND SEPTEMBER 11, 2017

Attachments: [Minutes 05-01-17](#)
[Minutes 07-10-17](#)
[Minutes 09-11-17](#)

Action: *To receive and file the action minutes of the Emergency Preparedness Advisory Commission meetings of May 1, 2017, July 10, 2017 and September 11, 2017.*

- 2f) **REPORT** **ACTION MINUTES OF THE PARKS, RECREATION AND**
17-0681 **COMMUNITY RESOURCES ADVISORY COMMISSION**
MEETING OF OCTOBER 3, 2017

Attachments: [PR Minutes 10.03.2017doc.pdf](#)

Action: *To receive and file the action minutes of the Parks, Recreation and Community Resources Advisory Commission meeting of October 3, 2017.*

- 2g) **REPORT** **REJECT ALL BIDS AND AUTHORIZE TO RE-ADVERTISE**
17-0658 **CIP 17-683 INSTALLATION OF SECURITY GATES**
FOR THE BARD STREET CLOSURE
(Public Works Director Glen W.C. Kau)

Attachments: [Bid Opening Log Sheet](#)

Action: *To:*

- 1) *Reject all bids received for CIP 17-683, Installation of Security Gates for Bard Street Closure; and*
- 2) *Authorize staff to re-advertise the project for competitive bids.*

- 2h) **REPORT** **RECOMMENDATION TO REJECT CLAIMS**
17-0673 *(Human Resources Manager Vanessa Godinez)*

Attachments: [1 - AAA Insurance Gutierrez](#)
[2 - Raffetto, Michelle](#)
[3 - Ward, Judy](#)

Action: *To reject the following claims and refer them to the City's Liability Claims Administrator:*

Claimant: AAA Insurance (Francisco Gutierrez)

Date of loss: 5/13/2017

Date filed: 8/15/2017

Allegation: vehicle damage; insured was backing into a parking space and collided with parking meter; claims parking meter was sticking out into the street

Claimant: Michelle Raffetto

Date of loss: 10/17/2017

Date filed: 10/19/2017

Allegation: was sitting in a grassy area at Valley Park and left her car key when she got up to leave.

Claimant: Judy Ward

Date of loss: 10/12/2017

Date filed: 10/23/2017

Allegation: rat came up her toilet; claims due to damaged sewers and rats nests on 11th Street in the lateral.

**2i) REPORT AWARD OF PROFESSIONAL SERVICES AGREEMENT
17-0664 WITH GHD FOR THE DESIGN OF STREET PAVEMENT
 IMPROVEMENTS ON MANHATTAN AVENUE
 AND HIGHLAND AVENUE
 (Public Works Director Glen W.C. Kau)**

Attachments: [1 - Pavement Rehabilitation Map](#)
 [2 - DRAFT PSA](#)
 [3 - GHD Proposal and Cost Estimate](#)

Action: *To:*

- 1) Award a Professional Services Agreement (PSA) to GHD in the not-to-exceed amount of \$38,589 for the design of street pavement improvements on Manhattan Avenue from north city limits to Longfellow Avenue and Highland Avenue adjacent to the north city limit; and*
- 2) Authorize the Mayor to execute and the City Clerk to attest the attached Professional Services Agreement subject to approval by the City Attorney.*

3. CONSENT ORDINANCES - None

**4. ITEMS REMOVED FROM THE CONSENT CALENDAR FOR SEPARATE DISCUSSION
- None**

5. PUBLIC HEARINGS

5a) REPORT
17-0677

2018 LEVEL III SPECIAL EVENTS APPROVAL
(Continued from meeting of October 10 and 24, 2017)
(Acting Community Resources Manager Lisa Nichols)

Attachments: [1 - Triathlon - complete.pdf](#)
[2 - Jr. Nat. Beach VB Champs..pdf](#)
[3 - 2018 Tentative Calendar 11.01.17.pub..pdf](#)

The public hearing opened at 8:53 p.m. As no one came forward to address the Council on this item, the public hearing closed at 8:53 p.m.

Action: To approve the following 2018 Impact Level III Special Events as recommended by the Parks, Recreation and Community Resources Commission:

- 1) Hermosa Beach Triathlon on Friday, June 22 - Sunday, June 24 on Pier Plaza and various roads; and
 - 2) AAU Junior National Beach Volleyball Championships Monday, July 9 – Saturday, July 14.
- Motion Petty, second Duclos. The motion carried by a unanimous vote.

5b) REPORT
17-0654

TA 17-4 TEXT AMENDMENT TO MUNICIPAL CODE TO
BAN COMMERCIAL CANNABIS ACTIVITIES IN THE CITY,
AND DETERMINE THE AMENDMENT IS NOT SUBJECT TO
THE CALIFORNIA ENVIRONMENTAL QUALITY ACT
(Community Development Director Ken Robertson
and City Attorney Mike Jenkins)

Attachments: [1 - TA 17-4 Cannabis - draft ordinance CC 11-14-17](#)
[2 - TA 17-4 Cannabis FINAL PC Resolution](#)
[3 - 600 foot radius map](#)
[4 - Link to City Council September 12, 2017 agenda materials](#)
[5 - Link to Planning Commission October 17, 2017 agenda materials](#)

The public hearing opened at 8:57 p.m. As no one came forward to address the Council on this item, the public hearing closed at 8:57 p.m.

Action: To:

- 1) Waive full reading and introduce by title Ordinance No. 17-1380, entitled “**AN ORDINANCE OF THE CITY OF HERMOSA BEACH, CALIFORNIA, AMENDING TITLE 17 OF THE HERMOSA BEACH MUNICIPAL CODE TO EXPRESSLY PROHIBIT ALL COMMERCIAL CANNABIS ACTIVITIES IN THE CITY AND PROHIBIT OUTDOOR CANNABIS CULTIVATION FOR PERSONAL USE**”; and
 - 2) Determine the amendment is not subject to the California Environmental Quality Act.
- Motion Duclos, second Petty. The motion carried by a unanimous vote.

**5c) REPORT
17-0629**

**UPDATE ON OPTIONS FOR A SOUTH BAY BIKE SHARE
PROGRAM AND TEXT AMENDMENTS TO THE HERMOSA
BEACH MUNICIPAL CODE TO ESTABLISH A PERMITTING
PROCESS REGULATING THE PLACEMENT OF BIKESHARE
BIKES IN THE PUBLIC RIGHT OF WAY AND PREVENT
BIKESHARE OPERATORS FROM OPERATING WITHOUT
A PERMIT IN THE CITY OF HERMOSA BEACH**
(Environmental Analyst Leeanne Singleton)

Attachments:

[1 - 5.76 Bikeshare Ordinance Draft.pdf](#)

[2 - SFMTA Bike Share Permit.pdf](#)

[3 - PLAN Hermosa Transportation Amenities and Bike Parking.pdf](#)

[4 - Bike Sharing World Map](#)

*The public hearing opened at 9:43 p.m. Speakers then came forward to address the Council on this item.
The public hearing closed at 10:23 p.m.*

Action: *To direct staff to (1) bring back an ordinance which simply prohibits bikeshare and (2) create a committee with stakeholders to work through a proposal on how bikeshare might work in Hermosa Beach.*

Motion Massey, second Duclos. The motion carried by a unanimous vote.

Additional Action: *To extend the meeting to midnight.*

Motion Duclos, second Armato. The motion carried by a unanimous vote.

6. MUNICIPAL MATTERS

**6a) REPORT
17-0674**

**PURCHASE OF PORTABLE AND MOBILE
RADIOS FOR POLICE DEPARTMENT**
(Police Chief Sharon Papa)

Attachments:

[1 - HBPD Radio Equipment Purchase Summary](#)

[2 - INSB South Bay Regional Subscriber Discount](#)

Action: *To:*

1) Appropriate \$666,317 (and 10% contingency; \$66,632) from funds reserved in the Equipment Replacement fund to the Police Equipment Replacement account for Police Department radio equipment upgrades; and

2) Authorize the purchase and installation of portable and mobile radios and related equipment not to exceed \$732,949 (\$666,317 and 10% contingency), through RCC contracted vendors.

Motion Armato, second Petty. The motion carried by a unanimous vote.

- 6b) **REPORT** **REBATES AND FEE WAIVERS FOR GREEN BUILDING AND SUSTAINABILITY INCENTIVES RE-AUTHORIZATION/UPDATE**
17-0567
(Environmental Analyst Leeanne Singleton and
Community Development Director Ken Robertson)

This item was continued.

- 6c) **REPORT** **COMMUNITY THEATER SUBCOMMITTEE'S RECOMMENDATIONS ON THE FUTURE PROGRAMMING AND MANAGEMENT OF THE COMMUNITY THEATER**
17-0663
(Acting Community Resources Manager Lisa Nichols)

Attachments: [1 - 2016 and 2017 Year At-A-Glance of the Hermosa Beach Community Theatre](#)
[2 - Community Theatre Request for Proposals \(RFP\)](#)
[3 - Community Theatre Subcommittee Report](#)
[4 - Sanford Ventures.pdf](#)
[5 - October 3, 2017 Parks, Recreation and Community Resources Advisory Commission Meeting Notes re: Community Theatre Subcommittee Recommendations for Future Programming and Management](#)
[6 - SUPPLEMENTAL Letter from Claudia Berman \(added 11-13-17 at 6pm\).pdf](#)
[7 - SUPPLEMENTAL Letter from Laurence N \(added 11-14-17 at 3pm\).pdf](#)

Action: To move forward with discussions regarding the future with Sanford Ventures. Motion Duclos, second Petty. The motion carried 3-2, noting the dissenting votes of Armato and Fangary.

Additional Action: To direct staff to agendize the formation of a Council subcommittee to work on theater management options. Motion Duclos, second Petty. The motion carried 4-1, noting the dissenting vote of Fangary.

Final Action: To continue the balance of the agenda (Items 6.b. and 8.a.) to the next meeting. Motion Armato, second Petty. The motion carried by a unanimous vote.

7. MISCELLANEOUS ITEMS AND MEETING ATTENDANCE REPORTS - CITY COUNCIL - None

8. OTHER MATTERS - CITY COUNCIL

8a) REPORT TENTATIVE FUTURE AGENDA ITEMS 17-0675

Attachments: [Tentative Future Agenda](#)

This item was continued.

2016-2017 STRATEGIC PLAN *(For reference when considering Other Matters items)*

Attachments: [Plan in Brief](#)
[2015 Performance Report](#)
[2016-2021-2031 Strategic Plan](#)
[Action Agenda](#)
[Leader's Guide](#)
[Decision Making Tool](#)

ADJOURNMENT - *1:19 a.m., Wednesday, November 15, 2017.*

Elaine Doerfling
City Clerk