

City of Hermosa Beach

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



Adjourned Regular Meeting Minutes – Final

**Wednesday, December 6, 2017
6:00 PM**

**Closed Session - 6:00 PM
Open Session - 7:00 PM**

Council Chambers

City Council

*Mayor
Justin Massey*

*Mayor Pro Tem
Jeff Duclos*

*Councilmembers
Stacey Armato
Mary Campbell
Hany S. 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 – 6:00 p.m.**ROLL CALL**

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

PUBLIC COMMENT – None**RECESS TO CLOSED SESSION IN SECOND FLOOR CONFERENCE ROOM – 6:01 p.m.**

1. **17-0716** **MINUTES:** Approval of minutes of Closed Session held on November 28, 2017.

2. **17-0717** **CONFERENCE WITH LABOR NEGOTIATOR:**
 Government Code Section 54957.6

 City Negotiator: Mayor Massey
 Unrepresented Employee: City Manager

3. **17-0718** **CONFERENCE WITH LEGAL COUNSEL: Existing 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.

 a) **Name of Case:** Savell v. City of Hermosa Beach
 Los Angeles County Superior Court, Case Number: BC636456

 b) **Name of Case:** McColgan v. City of Hermosa Beach, et al.
 Los Angeles County Superior Court, Case Number: BS161470

4. **17-0719** **CONFERENCE WITH LEGAL COUNSEL: Anticipated/Threatened**
 Litigation - Government Code Section 54956.9(d)(3)
 The City Council finds, based on existing facts and circumstances, that there is significant exposure to litigation against the city and discussion of this matter in open session would prejudice the position of the city in any potential litigation.

 Number of Potential Cases: 1
 (Letter from Morgan Lewis dated September 25, 2017)

RECESS TO OPEN SESSION – 7:05 p.m.

7:00 P.M. - OPEN SESSION**CALL TO ORDER – 7:09 p.m.****PLEDGE OF ALLEGIANCE****ROLL CALL**

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

CLOSED SESSION REPORT

<i>City Attorney Jenkins reported no public comments, no items added, and no reportable actions.</i>
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ANNOUNCEMENTS**PROCLAMATIONS / PRESENTATIONS**

- a) 17-0720 TRANSITION OF HERMOSA BEACH FIRE PROTECTION DUTIES
TO THE LOS ANGELES COUNTY FIRE DEPARTMENT

MISCELLANEOUS ITEMS AND REPORTS - CITY MANAGER

- a) 17-0732 UPDATE ON 2017-2018 CAPITAL IMPROVEMENT PROJECTS

Attachments: [SUPPLEMENTAL CIP Update \(added 12-6-17 at 11am\)](#)

PUBLIC PARTICIPATION:

1. ORAL AND WRITTEN COMMUNICATIONS:
2. CONSENT CALENDAR:

<p><u>Action:</u> To approve consent calendar items 2(a) through 2(f), with the exception of item 2(f), which was removed from the consent calendar for separate discussion later in the meeting by Councilmember Fangary.</p> <p>Motion Duclos, second Fangary. The motion carried by a unanimous vote.</p>

- 2a) **REPORT**
17-0726

CITY COUNCIL MEETING MINUTES
(City Clerk Elaine Doerfling)

<u>Action:</u> To receive and file the memorandum.

**2b) REPORT
17-0715**

CHECK REGISTERS
(Finance Director Viki Copeland)

Attachments: [11-22-17](#)

Action: *To ratify the check register as presented.*

**2c) REPORT
17-0722**

REVENUE AND EXPENDITURE REPORTS FOR JULY 2017
(Finance Director Viki Copeland)

Attachments: [revenue status report july 2017](#)
 [expenditure status report july 2017](#)

Action: *To receive and file the July 2017 Financial Reports.*

**2d) REPORT
17-0723**

CITY TREASURER'S REPORT AND CASH BALANCE REPORT
(City Treasurer Karen Nowicki)

Attachments: [July 2017 Treasurer's Report](#)
 [July 2017 Cash Balance Report](#)

Action: *To receive and file the July 2017 City Treasurer's Report and Cash Balance Report.*

**2e) REPORT
17-0713**

**ACCEPTANCE OF BODY-WORN CAMERA
PROGRAM GRANT AWARD**
(Police Chief Sharon Papa)

Attachments: [CITY OF HB 2017 BWC AWARD ACCEPTANCE DOCUMENT](#)

Action: *To:*

- 1) Accept \$41,681 in grant funds from the US Department of Justice, Office of Justice Programs, for the FY 2017 Body-Worn Camera Program and approve estimated revenue in the same amount; and*
- 2) Appropriate \$41,681 in grant funds to the Police Department budget for fiscal year 2017-2018 for the purchase of body-worn camera equipment and related training.*

**2f) REPORT
17-0729**

**APPROVAL OF AGREEMENT WITH VISION
TECHNOLOGY SOLUTIONS, LLC. FOR UPGRADE
OF CITY WEBSITE DESIGN AND HOSTING SERVICES**
(Assistant to the City Manager Nico De Anda-Scaia)

Attachments: [Vision Internet - Agreement of Professional Services](#)
 [Vision Proposal - Scope of Services](#)

Action: To authorize the City Manager to enter into a five year agreement (with the option to renew for successive one (1) year periods as necessary) with Vision Technology Solutions, LLC. (Vision) to redesign and upgrade the City's website and for ongoing web hosting services. Accessibility compliance must be met, and community engagement will be solicited to maximize the benefits the community receives from the redesign.
Motion Fangary, second Armato. The motion carried by a unanimous vote.

3. CONSENT ORDINANCES – None

4. ITEMS REMOVED FROM THE CONSENT CALENDAR FOR SEPARATE DISCUSSION

Item 2(f) was heard at this time but is shown in order for clarity.

5. PUBLIC HEARINGS – None

6. MUNICIPAL MATTERS

- 6a) **REPORT** **REBATES AND FEE WAIVERS FOR GREEN BUILDING AND SUSTAINABILITY INCENTIVES RE-AUTHORIZATION/UPDATE**
17-0711 **(Continued from meeting of November 14, 2017-Changes are highlighted)**
(Environmental Analyst Leeanne Singleton and
Community Development Director Ken Robertson)

Action:

A. Authorize staff to offer the following fee waivers, reductions, and incentives to further facilitate community investment in new and innovative technologies:

1. Waive preferential parking permit fees for 100% alternative fuel vehicles (no change)
2. Rebate 50% of building permit fees for Zero Net Energy buildings as verified through participation in the Savings By Design or California Advanced Homes programs. (no change to rebate, proposed change to standard from LEED or Build it Green to Zero Net Energy, and proposed change to the verification method to rely on existing programs by the utilities that can offer additional incentives)
3. Rebate 50% of building permit fees - Energy Upgrade California or HERO program funding (no change)
4. Rebate 50% of electrical permit fees for 100% alternative fuel vehicles (change from 100% rebate to 50% - see item 7)
5. Rebate 50% of planning and building permit fees for installation of photovoltaic systems (including 50% of roofing permit fee when roofing permit includes solar tile roofs or green roofs) (change from 100% rebate to 50% - see item 7)
6. Rebate 50% of electrical permit fees for battery storage units (new incentive offering)
7. Rebate 100% of planning and building permit fees when installation includes at least two of the following: photovoltaic solar or wind, electric vehicle charging, and battery storage (new incentive offering)
8. Rebate 50% of Planning and Building permit fees associated with installation of a small wind energy systems (change from 100% rebate to 50% - see item 7)

9. Rebate 50% of fee for Unusual Architectural/Building Review for demonstration of new technology, materials, or construction methods designed to reduce water, waste, or energy use and agreement to share results/ feedback (new incentive offering)
10. Waive landscape plan review fee (or equivalent value waived from planning permit fees when application is for a project that includes other planning permits) for installation of trees beyond current code or replacement requirements. (new incentive offering)

B. Direct staff to report back to City Council in conjunction with the next building code adoption cycle anticipated in late 2019; and

C. Direct staff to explore options for establishing or joining a green business program and reduce business license fees for certified green businesses.

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

Additional Action: To direct staff to return with recommendations as to whether to include in these incentives priority permit processing for zero net energy qualified projects, potential penalties for deviations from permitted projects, and analysis and recommendations regarding the possibility of including incentives for heat pump hot water heaters.

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

6b) REPORT
17-0714

SUMMER CONCERTS RENEWAL
(Acting Community Resources Manager Lisa Nichols)

Attachments: [1 - 2010 Summer Concert Series Proposal](#)
 [2 - Agreement and First Amendment](#)
 [3 - Second Amendment](#)
 [4 - 2009 Sunset Concert Series Proposal](#)

Action: To not incorporate any proposed adjustments to the 2018 agreement and to enter into a Summer Beach Concert Series Agreement between the City of Hermosa Beach and Philia Group LLC, dba Saint Rocke.

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

6c) REPORT
17-0721

**UPDATE ON LOS ANGELES COUNTY COMMUNITY
CHOICE ENERGY (LACCE) COMMUNITY CHOICE
AGGREGATION (CCA) PROGRAM**
(Environmental Analyst Kristy Morris)

Attachments: [1 - 16-1368 CCA-Community Choice Aggregation \(final\).pdf](#)
 [2 - CPUC Certification Letter for Hermosa Beach Choice Energy.pdf](#)
 [3 - Los Angeles Community Choice Energy's Implementation Plan and Statement
of Intent.pdf](#)
 [4 - Mailer.pdf](#)
 [SUPPLEMENTAL Los Angeles County Presentation \(added 12-4-17 at 7pm\).pdf](#)
 [SUPPLEMENTAL Letters and Attachments from David Grethen \(added 12-4-17 at 7pm\).pdf](#)
 [SUPPLEMENTAL Letter and Attachment from Carolyn Petty \(added 12-4-17 at 7pm\).pdf](#)
 [SUPPLEMENTAL Letter and Attachment from Tracy Hopkins \(added 12-5-17 at 1pm\).pdf](#)

[SUPPLEMENTAL Memo from Environmental Analyst Kristy Morris added 12-6-17 at 10am\).pdf](#)

[SUPPLEMENTAL Letter from Warren Barr \(added 12-6-17 at 4pm\).pdf](#)

[SUPPLEMENTAL Letter from Pam Tatreau \(added 12-6-17 at 4pm\).pdf](#)

Action: To direct staff to:

- 1) Further pursue options to establish or join a Community Choice Aggregation (CCA) program (establish a stand-alone program, join the Los Angeles County program, join another operating program);
- 2) Conduct community engagement under the direction of Analyst Morris to get feedback on the various CCA program options as recommended by staff; and
- 3) Report back to Council with a recommended program, and any necessary ordinances or agreements for Council discussion.

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

Additional Action: To extend tonight's meeting until 11:30 p.m.

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

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

8. OTHER MATTERS - CITY COUNCIL

- 8a) 17-0725 COUNCILMEMBER FANGARY REQUESTS THAT THE ISSUE OF THE TERMINATION OF THE CONTRACT OF CALIFORNIA CONSULTING BE PLACED ON THE NEXT CITY COUNCIL'S AGENDA ON JANUARY 9, 2018 FOR DISCUSSION / DIRECTION BY COUNCIL. THE CITY OF HERMOSA BEACH ENTERED INTO A CONTRACT WITH CALIFORNIA CONSULTING ON MARY 15, 2016 TO ASSIST THE CITY IN PURSUING COMPETITIVE GRANTS TO FINANCE CERTAIN PROJECTS. THE CONTRACT PROVIDES THAT THE "CITY DOES NOT HAVE THE PERSONNEL ABLE TO AND/OR AVAILABLE TO PERFORM THE SERVICES REQUIRED UNDER THE AGREEMENT AND THEREFORE, THE CITY DESIRES TO CONTRACT FOR CONSULTING SERVICES TO ACCOMPLISH THIS WORK." THE CITY WAS AWARDED GRANTS IN EXCESS OF \$3 MILLION DURING THE TERM OF THE CONTRACT. HOWEVER, THE CITY MANAGER TERMINATED THE CONTRACT ON NOVEMBER 27, 2017 WITHOUT DIRECTION OF COUNCIL. A DISCUSSION / DIRECTION OF COUNCIL IS NEEDED TO EVALUATE THE PROTOCOLS FOR TERMINATING CONTRACTUAL RELATIONSHIPS WITH CONTRACTORS / CONSULTANTS. COPIES OF THE CONTRACT WITH CALIFORNIA CONSULTING AND THE TERMINATION LETTER ARE ATTACHED.

Attachments:

[Professional Services Agreement for California Consulting City of Hermosa Beach Termination Letter](#)

Councilmember Fangary spoke to his request but garnered no support.

8b) 17-0731

TENTATIVE FUTURE AGENDA ITEMS

Attachments: [Tentative Future Agenda](#)

It was Council consensus to receive and file the Tentative Future Agenda Items.

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 – 1:05 a.m., Thursday, December 7, 2017, in memory of Jan Stewart, to an Adjourned Regular Meeting at 6:00 p.m. Thursday, December 7, 2017.

Elaine Doerfling
City Clerk

Linda Abbott
Deputy City Clerk