

City of Hermosa Beach

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



Regular Meeting Minutes - Final

Tuesday, January 9, 2018

6:00 PM

Closed Session - 6:00 PM

Regular Meeting - 7:00 PM

Council Chambers

City Council

*Mayor
Jeff Duclos*

*Mayor Pro Tem
Stacey Armato*

*Councilmembers
Mary Campbell
Hany S. Fangary
Justin Massey*

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:</i> Armato, Campbell, Fangary, Massey, Mayor Duclos <i>Absent:</i> None
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PUBLIC COMMENT — None**RECESS TO CLOSED SESSION IN SECOND FLOOR CONFERENCE ROOM — 6:01 p.m.**

1. **18-0010** **MINUTES:** Approval of minutes of Closed Session held on December 6, 2017 and December 21, 2017.

2. **18-0012** **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.

a) **Name of Case:** Aaron Marks et al. v. City of Hermosa Beach
Federal District Court, Central District of California,
Case Number: 2:17-cv-08739-FFM

b) **Name of Case:** Bloomfield v. City of Hermosa Beach et al.
Los Angeles County Superior Court

3. **18-0013** **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:** McColgan v. City of Hermosa Beach
Los Angeles County Superior Court, Case Number: YC068203

ADJOURNMENT OF CLOSED SESSION — 7:00 p.m.

7:00 P.M. - REGULAR AGENDA**CALL TO ORDER – 7:13 p.m.****PLEDGE OF ALLEGIANCE****ROLL CALL**

<i>Present: Armato, Campbell, Fangary, Massey, Mayor Duclos</i> <i>Absent: None</i>
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CLOSED SESSION REPORT

<i>City Attorney Jenkins reported no public comments, no agenda items added, and no reportable actions.</i>

ANNOUNCEMENTS**PROCLAMATIONS / PRESENTATIONS**

- a) 18-0014 LOCAL CONTEST WINNERS OF THE COUNTY OF LOS ANGELES
PUBLIC LIBRARY 2017 CHILDREN'S BOOKMARK CONTEST
- b) 18-0015 ANNOUNCEMENT OF THE WINNER OF THE
8TH ANNUAL PARKING PERMIT ART CONTEST

MISCELLANEOUS ITEMS AND REPORTS - CITY MANAGER

- a) 18-0021 SERVICE REQUEST MOBILE APP LAUNCH UPDATE

Attachments: [Go Hermosa! Smartphone App PPP.pptx](#)

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

<p><u>Action:</u> <i>To approve consent calendar items 2(a) through 2(j), with the exception of the following item, which was removed from the consent calendar for separate discussion later in the meeting: 2(j) Fangary.</i></p> <p><i>Motion Massey, second Armato. The motion carried by a unanimous vote.</i></p>
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2a) REPORT
18-0027

CITY COUNCIL MEETING MINUTES
(City Clerk Elaine Doerfling)

Attachments: [072517 reg mtg](#)
[080817 reg mtg canceled](#)
[082217 spec.reg mtg](#)

Action: To approve the minutes of the Regular meeting of July 25, 2017; the Regular meeting of August 8, 2017; and the Special and Regular meeting of August 22, 2017.

2b) REPORT
18-0020

CHECK REGISTERS
(Finance Director Viki Copeland)

Attachments: [11-30-17](#)
[12-07-17](#)
[12-14-17](#)
[12-19-17](#)
[12-21-17](#)
[12-28-17 a](#)
[12-28-17 b](#)

Action: To ratify the above-noted check registers.

2c) REPORT
18-0028

**ACTION MINUTES OF THE PARKS, RECREATION AND
COMMUNITY RESOURCES ADVISORY COMMISSION
MEETINGS OF NOVEMBER 7, 2017 AND DECEMBER 5, 2017**

Attachments: [PR Minutes 11.07.17](#)
[PR Minutes 12.05.17](#)

Action: To receive and file the action minutes of the Parks, Recreation and Community Resources Advisory Commission meetings of November 7, 2017 and December 5, 2017.

2d) REPORT
18-0018

PROJECT STATUS REPORT AS OF NOVEMBER 30, 2017
(Public Works Director Glen W.C. Kau)

Attachments: [CIP Project Status Report November 2017](#)

Action: To receive and file the Project Status Report as of November 30, 2017.

- 2e) **REPORT** **ADOPT RESOLUTIONS AUTHORIZING THE CITY MANAGER**
18-0006 **TO SIGN AND FILE, FOR AND ON BEHALF OF THE CITY,**
APPLICATIONS TO THE LAND AND WATER CONSERVATION
FUND FOR THE CITY PARKS RESTROOMS AND
RENOVATIONS PROJECTS
(Environmental Analyst Kristy Morris)

Attachments: [SUPPLEMENTAL Memo from Public Works Director Andrew Brozyna regarding Cost Analysis of Public Restrooms \(added 6-15-17 at 3pm\).pdf](#)
[Clark Field Resolution.docx](#)
[Seaview Park Resolution.docx](#)
[Fort Lots-of-Fun Resolution.docx](#)
[South Park Resolution.docx](#)
[LWCF App Guide Web version 12.20.2017](#)

Action: To adopt the following four resolutions:

- 1) Resolution No. 18-7108, entitled "**A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF HERMOSA BEACH, CALIFORNIA, APPROVING THE APPLICATION FOR LAND AND WATER CONSERVATION FUND ASSISTANCE FOR THE CLARK FIELD RESTROOMS PROJECT**";
- 2) Resolution No. 18-7109, entitled "**A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF HERMOSA BEACH, CALIFORNIA, APPROVING THE APPLICATION FOR LAND AND WATER CONSERVATION FUND ASSISTANCE FOR THE SEAVIEW PARK RESTROOMS PROJECT**";
- 3) Resolution No. 18-7110, entitled "**A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF HERMOSA BEACH, CALIFORNIA, APPROVING THE APPLICATION FOR LAND AND WATER CONSERVATION FUND ASSISTANCE FOR THE FORT LOTS-O-FUN RESTROOMS PROJECT**"; and
- 4) Resolution No. 18-7111, entitled "**A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF HERMOSA BEACH, CALIFORNIA, APPROVING THE APPLICATION FOR LAND AND WATER CONSERVATION FUND ASSISTANCE FOR THE SOUTH PARK RESTROOMS PROJECT.**"

- 2f) **REPORT** **AUTHORIZE CITY MANAGER TO SIGN AB 2766/MSRC**
18-0009 **NATURAL GAS INFRASTRUCTURE PROGRAM CONTRACT**
(Environmental Analyst Kristy Morris)

Attachments: [CNG Specifications.pdf](#)
[Approval Letter.pdf](#)
[Approval Letter Contract.pdf](#)

Action: *To:*

- 1) *Authorize the City Manager to sign AB 2766/MSRC Natural Gas Infrastructure Program Contract for the purchase of a slow-fill station and enclosure for the City Public Works Yard;*
- 2) *Authorize the purchase of a CNG small fleet compressor from Greenfix Natural Gas Fueling Solutions in the amount of \$52,029;*
- 3) *Appropriate \$72,029 from Air Quality Management District (AQMD) Fund for the purchase of a CNG slow-fill station and enclosure for the City Yard; and*
- 4) *Approve estimated revenue of \$36,000 in the AQMD Fund.*

**2g) REPORT
18-0007****AMENDMENT NO. 1 TO AGREEMENT NO. W2324
BETWEEN WEST BASIN MUNICIPAL WATER DISTRICT AND
CITY OF HERMOSA BEACH REGARDING THE OCEAN FRIENDLY
DEMONSTRATION GARDEN PROJECT
(Environmental Analyst Kristy Morris)**

Attachments: [March 2013 Staff Report OFG.pdf](#)
[Agreement W2324 Amendment 1.pdf](#)

Action: *To authorize Amendment No. 1 to Agreement No. W2324 between West Basin Municipal Water District and City of Hermosa Beach regarding the ocean friendly demonstration garden project.*

**2h) REPORT
18-0001****MAKE A FINDING OF PUBLIC CONVENIENCE OR NECESSITY
FOR AN ABC LICENSE FOR OFF-SALE ALCOHOL FOR
LAZY ACRES MARKET AT 2510 PACIFIC COAST HIGHWAY
(Community Development Director Ken Robertson)**

Attachments: [Lazy Acres request PCN request](#)
[Off-Sale Alcohol Establishments Map Dec 2017](#)
[Business and Professions 23958.4](#)

Action: *To make a finding of public convenience or necessity for an ABC license for Off-Sale General alcohol for Lazy Acres Market at 2510 Pacific Coast Highway.*

**2i) REPORT
18-0016****PURCHASE OF AUTOMATIC LICENSE PLATE READERS (ALPR)
(Chief Sharon Papa)**

Attachments: [Vigilant Solutions Quote# GSM-0518-05](#)
[Vigilant Solutions Sole Source](#)
[Vigilant Enterprise Service Agreement](#)

Action: To approve the purchase of Vigilant Solutions Automatic License Plate Readers (ALPR) equipment and the execution of an annual service agreement for the combined cost of \$42,730.

j) **REPORT** **SUBMIT LETTER OPPOSING CALIFORNIA PUBLIC**
18-0025 **UTILITIES COMMISSION DRAFT RESOLUTION E-4907**
(Environmental Analyst Kristy Morris)

Attachments: [Draft Resolution E-4907 \(002\).pdf](#)
[Letter-from-HB-to-CPUC.doc](#)
[2017-12-22 - LACCE to CPUC re Resolution E-4907-c1 \(002\).pdf](#)
[CPUC Letter_MB.pdf](#)

Action: *To direct staff to submit the letter opposing the California Public Utilities Commission Draft Resolution E-4907, with the following revisions:*

- *In the salutation, add the word “Honorable” before “Commissioners”; and*
- *In the last sentence of the last paragraph, replace "I" (referring to the Mayor) with "the City of Hermosa Beach" (urges Commissioners to vote no).*

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

3. CONSENT ORDINANCES – None

4. ITEMS REMOVED FROM THE CONSENT CALENDAR FOR SEPARATE DISCUSSION

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

5. PUBLIC HEARINGS

<p>a) REPORT 18-0005</p>	<p>ZONE CHANGE FROM GENERAL COMMERCIAL (C-3) TO ONE FAMILY RESIDENTIAL (R-1) TO BE CONSISTENT WITH THE PLAN HERMOSA LAND USE DESIGNATION OF LOW DENSITY RESIDENTIAL (LD) AT THE VACANT LOT BETWEEN 820 9TH STREET AND 830 9TH STREET (TEMPORARILY ADDRESSED AS 822 9TH STREET), AND DETERMINE THE REZONE WILL BE CONSISTENT WITH THE GENERAL PLAN LAND USE DESIGNATION FOR THE PROPERTY WHICH AS WITHIN THE SCOPE OF THE PROJECT CONSIDERED IN THE PLAN HERMOSA ENVIRONMENTAL IMPACT REPORT (EIR) <i>(Community Development Director Ken Robertson)</i></p>
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Attachments: [Proposed Ordinance \(including Exhibit A Zoning Map\)](#)
[Planning Commission Resolution 17-30 \(822 9th St\).pdf](#)
[Posting Verification and Radius Map](#)
[November 21, 2017 Planning Commission Draft Minutes .pdf](#)
[November 21, 2017 PC Staff Report and Attachments.pdf](#)

The public hearing opened at 7:57 p.m. As no one came forward to address the Council on this item, the public hearing closed at 7:57 pm.

Action: To waive full reading and introduce by title Ordinance No. 18-1381, entitled “**AN ORDINANCE OF THE CITY OF HERMOSA BEACH, CALIFORNIA, AMENDING THE ZONING MAP FROM GENERAL COMMERCIAL (C-3) TO ONE FAMILY RESIDENTIAL (R-1) TO BE CONSISTENT WITH THE PLAN HERMOSA LAND USE DESIGNATION OF LOW DENSITY RESIDENTIAL (LD) AT THE VACANT LOT BETWEEN 820 9TH STREET AND 830 9TH STREET (TEMPORARILY ADDRESSED AS 822 9TH STREET), LEGALLY DESCRIBED AS LOT 16 OF TRACT NO. 5650, IN THE CITY OF HERMOSA BEACH, COUNTY OF LOS ANGELES, STATE OF CALIFORNIA (APN: 4186-008-023).**”
Motion Armato, second Campbell. The motion carried by a unanimous vote.

6. MUNICIPAL MATTERS

- a) **REPORT** **PROPOSED UNDERGROUND UTILITY DISTRICT -**
18-0017 **UNDERGROUND OVERHEAD UTILITY WITHIN CITY**
LIMITS ALONG PACIFIC COAST HIGHWAY BETWEEN
ARTESIA BLVD AND AVIATION BLVD
(Public Works Director Glen W.C. Kau)

Attachments: [UndergroundLocationMap 1-9-18 Attach 1](#)
[1-9-18 Tariff Rule 20 - Attachment 2](#)
[SUPPLEMENTAL Letter from Kent Allen \(added 1-9-18 at 6pm\).pdf](#)

Action: To:
1. Direct staff to initiate proceedings to form an underground utility for the subject location; and
2. Report back to City Council in a timely manner with regards to funding options to complete the project.
Motion Armato, second Massey. The motion carried by a unanimous vote.

- b) **REPORT** **AWARD LANDSCAPE MAINTENANCE CONTRACT**
18-0019 (Public Works Director Glen W.C. Kau)

Attachments: [Merchants Landscape maintenance second interim agreement 1-9-2017](#)
[Merchants Cost Proposal Apr 2016](#)

Action: To:

- 1) Award the attached landscape maintenance contract to Merchants Landscaping Inc., in the amount of \$405,229 for the period of January 9, 2017 through June 30, 2019;
 - 2) Authorize the Mayor to execute and the City Clerk to attest the attached Services Contract subject to approval by the City Attorney;
 - 3) Authorize the Director of Public Works to make changes to the contract within the project budget; and
 - 4) Transfer General Funds in the amount of \$27,255 from CIP 13-538 Citywide Parks Master Plan to Parks Contract Services and appropriate an additional \$3,400 from the Lighting / Landscaping Fund FY17/18 for Landscaping Maintenance Services.
- Motion Campbell, second Armato. The motion carried by a unanimous vote.

c) **REPORT** **CITY MANAGER CONTRACT AMENDMENT**
18-0022 (City Attorney Mike Jenkins)

Attachments: [City Manager Employment Agreement](#)
[First Amendment to CM Agreement](#)

Action: To approve an amendment to the City Manager's employment agreement updating Section 7(C) thereof pertaining to health benefits.
 Motion Armato, second Massey. The motion carried by a unanimous vote.

7. MISCELLANEOUS ITEMS AND MEETING ATTENDANCE REPORTS - CITY COUNCIL

a) **REPORT** **COUNCIL COMMITTEE REORGANIZATION - DECEMBER 2017**
18-0008 (Continued from meeting of December 7, 2017)
 (City Clerk Elaine Doerfling)

Attachments: [Committee.List-2.doc](#)
[SBCCOG Reso](#)
[CommitteeInformation](#)

Action: To:

- 1) Re-assign committee delegates/alternates as follows: Campbell as LCC delegate, SBCCOG alternate, HBSCA alternate, and City-School District Partnership rep (with Massey); Duclos as Metro Trans. Alternate, HBSCA delegate, and BCHD Livability rep;
 - 2) Adopt Resolution No. 18-7112, entitled "**A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF HERMOSA BEACH, CALIFORNIA, APPOINTING A DELEGATE AND ALTERNATE TO SERVE AS THE CITY'S REPRESENTATIVE ON THE SOUTH BAY CITIES COUNCIL OF GOVERNMENTS (SBCCOG)**"; and
 - 3) Delete Environmental Advisory (Hadley appt.) and Vista del Mar temporary subcommittees, and re-affirm the remainder of existing appointments.
- Motion Duclos, second Armato. The motion carried by a unanimous vote.

**b) REPORT
18-0026**

**CITY COUNCIL MEETING SCHEDULE FOR 2018
(Continued from meeting of November 28, 2017)
(City Manager Sergio Gonzalez)**

Attachments: [2018 City Council Meeting Schedule](#)

It was Council consensus to receive and file the City Council meeting schedule for 2018.

8. OTHER MATTERS - CITY COUNCIL

**a) REPORT
18-0024**

TENTATIVE FUTURE AGENDA ITEMS

Attachments: [Tentative Future Agenda](#)

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

ADJOURNMENT – 9:35 p.m., in memory of David Sliff, to the Regular meeting of January 23, 2018.

**Elaine Doerfling
City Clerk**

**Linda Abbott
Deputy City Clerk**