

City of Hermosa Beach

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



Regular Meeting Minutes - Final

**Tuesday, November 28, 2017
6:00 PM**

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

(Canvass of Votes and Installation of Officers)

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, Petty, Mayor Massey
Absent: Fangary (arrived 6:02 p.m.)

PUBLIC COMMENT - None

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

- 1. 17-0699 MINUTES:** Approval of minutes of Closed Session held on November 14, 2017.
- 2. 17-0700 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)
- 3. 17-0706 CONFERENCE WITH LEGAL COUNSEL: Existing Civil Litigation and**
Workers Comp 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.

Name of Case: Sellan v. City of Hermosa Beach
Los Angeles County Superior Court, Case Number: BC633696
WCAB Numbers: ADJ10645590; ADJ10645589; ADJ11002071
- 4. 17-0709 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.

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

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

7:00 P.M. - REGULAR AGENDA**CALL TO ORDER** – 7:21 p.m.**PLEDGE OF ALLEGIANCE** – Mike Collins**NATIONAL ANTHEM** – Special Performance by Joe Cipolla**ROLL CALL**

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

CANVASS OF VOTES AND INSTALLATION OF OFFICERS

- a) **REPORT** **RESOLUTION DECLARING THE RESULTS OF THE GENERAL**
 17-0696 **MUNICIPAL ELECTION OF NOVEMBER 7, 2017, AND**
 INSTALLATION OF ELECTED OFFICERS
 (City Clerk Elaine Doerfling)

Attachments: [Resolution 17-xxxx - Declare Election Results](#)
 [Exhibit A](#)

Action: To adopt Resolution No. 17-7107, entitled “**A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF HERMOSA BEACH, CALIFORNIA, RECITING THE FACT OF THE GENERAL MUNICIPAL ELECTION HELD TUESDAY, NOVEMBER 7, 2017, DECLARING THE RESULT AND SUCH OTHER MATTERS AS PROVIDED BY LAW.**”
Motion Petty, second Duclos. The motion carried by a unanimous vote.

Coming forward to commend and present plaques/certificates of recognition to outgoing Council member Carolyn Petty were:

- Los Angeles County Supervisor Janice Hahn
- Joey Apodaca, representing U.S. Congressman Ted Lieu
- Cody Bridges, representing State Assemblyman Al Muratsuchi
- Lauren Pizer Mains, representing State Senator Ben Allen
- Raunda Frank and Eric Izzo, representating Behavior Health Services/National Council on Alcoholism and Drug Dependence (BHS, Inc./NCADD South Bay)
- Manhattan Beach Mayor Amy Howorth and Councilmember Nancy Hersman
- Redondo Beach Councilmembers Christian Horvath and Nils Nehrenheim

Mayor Massey presented outgoing Councilmember Petty with red roses and a commemorative tile plaque, thanking her for all of her hard work. Councilmembers Duclos, Fangary and Armato

commended Ms. Petty for her service. Ms. Petty spoke of her time on the Council, expressed appreciation for the support she received, and thanked her colleagues and City staff.

The meeting recessed at 8:06 p.m. for light refreshments in the foyer.
The meeting reconvened at 8:28 p.m.

City Clerk Doerfling administered the Oath of Office and presented a Certificate of Election to each of the newly elected Members of the City Council – Stacey Armato, Mary Campbell and Hany Fangary. After being individually sworn in, they took their seats at the dais.

Coming forward with presentations for newly elected Councilmembers Armato, Campbell and Fangary, were:

- Manhattan Beach Mayor Amy Howorth
- Lomita Mayor Mark Waronek, representing County Supervisor Janice Hahn
- Cody Bridges, representing State Assemblyman Al Muratsuchi

Councilmembers Armato, Campbell and Fangary thanked their respective families, the voters, and the volunteers who supported their efforts. Councilmember Campbell added her thanks to Carolyn Petty for her service. Mayor pro tem Duclos and Mayor Massey welcomed the new and returning elected officials.

The meeting recessed at 8:55 p.m. for additional light refreshments in the foyer.
The meeting reconvened at 9:06 p.m.

CLOSED SESSION REPORT

City Attorney Jenkins reported no public comments, no agenda items added, and no reportable actions.

ANNOUNCEMENTS

PROCLAMATIONS / PRESENTATIONS

MISCELLANEOUS ITEMS AND REPORTS - CITY MANAGER

PUBLIC PARTICIPATION:

1. ORAL AND WRITTEN COMMUNICATIONS:

2. CONSENT CALENDAR:

Action: To approve Consent Calendar items 2(a) through 2(j).
Motion Campbell, second Armato. The motion carried by a unanimous vote.

a) **REPORT** **CITY COUNCIL MEETING MINUTES**
 17-0695 (City Clerk Elaine Doerfling)

Attachments: [1 - 071117 draft mtg min-2](#)
 [2 - 071717 draft mtg min](#)
 [3 - 072017 draft mtg min](#)

Action: *To approve the following minutes:*

1. Adjourned Regular and Regular Meeting of July 11, 2017;
2. Adjourned Regular Meeting of July 17, 2017; and
3. Adjourned Regular Meeting of July 20, 2017

b) **REPORT** **CHECK REGISTERS**
 17-0701 (Finance Director Viki Copeland)

Attachments: [11-08-17](#)
 [11-16-17](#)

Action: *To ratify the above-noted check registers.*

2c) **REPORT** **MEMORANDUM REGARDING**
 17-0710 **REVENUE AND EXPENDITURE REPORTS**
 CITY TREASURER'S AND CASH BALANCE REPORT
 OCTOBER 2017
 (Finance Director Viki Copeland)

Action: *To receive and file the memorandum regarding the October 2017 financial reports.*

2d) **REPORT** **PLANNING COMMISSION TENTATIVE FUTURE AGENDA ITEMS**
 17-0705 (Community Development Director Ken Robertson)

Action: *To receive and file the Planning Commission tentative future agenda items.*

2e) **REPORT** **ACTION SHEET OF THE PLANNING COMMISSION MEETING OF**
 17-0707 **NOVEMBER 21, 2017**

Attachments: [Action Sheet of November 21, 2017](#)

Action: *To receive and file the action sheet of the Planning Commission meeting of November 21, 2017.*

- 2f) **REPORT** **PROJECT STATUS REPORT AS OF OCTOBER 31, 2017**
17-0698 (Public Works Director Glen W.C. Kau)

Attachments: [CIP Project Status Report October 2017.pdf](#)

Action: To receive and file the Project Status Report as of October 31, 2017.

- 2g) **REPORT** **ACTION MINUTES OF THE PUBLIC WORKS COMMISSION**
17-0690 **MEETINGS OF JULY 19, 2017 AND SEPTEMBER 20, 2017**

Attachments: [Action minutes 7-19-17](#)
[Action minutes 9-20-17](#)

Action: To receive and file the action minutes of the Public Works Commission meetings of July 19, 2017 and September 20, 2017.

- 2h) **REPORT** **RECOMMENDATION TO APPROVE THE USE OF**
17-0692 **PROP A AND C FUNDS FOR CIP 16-174 STREET**
IMPROVEMENTS VARIOUS LOCATIONS
(Public Works Director Glen W.C. Kau)

Attachments: [Commuter Express Bus Route 438](#)
[LocalRegionalTransitSystem2](#)

Action: To:

- 1) Authorize a transfer of Prop A Funds (\$274,892) and Prop C Funds (\$232,181) funds from CIP 12-143 PCH/Aviation Mobility Improvement Project to CIP 16-174 Street Improvements - Various Locations; and
- 2) To approve an additional appropriation of Prop C Funds (\$416,140) for CIP 16-174 Street Improvements - Various Locations.

- 2i) **REPORT** **SOUTH BAY WORKFORCE INVESTMENT BOARD**
17-0704 **QUARTERLY SUMMARY**

Attachments: [1 - Quarterly Summary.pdf](#)
[2 - Committees Activity Report.pdf](#)
[3 - Program Year 2017-2018 Number of Individuals Served.pdf](#)
[4 - Hermosa Beach Success Stories.pdf](#)
[5 - Press Releases.pdf](#)
[6 - Flyers.pdf](#)
[7 - Electronic Newsletter.pdf](#)

Action: To receive and file the Quarterly Summary from the South Bay Workforce Investment Board.

- 2j) **REPORT** **LIST OF REGULAR AND ONGOING CITY BOARD AND**
17-0693 **COMMISSION APPOINTIVE TERMS THAT WILL EXPIRE**
DURING THE 2018 CALENDAR YEAR
(City Clerk Elaine Doerfling)

Attachments: [2018 List](#)

Action: To receive and file the list, prepared for posting by the City Clerk pursuant to State law, of all regular and ongoing Hermosa Beach board, commission and committee appointive terms which will expire during the 2018 calendar year.

3. **CONSENT ORDINANCES**

- a) **REPORT** **ORDINANCE NO. 17-1380 - “AN ORDINANCE OF**
17-0694 **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
ANNABIS CULTIVATION FOR PERSONAL USE”
(City Clerk Elaine Doerfling)

Attachments: [Ordinance 17-1380 - Cannabis](#)

Action: To waive full reading and adopt 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.**”
Motion Duclos, second Armato. The motion carried by a unanimous vote.

4. **ITEMS REMOVED FROM THE CONSENT CALENDAR FOR SEPARATE DISCUSSION**

5. **PUBLIC HEARINGS – None**

6. **MUNICIPAL MATTERS**

- 6a) **REPORT** **APPOINTMENT OF COUNCIL SUBCOMMITTEE FOR**
17-0697 **NEGOTIATIONS OF COMMUNITY THEATER**
MANAGEMENT CONTRACT
(Acting Community Resources Manager Lisa Nichols)

Action: *To appoint a two-member subcommittee consisting of Councilmembers Duclos and Armato to participate in negotiations with Sanford Ventures for programming and management of the Community Theater.*
Motion Fangary, second Armato. The motion carried by a unanimous vote.

**6b) REPORT
17-0659**

**FIRE SERVICES UPDATE
(Fire Chief Pete Bonano)**

Action: *To receive and file the Fire Services update.*
Motion Armato, second Duclos. The motion carried by a unanimous vote.

**6c) REPORT
17-0703**

**RELOCATION OPTIONS FOR EXISTING AT&T
WIRELESS FACILITIES, AND DISCUSSION OF
WIRELESS FACILITY REGULATION WITHIN THE
PUBLIC RIGHT-OF-WAY AND OTHER AREAS
(Community Development Director Ken Robertson)**

Attachments:

- [1 - Map of Existing, Proposed and Recommended Wireless Sites](#)
- [2 - Drive Test Results as Prepared by City-Hired RF Engineer \(FDH Velocitel\)](#)
- [3 - Summary of Background and History](#)
- [4 - Differences Between Macro oDAS and Small Cells](#)
- [5 - Photos of Existing 29th Court and 20th Court Facilities](#)
- [6 - AT&T Valley Park Kiwanis Club \(Flag Pole\) Proposal](#)
- [7 - Renderings of ATT Valley Park Kiwanis Club \(Flag Pole\) Proposal](#)
- [8 - AT&T Valley Park Location I at North East Corner \(45' mono-eucalyptus\) Option](#)
- [9 - Photos of 5 Corners, Green Store, Ocean Pt and Skechers Alternative Sites](#)
- [10 - Photos of oDAS Installations in other Cities](#)
- [11 - June 15, 2017 City Council approval of Professional Services Agreement for RF Engineering Consultant Services \(Page 11 Item A\)](#)
- [12 - January 26, 2016 City Council Staff Report and Attachments: Overview of existing AT&T wireless facility at 29th Court and relocation options in Valley Park \(Page 11 Item D\)](#)
- [13 - July 21, 2015 Planning Commission Staff Report and Attachments: CUP and PDP for wireless telecommunications facility adjacent to the Kiwanis building at 2515 Valley Drive \(Section II Item 6\)](#)
- [14 - January 27, 2015 City Council Staff Report and Attachments: Authorize AT&T to apply for a CUP for a wireless facility on City Property at 2515 Valley Drive \(Kiwanis building at Valley Park\) and direct City Attorney to initiate lease negotiations](#)
- [15 - AT&T Provided Beverly Hills DAS FAQ](#)
- [16 - AT&T Provided oDAS Cell Siting Overview](#)

Action: To:

1. Invite AT&T to submit an application to remove the cell sites at 20th and 29th Courts;
2. Invite AT&T to submit an application to fill those coverage gaps with oDAS facilities around Valley Park; and
3. Direct staff to develop rules regarding limitations on oDAS sites so that the Council can begin to consider systematizing approval of these cell sites.

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

Further Action: To extend the meeting to 12:20 a.m.

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

**6d) REPORT
17-0708**

**AUTHORIZATION TO PROVIDE NOTICE OF INTENT
TO WITHDRAW MEMBERSHIP WITH INDEPENDENT CITIES
RISK MANAGEMENT AUTHORITY (ICRMA); AND REVIEW
OTHER RISK POOL MEMBERSHIP OPTIONS
(Human Resources Manager Vanessa Godinez)**

Attachments:

- [1 ICRMA FAQ re Member Assessment](#)
- [2 Pool Comparison Matrix](#)
- [3 ICRMA vs. CSAC-EIA Coverage Comparison](#)
- [4 CJPIA Cost Indication](#)
- [5 side-by-side comparison of all four options General Liability & Workers Compensation](#)

Action: To:

1. Authorize the issuance of a Notice of Intent to Withdraw Membership with Independent Cities Risk Management Authority (ICRMA) by December 1, 2017; and
2. To authorize staff to further review our risk pool membership options with ICRMA, California State Association of Counties Excess Insurance Authority (CSAC-EIA), California Joint Powers Insurance Authority (CJPIA), and Keenan & Associates, then return to Council with a recommendation on which risk pool the City should seek membership with for the 2018/2019 fiscal year.

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

7. MISCELLANEOUS ITEMS AND MEETING ATTENDANCE REPORTS - CITY COUNCIL

**7a) REPORT
17-0712**

**CITY COUNCIL MEETING SCHEDULE FOR 2018
(City Manager Sergio Gonzalez)**

Attachments:

- [DRAFT - 2018 CITY COUNCIL MEETING SCHEDULE.pdf](#)

Action: *To direct staff to prepare a City Council meeting schedule for 2018, based on Council input this evening.*
Motion Armato, second Fangary. The motion carried by a unanimous vote.

8. OTHER MATTERS - CITY COUNCIL

8a) REPORT 17-0702

TENTATIVE FUTURE AGENDA ITEMS

Attachments: [Tentative Future Agenda](#)

Action: *It was the consensus of the City Council 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 – at 12:25 a.m., Wednesday, November 29, 2017, to the “Streets for All” Leadership breakfast at 8 a.m., Monday, December 4, 2017, at Bluewater Grill, Avalon Room (665 North Harbor Dr. Redondo Beach) hosted by Beach Cities Health District, which will adjourn to an Adjourned Regular meeting at 6 p.m. on Wednesday, December 6, 2017 (Closed Session at 6 p.m. followed by Open Session at 7 p.m.), which will adjourn to an Adjourned Regular meeting at 6 p.m. on Thursday, December 7, 2017 (for appointment of Mayor and Mayor pro tem and Council committee reorganization), which will adjourn to the Regular meeting of Tuesday, January 9, 2018.

Elaine Doerfling
City Clerk

Linda Abbott
Deputy City Clerk