

# Hermosa Beach

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



## **Adjourned Regular Meeting Minutes - Final**

**Thursday, October 13, 2016**

**6:00 PM**

**Closed Session - 6:00 PM**

**Regular Meeting - 7:00 PM**

**Council Chambers**

### **City Council**

***Mayor***

***Hany Fangary***

***Mayor Pro Tem***

***Justin Massey***

***Councilmembers***

***Jeff Duclos***

***Stacey Armato***

***Carolyn Petty***

**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**

*Present: Armato, Petty, Mayor Fangary  
Absent: Duclos, Massey (both arrived at 6:10 p.m.)*

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

1. 16-0616 **MINUTES:** Approval of minutes of Closed Session held on September 27, 2016.

2. 16-0618 **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: Holtz v. City of Hermosa Beach  
Los Angeles County Superior Court, Case Number: BS163221

b) Name of Case: Johnston v. City of Hermosa Beach  
Los Angeles County Superior Court, Case Number: BS163448

3. 16-0617 **CONFERENCE WITH LEGAL COUNSEL: Threatened Litigation  
Government Code Section 54956.9(d)(2)**

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.

Number of Potential Cases: 2

**Attachments:** [SUPPLEMENTAL Letter and Attachments from Barbara Guild \(added 10-13-16 at 530pm\).pdf](#)

**ADJOURNMENT OF CLOSED SESSION - 7:05 p.m.**

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

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

**CLOSED SESSION REPORT**

*City Attorney Jenkins said: (1) there was no public comment received prior to Closed Session; (2) one of the two cases in item 2 was voluntary dismissed by the plaintiff (Mr. Holtz) and is no longer pending against the City; and (3) there were no reportable actions on item 3.*

**ANNOUNCEMENTS****PROCLAMATIONS / PRESENTATIONS**

- a)      16-0619                      **RECOGNIZING HERMOSA BEACH RESIDENT KK CLARK  
FOR WINNING GOLD AT THE RIO OLYMPICS**
  
- b)      16-0631                      **BEACON AWARD PRESENTATION  
FROM ENVIRONMENTAL ANALYST KRISTY MORRIS**
  
- c)      16-0620                      **HERMOSA BEACH CHAMBER OF COMMERCE  
FIESTA SUMMARY AND FINANCIAL DISCLOSURE**

Attachments:   [SUPPLEMENTAL Letter from Betsy Ryan \(added 10-11-16 at 10am\).pdf](#)  
                         [SUPPLEMENTAL Letter from Norman Rosen \(added 10-11-16 at 10am\).pdf](#)  
                         [SUPPLEMENTAL Presentation Slides \(added 10-11-16 at 6pm\).pdf](#)

**MISCELLANEOUS ITEMS AND REPORTS - CITY MANAGER**

- a)      **REPORT**                              **FIRE SERVICES UPDATE**  
            16-0639                              (Interim Fire Chief Pete Bonano)
  
- b)      **REPORT**                              **DOWNTOWN BEAUTIFICATION/CLEANLINESS UPDATE**  
            16-0638                              (Assistant to the City Manager Nico De Anda-Scaia)



**2c)      REPORT                      ACTION MINUTES OF THE PARKS, RECREATION  
16-0629                      AND COMMUNITY RESOURCES ADVISORY COMMISSION**

**Attachments:**    [PR/CC Joint Study Session Minutes 07.06.16](#)  
[PR Special Meeting Minutes 07.07.16](#)  
[PR Special Meeting Minutes 09.06.16](#)  
[PR Special Meeting Minutes 09.16.16](#)

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

**2d)      REPORT                      APPROVAL OF THE FIRST AMENDMENT TO THE AGREEMENT  
16-0627                      BETWEEN THE CITY OF HERMOSA BEACH AND BURKE,  
   WILLIAMS & SORENSEN, LLP FOR LEGAL SERVICES  
   (Human Resources Manager Vanessa Godinez)**

**Attachments:**    [Burke, Williams & Sorensen first amendment agreement](#)  
[SUPPLEMENTAL Revised Proposal \(added 10-13-16 at 530pm\).pdf](#)

**Action:** *To approve the first amendment to the agreement with the law firm Burke, Williams & Sorensen to provide legal services in the area of labor negotiations to the City.*

**2e)      REPORT                      PURCHASE OF CLEAN CUBE SOLAR  
16-0637                      TRASH COMPACTORS FOR PIER PLAZA  
   (Environmental Analyst Kristy Morris)**

**Attachments:**    [BigBelly Lease Agreement](#)  
[City of West Hollywood BigBelly Agreement](#)  
[Ecube Labs Quote](#)  
[Product Options and Warranty](#)

**Action:** *To authorize \$40,050 (and 10% contingency, \$4,005 to wrap the containers) of funds from the Capital Improvement Fund for the purchase of eight (8) 100L Clean CUBE (Solar) trash compactors and Recycling Companion Bins from Ecube Labs Co.  
Motion Massey, second Armato. The motion carried 4-1, noting the dissenting vote of Petty.*

**2f)      REPORT                      PURCHASE OF ELECTRIC VEHICLE CHARGING STATIONS FOR  
16-0635                      THE SOUTHERN CALIFORNIA EDISON CHARGE READY  
   PROGRAM  
   (Environmental Analyst Kristy Morris)**

**Attachments:**    [Fleet Policy Adopted revised .docx](#)  
[Step 2 Agreement.pdf](#)  
[Approved Vendor And Charging Station List QSL-10-03.xlsxGE Charger.pdf](#)

**Action:** To authorize \$35,000 of funds from the Capital Improvement Fund for the purchase of ten dual-port electric vehicle charging stations for installation by the Southern California Edison Charge Ready Program and approve the estimated revenue of \$7,500 from Southern California Edison at the completion of the project.  
Motion Duclos, second Armato. The motion carried by a unanimous vote.

- 2g) **REPORT**      **SUBJECT: FINAL MAP NO. 72199 (C.U.P. CON NO. 16-9, 13-3, PDP NO. 13-4)**  
16-0608      **LOCATION: 902 - 908 17TH STREET**  
                 **APPLICANT(S): HB REAL ESTATE LLC**  
                 **REQUEST: TO ADOPT A RESOLUTION APPROVING FINAL PARCEL MAP**  
                 **FOR A 2-UNIT RESIDENTIAL CONDOMINIUM PROJECT**  
                 (Community Development Director Ken Robertson)

**Attachments:** [Proposed Resolution](#)  
[Final Map No. 72199](#)

**Action:** To adopt Resolution No. 16-7048, entitled "**A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF HERMOSA BEACH, CALIFORNIA, APPROVING FINAL PARCEL MAP NO. 72199, FOR THE SUBDIVISION OF A TWO-UNIT CONDOMINIUM, LOCATED AT 902 - 908 17TH STREET IN THE CITY OF HERMOSA BEACH, CALIFORNIA.**"

- 2h) **REPORT**      **SUBJECT: FINAL MAP NO. 72198 (C.U.P. CON NO. 16-10, 13-2, PDP NO. 13-3)**  
16-0609      **LOCATION: 910 - 914 17TH STREET**  
                 **APPLICANT(S): HB REAL ESTATE LLC**  
                 **REQUEST: TO ADOPT A RESOLUTION APPROVING FINAL PARCEL MAP**  
                 **FOR A 2-UNIT RESIDENTIAL CONDOMINIUM PROJECT**  
                 (Community Development Director Ken Robertson)

**Attachments:** [Proposed Resolution](#)  
[Final Map No. 72198](#)

**Action:** To adopt Resolution No. 16-7049, entitled "**A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF HERMOSA BEACH, CALIFORNIA, APPROVING FINAL PARCEL MAP NO. 72198, FOR THE SUBDIVISION OF A TWO-UNIT CONDOMINIUM, LOCATED AT 910 - 914 17TH STREET IN THE CITY OF HERMOSA BEACH, CALIFORNIA.**"

### 3. CONSENT ORDINANCES

3a) **REPORT**  
**16-0606**

**ORDINANCE NO. 16-1371 - "AN ORDINANCE OF THE CITY OF HERMOSA BEACH, CALIFORNIA, AMENDING THE ZONING MAP AND AMENDING THE HERMOSA BEACH MUNICIPAL CODE, CHAPTER 17 (ZONING), TO MAKE THEM CONSISTENT WITH THE ADOPTED 2013-2021 GENERAL PLAN HOUSING ELEMENT BY REMOVING THE AFFORDABLE HOUSING OVERLAY ZONING DISTRICT"**  
(City Clerk Elaine Doerfling)

**Attachments:** [Ord 16-1371](#)  
[Ord Exhibit A](#)  
[Ord Exhibit B](#)

**Action:** To waive full reading and adopt by title Ordinance No. 16-1371, entitled "**AN ORDINANCE OF THE CITY OF HERMOSA BEACH, CALIFORNIA, AMENDING THE ZONING MAP AND AMENDING THE HERMOSA BEACH MUNICIPAL CODE, CHAPTER 17 (ZONING), TO MAKE THEM CONSISTENT WITH THE ADOPTED 2013-2021 GENERAL PLAN HOUSING ELEMENT BY REMOVING THE AFFORDABLE HOUSING OVERLAY ZONING DISTRICT.**"  
*Motion Armato, second Fangary. The motion carried by a unanimous vote.*

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

*Items 2e and 2f were heard at this time but are shown in order for clarity.*

**5. PUBLIC HEARINGS**

5a) **REPORT**  
**16-0604**

**PUBLIC HEARING TO APPROVE THE PARKS, RECREATION AND COMMUNITY RESOURCES ADVISORY COMMISSION'S RECOMMENDATION TO INSTALL THREE ADDITIONAL BEACH TENNIS COURTS JUST NORTH OF THE EXISTING BEACH TENNIS COURTS LOCATED AT 15TH STREET; TWO ADDITIONAL VOLLEYBALL COURTS AT 10TH STREET; AND RELOCATION OF THE SWING SET FROM NORTH OF 10TH STREET TO JUST SOUTH OF 10TH STREET, OR CONSIDER THE OPTION TO SEND THE REQUESTS BACK TO THE PARKS, RECREATION AND COMMUNITY RESOURCES ADVISORY COMMISSION FOR FURTHER REVIEW**

**(Continued from regular meeting on September 13, 2016)**  
(Community Resources Manager Kelly Orta)

**Attachments:** [Commercial Zone Aerial Map](#)  
[Beach Tennis Request - Sexy Beach Tennis](#)  
[Resident and Property Owner Notices](#)  
[Swing Set Relocation Quote \(American Park Specialities\)](#)  
[Written Communication](#)  
[SUPPLEMENTAL Letter from Bernard Robbins \(added 10-11-16 at 10am\).pdf](#)  
[SUPPLEMENTAL Letter from Terri Herrick \(added 10-11-16 at 10am\).pdf](#)  
[SUPPLEMENTAL Letter from Steve Hunt \(added 10-11-16 at 5pm\).pdf](#)

*The public hearing opened at 9:52 p.m.*

*The public hearing closed at 10:11 p.m.*

**Action:** *To direct the volleyball subcommittee to consider the addition of two more courts; leave the swing set where it is; and direct staff to look into motion lights on the swing set to discourage late night use.*

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

**Additional Action:** *To direct staff to install three additional beach tennis courts just north of the existing beach tennis courts at 15th Street (and as far south as allowed from the existing courts), and as far west as allowed by the County lifeguards.*

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

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

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

**5b) REPORT  
16-0600**

**A RESOLUTION OF THE CITY OF HERMOSA BEACH,  
CALIFORNIA, AMENDING RESOLUTION 16-7045 (MASTER FEE  
RESOLUTION) TO ADD A FEE FOR PUBLIC TREE REMOVAL AND  
DISABLED PARKING SPACE INSTALLATION, CONSIDERATION OF  
SERVICE FOR BABY SEAT INSTALLATION**

**(Continued from meeting of October 13, 2016)**

(Finance Director Viki Copeland)

**Attachments:** [Comparison of Current-Proposed Fees, Public Tree Removal, Disabled Parking](#)  
[Municipal Code - 12.36 TREES](#)  
[Municipal Code - 10.32.360 On-Street Disabled Parking Spaces](#)  
[QUESTIONS AND ANSWERS Re Public Tree Removal, Disabled Parking Space](#)  
[Reso 16-XXXX to Add Tree Removal](#)

**Action:** *This item was continued.*



- 5c) **REPORT** **CONSIDERATION OF OPTIONS TO CONSOLIDATE FUTURE**  
**16-0626** **GENERAL MUNICIPAL ELECTIONS (CURRENTLY HELD IN**  
**ODD-NUMBERED YEARS) WITH STATEWIDE ELECTIONS**  
**HELD IN EVEN-NUMBERED YEARS IN COMPLIANCE**  
**WITH SENATE BILL 415; REDUCING OR EXTENDING**  
**THE TERMS OF ELECTED OFFICIALS ACCORDINGLY;**  
**AND INTRODUCTION OF AN ORDINANCE CHANGING**  
**THE DATE OF GENERAL MUNICIPAL ELECTIONS**  
**BEGINNING IN 2018 OR 2020**  
(City Clerk Elaine Doerfling)

Attachments: [Turnout comparison chart](#)  
[Ord for 2018 election change](#)  
[Ord for 2020 election change](#)  
[SB 415](#)

Action: This item was continued.

## 6. MUNICIPAL MATTERS

- 6a) **REPORT** **AWARD OF A PROFESSIONAL SERVICES AGREEMENT**  
**16-0628** **TO DAVID EVANS AND ASSOCIATES, INC. TO PREPARE**  
**A SEWER MASTER PLAN, AND TO SCHAAF & WHEELER**  
**CONSULTING CIVIL ENGINEERS TO PREPARE A**  
**DRAINAGE MASTER PLAN**  
(Public Works Director Andrew Brozyna)

Attachments: [DAVID EVANS PROPOSAL WITH COST ESTIMATE.pdf](#)  
[SCHAAF & WHEELER PROPOSAL WITH COST ESTIMATE.pdf](#)  
[PSA 16-013- DAVID EVANS & ASSOCIATES, INC w exhibits.pdf](#)  
[PSA 16-014- SCHAAF & WHEELER CONSULTING ENGINEERS w exhibits.pdf](#)  
[Fee willdan- quantum -IEC.pdf](#)  
[SUPPLEMENTAL Memo and Attachment from Public Works Director Andrew Brozyna \(added 10-12-16 at 430pm\).pdf](#)

Action:

- 1) Approve a Professional Services Agreement with David Evans and Associates, Inc. in the amount of \$218,115 (instead of \$150,775 as shown on the agenda) to provide a new comprehensive Sewer Master Plan for the City;
  - 2) Approve a Professional Services Agreement with Schaaf & Wheeler Consulting Engineers in the amount of \$189,950 to provide a new comprehensive Drainage Master Plan for the City;
  - 3) Authorize the Mayor to execute and the City Clerk to attest the attached Professional Services Agreements subject to approval by the City Attorney; and
  - 4) Authorize a 10% contingency in the amount of \$21,800 for the preparation of the Sewer Master Plan, and authorize a 10% contingency of \$19,000 for the preparation of the Drainage Master Plan.
- Motion Duclos, second Armato. The motion carried by a unanimous vote.

- 6b) **REPORT** **PROPOSED REVISION TO PURCHASING CODE,**  
**16-0603** **CONTRACTING FOR SERVICES OVER \$30,000,**  
**CONSIDERATION OF OUTSOURCED FUNCTIONS**  
**AND EXTENSION OF CONTRACT WITH PROSUM**  
**FOR INFORMATION TECHNOLOGY (IT) SERVICES**  
(Finance Director Viki Copeland)

**Attachments:** [Revision to Administrative Memo F-13 submitted by Councilmember Massey with concurrence by Councilmember Fangary](#)  
[Issue Paper, 16-0162 - Process For Non-Project Contract](#)  
[Existing Administrative Memo F-13 - Professional Services](#)

**Action:** To direct staff to perform an annual review of all contracted service providers; to perform an annual review of the City Attorney once a new City Manager is hired; and to extend Prosum's contract to the end of the fiscal year.  
Motion Duclos, second Petty. The motion carried by a unanimous vote.

- 6c) **REPORT** **OPTIONS FOR ENHANCING THE AVAILABILITY OF**  
**16-0613** **FREE OR REDUCED FLU SHOTS FOR HB RESIDENTS**  
(Management Analyst Shawn Park)

**Attachments:** [LAC Department of Public Health 2016 Flu Vaccination Outreach Schedule](#)  
[LAC Department of Public Health Immunization Provider Referral List](#)  
[Passport Health Flu Clinic Guidelines](#)  
[Passport Health Pricing Email](#)  
[SUPPLEMENTAL Information from Management Analyst Shawn Park \(added 10-13-16 at 6pm\).pdf](#)

**Action:** To direct staff to create informational materials/brochures with dates/places/prices for flu shots (including \$17 at Costco) this flu season; work with getting the County back to Hermosa for a flu shot clinic in 2017; address any County concerns regarding low turnout by promoting City-sponsored informational materials/brochures to be mailed to Hermosa residents this year and next; and work closely with seniors, families and others who might be interested in getting flu shots.  
Motion Armato, second Fangary. The motion carried 4-1, noting the dissenting vote of Petty.

- 6d) **REPORT** **CONSIDER AND APPROVE BUDGET OF \$10,000 TOWARDS THE**  
**16-0625** **SOUTH BAY FILM AND MUSIC FESTIVAL; WAIVE ALL FACILITY**  
**USE AND STAFF FEES FOR FESTIVAL RELATED EVENTS**  
**INCLUDING QUARTERLY EVENTS; AND PROVIDE PUBLIC**  
**RELATIONS SUPPORT AND MARKETING/OUTREACH**  
**ASSISTANCE AS RECOMMENDED BY THE PARKS, RECREATION**  
**AND COMMUNITY RESOURCES ADVISORY COMMISSION**  
(Community Resources Manager Kelly Orta)

**Attachments:** [SBFMF 2016 Recap](#)  
[SBFMF 2017 Information](#)  
[SBFMF 2017 Overview and Contribution Requests](#)

[SUPPLEMENTAL Memo from Community Resources Manager Kelly Orta  
\(added 10-13-16 at 10am\).pdf](#)

**Action:** *This item was moved to the Consent Calendar and approved.*

- 6e) **REPORT** **HOLIDAY FREE PARKING PROGRAM**  
**16-0615** (Assistant to the City Manager Nico De Anda-Scaia)

**Attachments:** [Citywide Silver Post Meter Map](#)  
[Holiday Meter Bag Design Imprint](#)  
[Chamber Letter Holiday Parking Program.pdf](#)

**Action:** *To approve the Holiday Free Parking Program on all silver post meters from Friday, December 2, 2016 to Sunday, December 26, 2016 within the posted meter time limits. Motion Duclos, second Armato. The motion carried 3-2, noting the dissenting votes of Massey and Fangary.*

- 6f) **REPORT** **CONSIDERATION OF DECLARING OCTOBER AS**  
**16-0624** **"BULLYING PREVENTION AWARENESS MONTH"**  
**AND THE WEEK OF OCTOBER 16-22, 2016 AS**  
**"FREEDOM FROM WORKPLACE BULLIES WEEK"**  
**IN HERMOSA BEACH BY PROCLAMATION**  
(City Manager Tom Bakaly)

**Attachments:** [National Bullying Prevention Month Flier.pdf](#)  
[Freedom from Workplace Bullies Week Flier.pdf](#)  
[Proclamation.pdf](#)

**Action:** *This item was moved to the Consent Calendar and approved.*

**7. MISCELLANEOUS ITEMS AND MEETING ATTENDANCE REPORTS - CITY COUNCIL**

- 7a) **REPORT** **VERBAL LEGISLATIVE UPDATES**  
**16-0622** **ON PROPOSITIONS 55, 57\* AND 64\***  
(**\*Continued from meeting of September 27, 2016**)  
(Police Chief Sharon Papa and  
Assistant to the City Manager Nico De Anda-Scaia)

**Attachments:** [55 - Full Text All Propositions.pdf](#)  
[57 - Voter Guide.pdf](#)  
[57 - Proposition Details](#)  
[64 - Prop 64 Update 9-13-16](#)  
[64 - League CA Cities Memorandum](#)  
[64 - League FAQ](#)  
[SUPPLEMENTAL COG Position on Ballot Items \(added 9-26-16 at 3pm\).pdf](#)  
[SUPPLEMENTAL Letter and Attachments from Raunda Frank \(added 9-27-16 at 11am\).pdf](#)

*It was Council Consensus to take no position/remain neutral on Proposition 55.*

**Action:** To oppose Proposition 57.

*Motion Petty, second Fangary. The motion carried 4-1, noting the dissenting vote of Massey.*

**Additional Action:** To oppose Proposition 64.

*Motion Petty, second Fangary. The motion carried 3-2, noting the dissenting votes of Massey and Duclos.*

**7b) REPORT  
16-0607**

**VACANCIES - BOARDS AND COMMISSIONS  
PUBLIC WORKS COMMISSION TERM EXPIRATIONS  
SCHEDULE APPLICANT INTERVIEWS  
(City Clerk Elaine Doerfling)**

**Attachments:** [PW apps](#)

**Action:** To approve the City Clerk's recommendation to schedule applicant interviews for 6 p.m., Wednesday, November 2, 2016, prior to the Adjourned Regular meeting at 7 p.m.  
*Motion Petty, second Armato. The motion carried by a unanimous vote.*

**8. OTHER MATTERS - CITY COUNCIL**

**8a) REPORT  
16-0623**

**TENTATIVE FUTURE AGENDA ITEMS**

**Attachments:** [Tentative Future Agenda.doc](#)

*It was the consensus of the 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 12:54 a.m., Wednesday, October 14, 2016, to an Adjourned Regular meeting at 6 p.m. for the purpose of conducting a Study Session on Fire Services, to be followed by a Closed Session.*

**Elaine Doerfling  
City Clerk**

*City of Hermosa Beach*

**Linda Abbott  
Deputy City Clerk**

*Approved on 10/09/2018*