

Hermosa Beach

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



Adjourned Regular Meeting Minutes - Final

Thursday, October 27, 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**

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

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

1. **16-0651** **MINUTES:** Approval of minutes of Closed Sessions held on October 13, 2016 and October 18, 2016.

2. **16-0658** **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: Clair v. City of Hermosa Beach
 Los Angeles County Superior Court, Case Number: BC586695

3. **16-0650** **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: 1 (threat of litigation from E&B Natural Resources Management Corporation)

Attachments: [SUPPLEMENTAL Letter from Tom Morley \(added 10-26-16 at 1pm\).pdf](#)

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

7:00 P.M. - REGULAR AGENDA

CALL TO ORDER - 7:15 p.m.

PLEDGE OF ALLEGIANCE

ROLL CALL

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

CLOSED SESSION REPORT

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

ANNOUNCEMENTS

PROCLAMATIONS / PRESENTATIONS

- a) 16-0659 RECOGNIZING SUSAN BURDEN FOR HER SERVICE AS
CEO OF BEACH CITIES HEALTH DISTRICT FOR 12 YEARS

MISCELLANEOUS ITEMS AND REPORTS - CITY MANAGER

- a) 16-0671 EMPLOYEE LEADERSHIP PHILOSOPHY -
VERBAL UPDATE
(Police Chief Sharon Papa)

Attachments: [Employee Leadership Philosophy Final 2016.pptx](#)

- b) **REPORT** LIBRARY NEEDS ASSESSMENT UPDATE
16-0672 (Community Resources Manager Kelly Orta)

PUBLIC PARTICIPATION:

1. ORAL AND WRITTEN COMMUNICATIONS:

- 1a) **REPORT** LETTER FROM KEN SARNO DATED SEPTEMBER 30, 2016
16-0673 REGARDING TORRANCE REFINERY

Attachments: [Letter from Ken Sarno 9-30-16](#)

Action: To receive and file the letter.

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

- 1b) **REPORT** **LETTER FROM MAUREEN FERGUSON LEWIS**
 16-0674 **DATED OCTOBER 17, 2016 REGARDING**
 DOG LICENSE NOTICE AND VACCINATION

Attachments: [Letter from Maureen Ferguson Lewis 10-17-16.docx](#)

Action: To receive and file the letter.

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

2. CONSENT CALENDAR:

Action: To approve the Consent Calendar items 2(a) through 2(o).

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

- 2a) **REPORT** **CITY COUNCIL MEETING MINUTES**
 16-0668 (City Clerk Elaine Doerfling)

Attachments: [092415 Council meeting minutes-draft](#)

Action: To receive and file the City Clerk's memorandum.

- 2b) **REPORT** **CHECK REGISTERS**
 16-0644 (Finance Director Viki Copeland)

Attachments: [10-06-16](#)
 [10-13-16](#)

Action: To receive and file the check registers as presented.

- 2c) **REPORT** **REVENUE AND EXPENDITURE REPORTS FOR AUGUST 2016**
 16-0664 (Finance Director Viki Copeland)

Attachments: [August Revenue Status Report](#)
 [August expenditure status report](#)

Action: To receive and file the August 2016 Revenue and Expenditure reports as presented.

- 2d) **REPORT** **REVENUE AND EXPENDITURE REPORTS FOR SEPTEMBER 2016**
16-0665 (Finance Director Viki Copeland)

Attachments: [September Revenue Status Report](#)
[September Expenditure Status Report](#)

Action: To receive and file the September 2016 Revenue and Expenditure reports as presented.

- 2e) **REPORT** **CANCELLATION OF CERTAIN CHECKS**
16-0646 (City Treasurer Karen Nowicki)

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

- 2f) **REPORT** **CITY TREASURER'S REPORT AND CASH BALANCE REPORT**
16-0647 **FOR AUGUST 2016**
(City Treasurer Karen Nowicki)

Attachments: [Aug '16 Cash Balances Report.pdf](#)

Action: To receive and file the August 2016 reports, as presented by the City Treasurer.

- 2g) **REPORT** **CITY TREASURER'S REPORT AND CASH BALANCE REPORT**
16-0677 **FOR SEPTEMBER 2016**
(City Treasurer Karen Nowicki)

Attachments: [Sept '16 Treasurer Report.pdf](#)
[Sept '16 Cash Balances Report.pdf](#)

Action: To receive and file the September 2016 reports, as presented by the City Treasurer.

- 2h) **REPORT** **ACTION SHEET OF THE PLANNING COMMISSION MEETING OF**
16-0667 **OCTOBER 19, 2016**

Attachments: [Planning Commission Action Sheet of Oct. 19, 2016](#)

Action: To receive and file the action sheet of the Planning Commission meeting of October 19, 2016.

- 2i) **REPORT** **PLANNING COMMISSION TENTATIVE FUTURE AGENDA ITEMS**
16-0662 (Community Development Director Ken Robertson)

Attachments: [Planning Commission November, 2016 Tentative Agenda](#)

Action: To receive and file the Planning Commission Tentative Future Agenda Items.

- 2j) **REPORT** **STRATEGIC PLAN ACTION AGENDA**
16-0669 **QUARTERLY UPDATE**
(Management Analyst Shawn Park)

Attachments: [2j 1 QUARTERLY UPDATE - Strategic Plan AA Tracking.pdf](#)

Action: To receive and file the Strategic Plan Action Agenda Quarterly Update.

- 2k) **REPORT** **PROJECT STATUS REPORT AS OF SEPTEMBER 30, 2016**
16-0652 (Public Works Director Andrew Brozyna)

Attachments: [CIP Project Status Report September 2016 FINAL](#)

Action: To receive and file the Project Status Report as of September 30, 2016.

- 2l) **REPORT** **REJECT ALL BIDS AND AUTHORIZE TO RE-ADVERTISE**
16-0660 **FOR THE CONSTRUCTION OF CIP NO. 15-657 PHASE I,**
CDBG NO. 601820-16 AMERICANS WITH DISABILITIES
ACT (ADA) SIDEWALK AND RAMP PROJECT
(Public Works Director Andrew Brozyna)

Action: To reject all bids received for CIP No. 15-657 Phase I, CDBG No. 601820-16, ADA Sidewalk and Ramp Project; and authorize Staff to re-advertise for bids.

- 2m) **REPORT** **SUBJECT: FINAL MAP NO. 73032 (C.U.P. CON NO. 14-14, PDP NO. 14-21)**
16-0645 **LOCATION: 613 & 615 LONGFELLOW AVENUE**
APPLICANT(S): HBL DEVELOPMENT, 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. 73032](#)

Action: To adopt Resolution No. 16-7050, entitled “**A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF HERMOSA BEACH, CALIFORNIA, APPROVING FINAL PARCEL MAP NO. 73032, FOR THE SUBDIVISION OF A TWO-UNIT CONDOMINIUM, LOCATED AT 613 & 615 LONGFELLOW AVENUE IN THE CITY OF HERMOSA BEACH, CALIFORNIA.**”

- | | | |
|-----|----------------|---|
| 2n) | REPORT | APPROVE THE ADDITION OF THE AMATEUR ATHLETIC UNION'S |
| | 16-0653 | FALL/WINTER SERIES EVENTS ON SUNDAY, NOVEMBER 6; |
| | | SUNDAY, NOVEMBER 20 AND SATURDAY, DECEMBER 10 - |
| | | SUNDAY, DECEMBER 11 TO THE SPECIAL EVENT CALENDAR AS |
| | | RECOMMENDED BY THE PARKS, RECREATION AND COMMUNITY |
| | | RESOURCES ADVISORY COMMISSION |
| | | <i>(Community Resources Manager Kelly Orta)</i> |

Attachments: [2016 Special Event Calendar - Monthly Format](#)
[AAU Fall/Winter Series Special Event Application](#)

Action: *To approve the addition of the Amateur Athletic Union's ("AAU") Fall/Winter Series events on Sunday, November 6; Sunday, November 20 and Saturday, December 10 - Sunday, December 11, 2016 to the special event calendar, as recommended by the Parks, Recreation and Community Resources Advisory Commission.*

- 2o) **REPORT** **APPROVE THE ADDITION OF THE USA VOLLEYBALL'S**
16-0654 **JUNIOR BEACH TOUR - PREMIERE WINTER SERIES**
OPEN 3 EVENTS ON SATURDAY, NOVEMBER 19 AND
SUNDAY, DECEMBER 18, 2016 TO THE SPECIAL EVENT
CALENDAR AS RECOMMENDED BY THE PARKS, RECREATION
AND COMMUNITY RESOURCES ADVISORY COMMISSION
(Community Resources Manager Kelly Orta)

Attachments: [2016 Special Event Calendar - Monthly Format](#)
[USAV Jr. Beach Tour Premiere Winter Series Open 3 Application](#)

Action: *To approve the addition of USA Volleyball's Junior Beach Tour - Premiere Winter Series Open 3 events on Saturday, November 19 and Sunday, December 18, 2016 to the special event calendar, as recommended by the Parks, Recreation and Community Resources Advisory Commission.*

3. CONSENT ORDINANCES - None

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

5. PUBLIC HEARINGS

- 5a) **REPORT** **ADOPTION OF THE 2016 EDITIONS OF THE CALIFORNIA BUILDING
16-0670 STANDARDS WITH LOCAL AMENDMENTS FOR HERMOSA BEACH**
(Community Development Director Ken Robertson)

Attachments: [Summary of Changes](#)
[Changes to Fire Code](#)
[Findings for Changes to Fire Code](#)
[Section 15.04.050](#)
[Proposed Ordinance](#)

The public hearing opened at 8:33 p.m. As no one came forward to address the Council on this item, the public hearing closed at 8:33 p.m.

Action: To waive full reading and introduce Ordinance No. 16-1372, entitled **“AN ORDINANCE OF THE CITY OF HERMOSA BEACH, CALIFORNIA, ADOPTING BY REFERENCE PART 2 OF TITLE 24 OF THE CALIFORNIA CODE OF REGULATIONS, COMPRISING THE 2016 CALIFORNIA BUILDING CODE; PART 2.5 OF TITLE 24 OF THE CALIFORNIA CODE OF REGULATIONS, COMPRISING THE 2016 CALIFORNIA RESIDENTIAL CODE; PART 3 OF TITLE 24 OF THE CALIFORNIA CODE OF REGULATIONS, COMPRISING THE 2016 CALIFORNIA ELECTRICAL CODE; PART 4 OF TITLE 24 OF THE CALIFORNIA CODE OF REGULATIONS, COMPRISING THE 2016 CALIFORNIA MECHANICAL CODE; PART 5 OF TITLE 24 OF THE CALIFORNIA CODE OF REGULATIONS, COMPRISING THE 2016 CALIFORNIA PLUMBING CODE; PART 6 OF TITLE 24 OF THE CALIFORNIA CODE OF REGULATIONS, COMPRISING THE 2016 ENERGY CODE; PART 9 OF TITLE 24 OF THE CALIFORNIA CODE OF REGULATIONS, COMPRISING THE 2016 CALIFORNIA FIRE CODE; PART 10 OF TITLE 24 OF THE CALIFORNIA CODE OF REGULATIONS, COMPRISING THE 2016 CALIFORNIA BUILDING CODE; PART 11 OF TITLE 24 OF THE CALIFORNIA CODE OF REGULATIONS, COMPRISING THE 2016 CALIFORNIA GREEN BUILDING STANDARDS CODE; AMENDING SAID CODES; AND AMENDING TITLE 15 OF THE HERMOSA BEACH MUNICIPAL CODE,”** with the following local changes/amendments:

- 1) Remove the cool roof requirement from Section 5.05 of the Hermosa Beach Municipal Code;
- 2) Delete Section 15.48.020 from the Code;
- 3) Require fire sprinkler systems in commercial buildings when tenant improvement or renovation efforts exceed 33% of the building area; and
- 4) Modify the first sentence of Part 15, Subsection 1031.10, Fire Escape Maintenance by removing the words “a Los Angeles Fire Department Regulation 4,” to instead read “...must receive annual inspection by a certified individual.”

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

Additional Action: To direct staff to return with recommendations (consistent with Council feedback this evening) regarding possible exceptions to the two-year expiration clause in Section 15.04.050 of the Hermosa Beach Municipal Code.

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

Final Action: To direct staff to return with proposals for incentivizing “green” building, including exploring concepts such as optimizing the energy balance of new buildings in the City by allowing projects that meet certain energy balance criteria (to be determined) to receive priority permitting in the Community Development Department to expedite building; explore how to incentivize builders to retain the trees on the properties; and explore how to connect builders and residents to the HERO program.
Motion Massey, second Duclos. The motion carried by a unanimous vote.

5b) REPORT
16-0648

**CITY COUNCIL REVIEW OF THE PLANNING
 COMMISSION'S DECISION TO APPROVE A PARKING PLAN
 FOR A NEW COFFEE HOUSE (HI-FI ESPRESSO)
 DETERMINING THAT IT'S A SNACK SHOP WITH
 CHARACTERISTICS TO ALLOW THE RETAIL
 COMMERCIAL REQUIREMENT FOR PARKING AT 227
 PACIFIC COAST HIGHWAY AND DETERMINATION THAT
 THE PROJECT IS CATEGORICALLY EXEMPT FROM THE
 CALIFORNIA ENVIRONMENTAL QUALITY ACT.
 (Community Development Director Ken Robertson)**

Attachments: [Attachment 1 Proposed Resolution.pdf](#)
[Attachment 2 Planning Commission Resolution 16-25.pdf](#)
[Attachment 3 Staff Report from September 20, 2016 Planning Commission Meeting.pdf](#)
[Attachment 4 Action Minutes for September 20, 2016 PC Meeting.pdf](#)
[Attachment 5 Letter from Property Owners to City Council.pdf](#)
[Attachment 6 Letter from Applicant to City Council.pdf](#)
[Attachment 7 Radius Map.pdf](#)
[Attachment 8 Legal Postings.pdf](#)
[Attachment 9 Applicant's Submittal.pdf](#)
[Attachment 10 Letter from Future Tenant \(Cultured Slice\) at 229 Pacific Coast Hwy.docx](#)

The public hearing opened at 10:13 p.m. After public comments, the hearing closed at 10:22 p.m.

Action: To adopt Resolution No. 16-7051, entitled “**A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF HERMOSA BEACH, CALIFORNIA, SUSTAINING THE PLANNING COMMISSION'S DECISION APPROVING A PARKING PLAN FOR A NEW COFFEE HOUSE (HI-FI ESPRESSO) FOR THE PURPOSE OF DETERMINING THAT IT'S A SNACK SHOP WITH CHARACTERISTICS TO ALLOW CONSIDERATION OF THE RETAIL COMMERCIAL REQUIREMENT FOR PARKING AT 227 PACIFIC COAST HIGHWAY WITH AMENDED CONDITIONS AND DETERMINATION THAT THE PROJECT IS CATEGORICALLY EXEMPT FROM THE CALIFORNIA ENVIRONMENTAL QUALITY ACT, LEGALLY DESCRIBED AS NE 100 FT OF SW 110 FT OF LOT 60, WALTER RANSOM CO S VENABLE PLACE, CITY OF HERMOSA BEACH.**”
Motion Duclos, second Petty. The motion carried by a unanimous vote.

6. MUNICIPAL MATTERS

- 6a) REPORT APPROVAL OF THE PROPOSED COMMUNITY CENTER LEASE
16-0655 POLICY AS RECOMMENDED BY THE PARKS, RECREATION AND
COMMUNITY RESOURCES ADVISORY COMMISSION AND AFFIRM
STAFF'S RECOMMENDATION TO GRANT THE ARC'S REQUEST TO
EXTEND ITS CURRENT LEASE FOR ONE ADDITIONAL YEAR,
ENDING MARCH 2018**

(Community Resources Manager Kelly Orta)

Attachments: [The Arc Written Communication](#)

Mayor Fangary disclosed his membership in the Kiwanis Club.

Action: *To direct staff to send the proposed Community Center lease policy back to the Parks, Recreation and Community Resources Advisory Commission to develop policy guidelines (with consideration to Council feedback this evening), then return to Council for discussion/approval; and to approve ARC's request to extend its current lease for one additional year, ending March 2018.*

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

- 6b) REPORT CONSIDERATION OF THE COMMUNITY THEATER
16-0661 SUBCOMMITTEE'S RECOMMENDATION FOR THE FUTURE
PROGRAMMING AND MANAGEMENT OF THE COMMUNITY
THEATER AND STAFF'S ALTERNATE RECOMMENDATION OF A
HYBRID APPROACH FOR PROGRAMMING AND MANAGEMENT OF
THE FACILITY**

(Community Resources Manager Kelly Orta)

Attachments: [Community Theater Subcommittee's Recommendation](#)

Action: *To direct the subcommittee to develop an outline for a Request for Proposals for professional services to program and manage the community theater consistent with City Attorney Jenkins' opinion on the deed restrictions; look at existing models that might fit our needs; create guidelines for oversight; and return to Council after review of such before the Parks, Recreation and Community Resources Advisory Commission.*

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

- 6c) REPORT CITY COUNCIL DIRECTION ON HAVING THE SPECIAL
16-0676 EVENT & VOLLEYBALL SUBCOMMITTEE STUDY AND
MAKE RECOMMENDATIONS RELATED TO COMMERCIAL
BEACH USE REGULATIONS AND POLICIES
SPECIFIC TO THE RESIDENTIAL ZONE**

(Community Resources Manager Kelly Orta)

Action: To extend tonight's meeting to 12:30 a.m.
Motion Massey, second Fangary. The motion carried 4-0 (Armato was briefly away from the dais).

It was Council consensus to continue this item.

7. MISCELLANEOUS ITEMS AND MEETING ATTENDANCE REPORTS - CITY COUNCIL

- 7a) **REPORT** **LEGISLATIVE UPDATE**
16-0649 (Assistant to the City Manager Nico De Anda-Scaia)

Attachments: [Official Voter Information Guide - California General Election 2016](#)
[LA County Voter Information - Ballot Measures](#)

- b) 16-0666 **COUNCILMEMBERS TO REPORT ON THEIR ATTENDANCE AT
THE LEAGUE OF CALIFORNIA CITIES ANNUAL CONFERENCE
IN LONG BEACH FROM OCTOBER 5-7, 2016**

8. OTHER MATTERS - CITY COUNCIL

- 8a) **REPORT** **TENTATIVE FUTURE AGENDA ITEMS**
16-0675

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

It was the consensus of 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 12:38 a.m., Wednesday, October 28, 2016, to an Adjourned Regular meeting on Wednesday, November 2, 2016, with a Closed Session at 6 p.m., followed by a Study Session at 7 p.m.

Elaine Doerfling
City Clerk

Linda Abbott
Deputy City Clerk