

Hermosa Beach

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



Adjourned Regular Meeting Minutes - Final

Thursday, November 10, 2016

5:30 PM

Closed Session - 5:30 PM

Open Session - 7:00 PM

Council Chambers

City Council

*Mayor
Hany Fangary*

*Mayor Pro Tem
Justin Massey*

*Councilmembers
Jeff Duclos
Stacey Armato
Carolyn Petty*

5:30 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 - 5:30 p.m.

ROLL CALL

*Present: Armato, Petty, Mayor Fangary
Absent: Massey (arrived 5:35 p.m.), Duclos (arrived 5:40 p.m.)*

PUBLIC COMMENT - None

RECESS TO CLOSED SESSION IN SECOND FLOOR CONFERENCE ROOM - 5:31 p.m.

1. 16-0686 **MINUTES:** Approval of minutes of Closed Sessions held on October 27, 2016.

2. 16-0687 **PUBLIC EMPLOYEE APPOINTMENT/EMPLOYMENT**
Government Code Section 54957

Title: City Manager

ADJOURNMENT OF CLOSED SESSION - 6:55 p.m.

7:00 P.M. - MEETING AGENDA

CALL TO ORDER - 7:04 p.m.

PLEDGE OF ALLEGIANCE - Peter Tucker

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 - *None*

MISCELLANEOUS ITEMS AND REPORTS - CITY MANAGER

- a) REPORT**
16-0699
- FIRE SERVICES UPDATE**
(Interim Fire Chief Pete Bonano)

Attachments: [LA County Fire Conversion Costs Report for Hermosa Beach 10-26-16](#)

PUBLIC PARTICIPATION

1. ORAL AND WRITTEN COMMUNICATIONS:

- 1a) REPORT LETTER FROM GEOFF HIRSCH DATED OCTOBER 25, 2016**
16-0689 REGARDING CARS BLOCKING SIDEWALKS

Attachments: [Letter from Geoff Hirsch](#)

Action: To receive and file the letter.

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

2. CONSENT CALENDAR:

Action: To approve consent calendar items 2(a) through 2(e), with the exception of the following item, which was removed from the consent calendar for separate discussion later in the meeting: 2(c) Massey.

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

- 2a) REPORT MEMORANDUM REGARDING CITY COUNCIL MEETING MINUTES**
16-0702 (City Clerk Elaine Doerfling)

Action: To receive and file the memorandum.

- 2b) REPORT**
16-0683
- CHECK REGISTERS**
(Finance Director Viki Copeland)

[illegible]

Action: To ratify the above-noted check registers.

- 2c) **REPORT** **ADOPTION OF RESOLUTION APPROVING A COOPERATIVE AGREEMENT WITH THE CALIFORNIA DEPARTMENT OF TRANSPORTATION (CALTRANS) FOR AMERICANS WITH DISABILITIES ACT (ADA) IMPROVEMENTS BETWEEN 2ND STREET AND 21ST STREET ON PACIFIC COAST HIGHWAY (PCH)**
16-0697
(Public Works Director Andrew Brozyna)

Attachments: [Final Draft of Coop Agreement between the City & Caltrans for const. of 4 ADA ramps Resolution No. 16-XXXX re Caltrans coop Agreement No. 07-5110 for ADA ramps](#)

Action:

- 1) To adopt Resolution No. 16-7052, entitled "**A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF HERMOSA BEACH, CALIFORNIA, APPROVING COOPERATIVE AGREEMENT No. 07-5110 WITH CALIFORNIA DEPARTMENT OF TRANSPORTATION (CALTRANS) FOR IMPROVEMENTS OF THE STATE HIGHWAY SYSTEM (SHS) REFERRED TO AS "PROJECT" IN THE ENCLOSED COOPERATIVE AGREEMENT**";
 - 2) To approve the Cooperative Agreement with Caltrans and authorize the mayor to execute the agreement;
 - 3) To approve estimated revenue of \$180,000 in the 150 Grant Fund;
 - 4) To authorize the creation of a new Capital Improvement Project (CIP No. 16-185) for the ADA improvements between 2nd Street and 21st Street on Pacific Coast Highway; and
 - 5) To appropriate \$180,000 for CIP No. 16-185 from the Grant Fund.
- Motion Massey, second Fangary. The motion carried by a unanimous vote.

Additional Action: To direct staff to examine the 1969 Agreement with Caltrans with respect to the City's role in making and maintaining improvements along Pacific Coast Highway to evaluate whether it unnecessarily exposes the City to liability; and report back to Council with the conclusion and, if there is a liability issue, recommendations including possibly updating the Agreement.

Motion Massey, second Armato. The motion carried 4-1, noting the dissenting vote of Duclos.

- 2d) **REPORT** **NOTICE OF SUPPORT - WEST LA VETERANS AFFAIRS MASTER PLAN**
16-0698
(Assistant to the City Manager Nico De Anda-Scaia)

Attachments: [Draft Letter of Support - City of Hermosa Beach](#)
[West LA VA Campus Draft Master Plan](#)
[Press Statement - HR5936](#)
[South Bay Cities COG Letter of Support](#)

Action: To approve and authorize the Mayor to sign the attached letter of support for the West Los Angeles Veterans Affairs Master Plan.

2e) **REPORT**
16-0682

RECOMMENDATION TO REJECT CLAIMS
(Human Resources Manager Vanessa Godinez)

Attachments: [Verbiest, Stacy Claim DOL 9-26-16](#)

Action: To reject the following claim and refer it to the City's Liability Claims Administrator:
Claimant: Verbiest, Stacy
Date of Loss: 09/29/2016
Date Filed: 10/04/2016
Allegation: Vehicle damage by a tree branch while parking into a parking space at 14th Street and Pier Ave.

3. CONSENT ORDINANCES

3a) **REPORT**
16-0685

ORDINANCE NO. 16-1372 - "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 CALIFORNIA 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"

(City Clerk Elaine Doerfling)

Attachments: [16-1372 Building Code Amendments](#)
[SUPPLEMENTAL Letter and Attachments from Tom Morley \(added 11-10-16 at 12pm\).pdf](#)

Action: To waive full reading and adopt by title 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 CALIFORNIA 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 UNICIPAL CODE.**”
Motion Massey, second Armato. The motion carried by a unanimous vote.

4. ITEMS REMOVED FROM THE CONSENT CALENDAR FOR SEPARATE DISCUSSION

Item 2c was heard at this time but is shown in order for clarity.

5. PUBLIC HEARINGS

- 5a) **REPORT** **SENIOR CITIZEN AND PERMANENTLY DISABLED**
16-0700 **SEWER FEE REBATE PROGRAM**
(Public Works Director Andrew Brozyna)

Attachments: [1 - Application for Tax Rebate Landscaping and Street Lighting District](#)
[2 - Sewer Rebate PowerPoint Presentation](#)
[3 - Notice of Public Hearing](#)

The public hearing opened at 8:13 p.m. After public comments, the public hearing closed at 8:26 p.m.

Action: To approve the program with the following changes:

- 1) To set the qualifying age as 65;
- 2) To set the annual income cap at \$75,000 for the 2015-2016 fiscal year;
- 3) To set the rebate amount as 100% of the amount originally paid;
- 4) To direct staff to prepare a draft sewer charge rebate ordinance for senior citizens and the permanently disabled for City Council to review and consider for approval; and
- 5) To authorize a retroactive rebate upon adoption of the ordinance.

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

6. MUNICIPAL MATTERS

Action: To extend the meeting until midnight.
Motion Massey, second Armato. The motion carried by a unanimous vote.

- 6a) REPORT CONSIDERATION OF THE CITY OF HERMOSA BEACH BECOMING
16-0657 A CERTIFYING ORGANIZATION FOR THE PRESIDENT'S
VOLUNTEER SERVICE AWARD
(Management Analyst Shawn Park)**

Attachments: [PVSA Terms and Conditions Agreement.pdf](#)
[Local Volunteer Organizations - PVSA.pdf](#)
[PVSA FAQ.pdf](#)
[Activity Log.pdf](#)

Action: To receive and file the report, thank Shawn Park (leaving soon for a new position) for his service, and direct staff to: (1) begin the application process to establish the City as a Certifying Organization; (2) work with Hermosa resident Katrina Bacaloo on how she might assist with the program; and (3) report back at a future Council meeting with an update.
Motion Duclos, second Fangary. The motion carried 4-1, noting the dissenting vote of Petty.

- 6b) REPORT CIP 14-173 8TH STREET IMPROVEMENTS PROJECT UPDATE
16-0684 (Public Works Director Andrew Brozyna)**

Attachments: [1- Summary of Major and Minor Impacts to Existing Private Encroachments](#)
[2 - PowerPoint Presentation - Project Update](#)
[3 - Preliminary List of Addresses Needing TCEs](#)
[4 - 60% Design Plans](#)
[5 - DRAFT PW Commission Meeting Minutes 9-21-16](#)
[6 - Public Meeting Notice](#)
[SUPPLEMENTAL Letter from Stacey Nozaki \(added 11-7-16 at 1pm\).pdf](#)
[SUPPLEMENTAL Letter from Adrienne Less \(added 11-9-16 at 11am\).pdf](#)
[SUPPLEMENTAL Memo and Attachments from Public Works Director Andrew Brozyna \(added 11-9-16 at 6pm\).pdf](#)

Action: To:

- 1) Direct staff to preserve the parkway tree (a Canary Island Date Palm) at 119 8th Street by utilizing the City right-of-way north of the tree for sidewalk improvements;
- 2) Direct staff to evaluate the options of undergrounding and/or relocating the utility box and power pole to address the access issue at 747 Monterey Boulevard, or return to Council if those options are not viable or will significantly delay the project;
- 3) Approve the use of the project budget to fund the removal of private encroachments on the City right-of-way for the development of the 8th Street Improvements project;
- 4) Schedule an open forum with area residents to address outstanding issues or ones that may occur in the design process;
- 5) To return to council with a plan to educate the public regarding parking restrictions once the work is completed; and

6) To maintain a 4-4 ½ foot pathway (including the curb) for the entire length of the project.
Motion Fangary, second Armato. The motion carried by a unanimous vote.

- 6c) REPORT 16-0693 APPROVAL AND CONSIDERATION OF THE ADDITION OF FIVE (5) LEVEL III SPECIAL EVENTS TO THE 2017 SPECIAL EVENT CALENDAR INCLUDING USAV BEACH COLLEGIATE CHALLENGE ON MAY 11-14; THE 1ST ANNUAL ADHD HERO 5K RUN/3K WALK ON JUNE 10; THE HERMOSA DAY AT THE BEACH TRIATHLON ON JULY 9; AND DETERMINATION OF APPROVING AVP HERMOSA BEACH OPEN & AVP FIRST NATIONAL CHAMPIONSHIP FROM JULY 13-25, INCLUDING DIRECTION ON EVENT LOCATION, OR USAV BEACH JUNIOR NATIONAL CHAMPIONSHIPS ON JULY 17-26, 2017 DUE TO DATE CONFLICTIONS**
 (Community Resources Manager Kelly Orta)

Attachments: [2017 Level III Special Event Calendar \(May - July\)](#)
[USAV BEACH Collegiate Challenge Special Event Application](#)
[1st Annual ADHD Hero 5K Run/3K Walk Special Event Application](#)
[Hermosa Day at the Beach Triathlon Special Event Application](#)
[AVP Hermosa Beach Open & AVP First National Championship Special Event Application](#)
[USAV BEACH Junior National Championships Special Events Application](#)

Action: To approve the addition of the following level III Special Events to the 2017 Special Event Calendar, including:

- USAV Beach Collegiate Challenge on Thursday, May 11 - Sunday, May 14;
- 1st Annual ADHD Hero 5K Run/3K Walk on Saturday, June 10;
- Hermosa Day at the Beach Triathlon on Sunday, July 9;
- AVP Hermosa Beach Open & AVP First National Championship from Thursday, July 13 – Tuesday, July 25 on the north side of the Pier only; and

Direct staff to work with AVP to minimize set up times for those events.

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

7. MISCELLANEOUS ITEMS AND MEETING ATTENDANCE REPORTS - CITY COUNCIL

- 7a) REPORT 16-0694 CITY COUNCIL MEETING SCHEDULE FOR 2017**
 (Interim City Manager John Jalili)

Attachments: [2017 CITY COUNCIL MEETING SCHEDULE.doc](#)
[SUPPLEMENTAL Memo from Interim City Manager John Jalili \(added 11-8-16 at 10am\).docx](#)

It was Council consensus to receive and file the City Council Meeting Schedule for 2017.

8. OTHER MATTERS - CITY COUNCIL

8a) REPORT 16-0690

TENTATIVE FUTURE AGENDA ITEMS

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

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

At 12:15 a.m., Wednesday, November 11, 2016, to the Regular Meeting of Tuesday, November 22, 2016.

Elaine Doerfling
City Clerk

Linda Abbott
Deputy City Clerk