

Hermosa Beach

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



Regular Meeting Minutes - Final

Tuesday, November 22, 2016

6:00 PM

Closed Session - 6:00 P.M.

Regular Meeting - 7:00 P.M.

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, Duclos, Massey, Mayor Fangary
Absent: Petty (arrived at 6:07 p.m.)*

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

1. **16-0708 MINUTES:** Approval of minutes of Closed Sessions held on November 10, 2016.

2. **16-0707 CONFERENCE WITH LEGAL COUNSEL: Quarterly Litigation Update
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.

- a) Name of Case: Clair v. City of Hermosa Beach
Los Angeles County Superior Court, Case Number: BC586695
- b) Name of Case: Infinity Insurance Co. (Chung) v. City of Hermosa Beach
Los Angeles County Superior Court, Case Number: 16K09695
- b) Name of Case: Johnston et al v. City of Hermosa Beach
Los Angeles County Superior Court, Case Number: BS163448
- c) Name of Case: Khanlian v. City of Hermosa Beach
Los Angeles Central Court, Case Number: BC570706
- d) Name of Case: Savell v. City of Hermosa Beach
Los Angeles County Superior Court, Case Number: BC636456
- e) Name of Case: Sellan v. City of Hermosa Beach
Los Angeles County Superior Court, Case Number: BC633696

3. **16-0712 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)

ADJOURNMENT OF CLOSED SESSION - 7:10 p.m.

7:00 P.M. - REGULAR AGENDA

CALL TO ORDER *7:16 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) 16-0706 **GEORGE BARKS PRESENTS PROCLAMATION
TO HERMOSA BEACH FROM SISTER CITY**

MISCELLANEOUS ITEMS AND REPORTS - CITY MANAGER

- a) 16-0711 **UPDATE ON PIER PLAZA SECURITY
FROM POLICE CHIEF SHARON PAPA**
- b) 16-0728 **FIRE SERVICES UPDATE
FROM INTERIM FIRE CHIEF PETE BONANO**

PUBLIC PARTICIPATION:

1. ORAL AND WRITTEN COMMUNICATIONS:

- 16-0732 **SUPPLEMENTAL LETTER FROM DAVID LOWE REGARDING
CHAMBER OF COMMERCE BOARD OF DIRECTORS**
(Submitted during Public Comment at the City Council Meeting)

Attachments: [David Lowe Public Comment Information \(added 11-28-16\).pdf](#)

2. CONSENT CALENDAR:

Action: To approve consent calendar items 2(a) through 2(l), with the exception of the following item, which was removed from the consent calendar for separate discussion later in the meeting: 2(e) Duclos.
Motion Massey, second Petty. The motion carried by a unanimous vote.

2a) REPORT CITY COUNCIL MEETING MINUTES
16-0727 (City Clerk Elaine Doerfling)

Attachments: [071216 mtg min draft](#)

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

2b) REPORT CHECK REGISTERS
16-0713 (Finance Director Viki Copeland)

Attachments: [11-03-16](#)
[11-03-16a](#)
[11-10-16](#)

Action: To ratify the check registers.

2c) REPORT REVENUE AND EXPENDITURE REPORTS FOR OCTOBER 2016
16-0720 (Finance Director Viki Copeland)

Attachments: [Oct 2016 Rev Status Report](#)
[Oct 2016 Exp Status Report](#)

Action: To receive and file the October 2016 Financial Reports.

2d) REPORT CITY TREASURER'S REPORT AND CASH BALANCE REPORT
16-0718 (City Treasurer Karen Nowicki)

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

Action: To receive and file the October 2016 City Treasurer's Report and Cash Balance Report.

2e) REPORT ACCEPTANCE OF DONATIONS
16-0710 (Finance Director Viki Copeland)

Action: To accept the following donations received by the City for the purposes noted:

- | | | |
|----------------------------------|-------|-------------------|
| 1) Hermosa Beach Kiwanis Club | \$500 | Veterans Memorial |
| 2) Our Lady of Guadalupe Church | \$207 | Keef K-9 |
| 3) Woman's Club of Hermosa Beach | \$500 | Fire Department |

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

2f) REPORT CANCELLATION OF CERTAIN CHECKS
16-0705 (City Treasurer Karen Nowicki)

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

**2g) 16-0704 ACTION MINUTES OF THE EMERGENCY PREPAREDNESS
ADVISORY COMMISSION MEETING OF SEPTEMBER 1, 2016**

Attachments: [Minutes 090116 - Sept.Meeting.docx](#)

Action: To receive and file the action minutes of the Emergency Preparedness Advisory Commission meeting of September 1, 2016.

**2h) REPORT ACTION SHEET OF THE PLANNING COMMISSION MEETING OF
16-0715 NOVEMBER 15, 2016**

Attachments: [Planning Commission Action Sheet 11-15-16](#)

Action: To receive and file the action sheet of the Planning Commission meeting of November 15, 2016.

2i) REPORT PLANNING COMMISSION TENTATIVE FUTURE AGENDA ITEMS
16-0714 (Community Development Director Ken Robertson)

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

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

**2j) REPORT ACTION MINUTES OF THE PUBLIC WORKS COMMISSION
16-0717 MEETING OF SEPTEMBER 21, 2016**
(Public Works Director Andrew Brozyna)

Attachments: [action minutes 9-21-16 Final](#)

Action: To receive and file the action minutes of the Public Works Commission meeting of September 21, 2016.

- 2k) **REPORT** **PROJECT STATUS REPORT AS OF OCTOBER 31, 2016**
16-0716 (Public Works Director Andrew Brozyna)

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

Action: To receive and file the Project Status Report as of October 31, 2016.

- 2l) **REPORT** **RECOMMENDATION TO APPROVE THE FIRST AMENDMENT**
16-0724 **TO AGREEMENT FOR PROFESSIONAL SERVICES WITH**
STANTEC CONSULTING SERVICES, INC. FOR IMPROVEMENTS
TO PACIFIC COAST HIGHWAY BETWEEN ANITA STREET
AND ARTESIA BOULEVARD, CIP NO. 12-160
(Public Works Director Andrew Brozyna)

Attachments: [13.006 Stantec Agreement attach 1](#)
[Stantec Amendment with Exhibit attach 2](#)

Action: To:

- 1) Approve the First Amendment to the Professional Services Agreement with Stantec Consulting Services, Inc. (Stantec) for additional design services for a new not to exceed amount of \$97,828; and
- 2) Authorize the Mayor to execute and the City Clerk to attest the attached First Amendment subject to approval by the City Attorney.

3. CONSENT ORDINANCES - None

4. ITEMS REMOVED FROM THE CONSENT CALENDAR FOR SEPARATE DISCUSSION

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

5. PUBLIC HEARINGS

- 5a) **REPORT** **A RESOLUTION OF THE CITY OF HERMOSA BEACH,**
16-0600 **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](#)

[SUPPLEMENTAL Memo fom Finance Director Viki Copeland \(added 10-12-16 at 11am\).pdf](#)

[User Fee Study Supplemental Memo - Disabled Parking Space Fee Survey](#)

Action: To:

- 1) Adopt Resolution No. 16-7045, entitled "**A RESOLUTION OF THE CITY OF HERMOSA BEACH, CALIFORNIA, ADOPTING FEES FROM THE FEE STUDY UPDATE,**" which includes a new fee for public tree removal; and
 - 2) Direct staff to assess the disabled parking fee, but to waive it for those with a household income of \$75,000 or less (this waiver would require an affidavit).
- Motion Fangary, second Armato. The motion carried by a unanimous vote.

Additional Action: To direct staff to let Beach Cities Health District know that Hermosa police officers no longer install baby seats, and to see if they can instead provide that service to the community.

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

- 5b) **REPORT** **CONSIDERATION OF OPTIONS FOR CONSOLIDATING FUTURE**
16-0703 **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 INTRODUCING AN ORDINANCE
TO CHANGE THE DATE OF GENERAL MUNICIPAL ELECTIONS
BEGINNING IN EITHER NOVEMBER 2018 OR NOVEMBER 2020
(Continued from meeting of October 13, 2016)
(City Clerk Elaine Doerfling)

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

Action: To waive full reading and introduce by title Ordinance No. 16-1373, entitled "**AN ORDINANCE OF THE CITY OF HERMOSA BEACH, CALIFORNIA, MOVING THE DATE OF THE CITY'S GENERAL MUNICIPAL ELECTION FROM THE FIRST TUESDAY AFTER THE FIRST MONDAY IN NOVEMBER OF ODD-NUMBERED YEARS TO THE FIRST TUESDAY AFTER THE FIRST MONDAY IN NOVEMBER OF EVEN-NUMBERED YEARS BEGINNING IN NOVEMBER 2022,**" which would lengthen terms to five years for the next two election cycles.

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

6. MUNICIPAL MATTERS

- 6a) **REPORT** **RECOMMENDATION FOR THE INSTALLATION OF AN
16-0719 ALL-WAY STOP AT THE INTERSECTION OF
LOMA DRIVE AND OZONE COURT**
(Public Works Director Andrew Brozyna)

Attachments: [1 - PHOTOS](#)
[2 - CONSULTANT REPORT](#)
[3 - PUBLIC COMMISSION MEETING MINUTES](#)
[4 - PUBLIC NOTICE](#)

Action: To approve the installation of an All-Way Stop at the intersection of Loma Drive and Ozone Court, as recommended by staff.
Motion Massey, second Duclos. The motion carried by a unanimous vote.

- 6b) **REPORT** **RECOMMENDATION FOR THE INSTALLATION
16-0723 OF A TWO-WAY STOP AT THE INTERSECTION OF
GOLDEN AVENUE AND THE PRIVATE ACCESS ROAD
OWNED BY CALIFORNIA WATER SERVICE COMPANY**
(Public Works Director Andrew Brozyna)

Attachments: [1 - Intersection pictures](#)
[2 - Traffic Engineers Report](#)
[3 - PWC Action Minutes 9-21-16](#)
[4 - public notification](#)
[SUPPLEMENTAL Memo from Public Works Director Andrew Brozyna \(added 11-22-16 at 1pm\).pdf](#)

Action: To reject the proposal.
Motion Massey, second Duclos. The motion carried by a unanimous vote.

7. MISCELLANEOUS ITEMS AND MEETING ATTENDANCE REPORTS - CITY COUNCIL

- 7a) **REPORT** **CITY COUNCIL MEETING SCHEDULE FOR 2017
16-0725 (Continued from meeting of November 10, 2016)**
(Interim City Manager John Jalili)

Attachments: [DRAFT 2017 CITY COUNCIL MEETING SCHEDULE](#)
[SUPPLEMENTAL Memo from Interim City Manager John Jalili \(added 11-22-16 at 1pm\).pdf](#)

It was Council consensus to receive and file the City Council meeting schedule for 2017.

8. OTHER MATTERS - CITY COUNCIL**a) REPORT TENTATIVE FUTURE AGENDA ITEMS
16-0726**

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 10:06 p.m. Tuesday, November 22, 2016 to 7 p.m. Wednesday, November 30, 2016 for a Library Needs Assessment Town Hall in the Council Chambers, which will then adjourn to 6 p.m. Thursday, December 1, 2016 for a BHS/NCADD Educational Forum in the Council Chambers, which will then adjourn to an Adjourned Regular meeting at 7 p.m. Wednesday, December 7, 2016 for the purpose of conducting a Closed Session, which will convene in the Council Chambers and move to the second floor conference room after public comment.

Elaine Doerfling
City Clerk

Linda Abbott
Deputy City Clerk