

# Hermosa Beach

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



## **Adjourned Meeting Minutes - final**

**Tuesday, March 22, 2016**

**5:30 PM**

**(Agenda Amended 3-21-16)**

**Closed Session - 5:30pm (Changed from 5:00pm)**

**Council Chambers**

**Study Session - Cancelled, and Regular Meeting - 7:00pm**

### **City Council**

*Mayor  
Carolyn Petty*

*Mayor Pro Tem  
Hany Fangary*

*Councilmembers  
Stacey Armato  
Jeff Duclos  
Justin Massey*

**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** 5:30 p.m.

**ROLL CALL**

*Present: Armato Duclos, Fangary, Mayor Petty*  
*Absent: Massey (arrived at 5:37 p.m.)*

**PUBLIC COMMENT** None

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

1. **16-0201 MINUTES:** Approval of minutes of Closed Session held on March 8, 2016.

2. **16-0202 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: Miller v. City of Hermosa Beach, et al.  
United States District Court, Case Number: 2:15-CV-8464

3. **16-0203 CONFERENCE WITH LEGAL COUNSEL: Initiation of Litigation**  
**Government Code Section 54956.9(d)(4)**  
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

4. **16-0224 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: Roberts et al v. City of Hermosa Beach  
Los Angeles County Superior Court, Case Number: BC544495

**ADJOURNMENT OF CLOSED SESSION** 7:00 p.m.

**7:00 P.M. - REGULAR AGENDA**

**CALL TO ORDER** 7:09 p.m.

**PLEDGE OF ALLEGIANCE**

**ROLL CALL**

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

**CLOSED SESSION REPORT**

*City Attorney Jenkins said no public comment was received, no items were added, and there were no reportable actions.*

**MISCELLANEOUS ITEMS AND REPORTS - CITY MANAGER**

- a)      16-0205      **UPDATE ON LETTER TO METRO REGARDING COMPLETE GREEN STREET FUNDING FOR ENHANCED WATERSHED MANAGEMENT PLAN COMPLIANCE**

Attachments: [SUPPLEMENTAL Email from Ken Farfing and Hermosa Beach Letters to Metro dated 3-22-16 and 1-26-16 \(added 3-22-16 at 1pm\).pdf](#)

- b)      16-0206      **BLUE ZONES "TASTE OF" EVENT AT PIER PLAZA**

Attachments: [SUPPLEMENTAL Information Regarding Event \(added 3-22-16 at 1pm\).pdf](#)

- c)      16-0207      **CITY/SCHOOL COMPACT MEETING OF MARCH 14, 2016**

Attachments: [SUPPLEMENTAL Compact Meeting Agenda from 3-14-16 \(added 3-22-16 at 1pm\).pdf](#)

**PROCLAMATIONS / PRESENTATIONS**

- a)      16-0199      **PRESENTATION BY PARKER BLEVINS OF MS. ROBINSON'S VIEW SCHOOL SECOND GRADE CLASS ON WHAT STUDENTS LIKE ABOUT HERMOSA BEACH AND WHAT THEY'D LIKE TO SEE ADDED**

**PUBLIC PARTICIPATION:**

**1. ORAL AND WRITTEN COMMUNICATIONS:**

**2. CONSENT CALENDAR:**

**Action:** To approve Consent Calendar items (a) through (k), with the exception of the following items, which were pulled for discussion later in the meeting: 2(j), Fangary. 2(k), Petty. Motion Duclos, second Massey. The motion carried by a unanimous vote.

- a)      **REPORT**                              **MEMORANDUM REGARDING CITY COUNCIL MINUTES**  
16-0211    (City Clerk Elaine Doerfling)

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

- b)      **REPORT**                                      **CHECK REGISTERS**  
16-0210    (Finance Director Viki Copeland)

**Attachments:** [03-03-16](#)  
[03-07-2016](#)  
[03-10-16](#)  
[03-10-16B](#)

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

- c)      **REPORT**                                      **TENTATIVE FUTURE AGENDA ITEMS**  
16-0228                              **(Amended 3-21-16 to be discussed under Other Matters as Item 8b)**

**Attachments:** [8b\\_1 Tentative Future Agenda - Updated 3-22-16.pdf](#)

- d)      **REPORT**                              **REVENUE AND EXPENDITURE REPORTS FOR FEBRUARY 2016**  
16-0217    (Finance Director Viki Copeland)

**Action:** To receive and file the February 2016 Financial Reports.

- e)      **REPORT**                              **PLANNING COMMISSION TENTATIVE FUTURE AGENDA ITEMS**  
16-0214    (Community Development Director Ken Robertson)

**Attachments:** [Planning Commission Tentative Future Agenda.pdf](#)

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

- f)      **REPORT**                                      **ACTION SHEET OF THE PLANNING COMMISSION**  
16-0213    **MEETING OF MARCH 15, 2016**

**Attachments:** [Planning Commission Action Sheet 3-15-16.pdf](#)

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

- g)      **REPORT**                                      **ACTION MINUTES OF THE EMERGENCY**

**16-0229****PREPAREDNESS ADVISORY COMMISSION MEETINGS OF  
NOVEMBER 2, 2015 AND JANUARY 4, 2016**

**Attachments:** [110215-Minutes\\_final.docx](#)  
[010416 Minutes\\_final.docx](#)

**Action:** To receive and file the action minutes of the Emergency Preparedness Advisory Commission meetings of November 2, 2015 and January 4, 2016.

- h) REPORT ACTION MINUTES OF THE PUBLIC WORKS COMMISSION  
16-0212 MEETING OF FEBRUARY 17, 2016**

**Attachments:** [action minutes 1-20-16 Final](#)

**Action:** To receive and file the action minutes of the Public Works Commission meeting of February 17, 2016.

- i) REPORT PROJECT STATUS REPORT AS OF FEBRUARY 29, 2016  
16-0209 (Public Works Director Andrew Brozyna)**

**Attachments:** [CIP Project Status Report FEB 2016.pdf](#)

**Action:** To receive and file the project status report as of February 29, 2016.

- j) REPORT APPROVAL OF USE OF UTILITY BOXES FOR  
16-0208 LEADERSHIP HERMOSA BEACH 2016  
HERMOSA UTILITY BOX (HUB) ART PROJECT  
(Community Development Director Ken Robertson)**

**Attachments:** [1 License Leadership HB 2016 -](#)  
[2 Exhibit A License Agreement Leadership Hermosa 2016](#)  
[3 Leadership Hermosa 2016 HUB project web pages](#)  
[4 Photo of Existing Utility Box at Valley School](#)  
[5 Photo SIMULATION of Utility Box at Valley School vinyl wrapped with art](#)  
[6 SUPPLEMENTAL Memo from Ken Robertson and Proposed Art \(added 3-22-16 at 10am\).pdf](#)

*Public comment*

**Action:** To approve a License Agreement with Leadership Hermosa Beach allowing them to permanently display original works of art onto seven (rather than eight as requested) City-owned utility boxes located throughout the City.  
Motion Fangary, second Duclos. The motion carried by a unanimous vote.

- k) REPORT COMMUNITY GARDEN FENCE AT SOUTH  
16-0215 PARK AWARD OF CONTRACT TO  
BENNETT LANDSCAPE**

(Public Works Director Andrew Brozyna)

**Attachments:** [Attachment 1 -CG Fence - prop.pdf](#)

**Action:** To:

1. Accept the fence construction work performed by Bennett Landscape for the Community Garden as complete; and
2. Authorize payment to Bennett Landscape for the construction of the Community Garden fence for \$36,175.00.

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

**3. CONSENT ORDINANCES** None

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

*Items 2(j) and 2(k) were heard at this time but are shown in order for clarity.*

**5. PUBLIC HEARINGS** None

**6. MUNICIPAL MATTERS**

- a) **REPORT**                      **DISCUSSION AND POSSIBLE ACTION ON HERMOSA BEACH**  
**16-0218**                      **OPTIONS RELATED TO THE PROPOSED WEST BASIN MUNICIPAL**  
**WATER DISTRICT DESALINATION PROJECT, AND THE RELATED**  
**EIR AND OTHER UPCOMING ACTIVITIES, INCLUDING PROVIDING**  
**COMMENTS RELATING TO THE EIR, AND TAKING A POSITION IN**  
**OPPOSITION OF THE PROPOSED DESALINATION PROJECT**  
**(Environmental Analyst Kristy Morris)**

**Attachments:** [1 Proposed Location of the WBMWD Desal Project.pdf](#)  
[2 Staff Report.pdf](#)  
[3 Letter from City of Manhattan Beach \(added 2-29-16 at 7pm\).pdf](#)  
[4 Letter from Heal the Bay \(added 3-2-16 at 5pm\).pdf](#)  
[5 Letter from Surfrider Foundation \(added 3-2-16 at 5pm\).pdf](#)  
[6 WB Hermosa Beach Response and Decision Making Tool 3.16.16.e.pdf](#)  
[7 Draft Opposition Letter Final.docx](#)  
[8 SUPPLEMENTAL Response from West Basin Municipal Water District \(added 3-21-16 at 6pm\).pdf](#)  
[9 SUPPLEMENTAL Letter from Los Angeles Waterkeeper \(added 3-21-16 at 6pm\).pdf](#)  
[10 SUPPLEMENTAL Letter from West Basin Municipal Water District \(added 3-22-16 at 1pm\).pdf](#)  
[11 SUPPLEMENTAL Letter from Heal the Bay \(added 3-22-16 at 4pm\).pdf](#)  
[12 SUPPLEMENTAL Letter and Attachments from Craig Cadwallader \(added 3-22-16 at 530pm\).pdf](#)

Public comment

**Action:** To:

- 1) Direct staff to send a letter of opposition (using the attached draft) to local (neighboring South Bay cities listed in the staff report) and state officials;
- 2) Authorize 60 hours of staff time to follow the EIR process; and
- 3) Direct City Manager Bakaly to talk to the City of Manhattan Beach about sharing the cost of the EIR.

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

- b) **REPORT                      RESOLUTION APPROVING CHANGES TO THE MEMORANDA OF UNDERSTANDING (MOU) BETWEEN THE CITY AND THE HERMOSA BEACH FIREFIGHTERS ASSOCIATION TO MODIFY ARTICLE 26 REGARDING EDUCATIONAL INCENTIVE PAY AND TO ADD A PREMIUM PAY FOR THE CLASSIFICATION OF FIRE CAPTAIN**

(Human Resources Manager Vanessa Godinez)

**Attachments:** [RESOLUTION.docx](#)  
[Side Letter No. 1 \(V3\) 12-15-15 \(FC\).docx](#)  
[Side Letter No. 2 - ARTICLE 26.docx](#)

**Action:** To adopt Resolution No. 16-7020, entitled "A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF HERMOSA BEACH, CALIFORNIA, APPROVING CHANGES TO MEMORANDUM OF UNDERSTANDING (MOU) BETWEEN THE CITY AND THE HERMOSA BEACH FIREFIGHTERS ASSOCIATION."

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

- c) **REPORT                      SMOKING ORDINANCE ENFORCEMENT - PIER PLAZA UPDATE**  
**16-0221** (Management Analyst Nico De Anda-Scaia)

**Attachments:** [Smoke-Free Hermosa Beach Public Places: Maps](#)  
[Existing Concepts: Branding, Signage, Cigarette Receptacles](#)

Public comment

**Action:** To:

1. Direct staff to enhance branding, education and outreach efforts throughout the downtown Pier Plaza prior to pursuing more-aggressive enforcement of the City's public places smoking provisions of the municipal code;
2. Direct staff to set up a community meeting (potentially hosted by the Beach Cities Health District) related to the health risks of smoking and secondhand smoking, for both residents and Hermosa business owners (prior to the Citywide ban in public places); and
3. Direct staff to return in three months with an amendment to expand our current Ordinance to include all public places consistent to our commitment to healthy air goals and similar to what

*Manhattan Beach and Calabasas have adopted.  
Action Armato, second Duclos. The motion carried 3-2, noting the dissenting votes of Fangary and Petty.*

*It was Council consensus to continue tonight's meeting until 11:00 p.m.*

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

- a)      **16-0225                      COUNCILMEMBER DUCLOS TO REPORT ON HIS  
ATTENDANCE AT THE YOSEMITE CONFERENCE FOR  
LOCAL ELECTED OFFICIALS FROM MARCH 10-13, 2016  
IN YOSEMITE NATIONAL PARK**

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

## **8. OTHER MATTERS - CITY COUNCIL**

- a)      **16-0226                      COUNCILMEMBER MASSEY REQUESTS TO DIRECT STAFF TO  
SEEK CITY COUNCIL APPROVAL TO DIRECT STAFF TO GET  
COMMISSION INPUT ON REVISED GOALS 1 AND 2 OF CHAPTER 4  
OF THE DRAFT PLAN HERMOSA, AS ATTACHED, INCLUDING  
ACCELERATING THE COMMUNITY-WIDE CARBON NEUTRALITY  
GOAL FROM 2040 TO 2030 AND PRIORITIZING RETURN ON  
INVESTMENT IN DECISIONMAKING TO ACHIEVE THE MUNICIPAL  
AND COMMUNITY-WIDE CARBON NEUTRALITY GOALS.**

**Attachments:** [Revised Ch 4 Goals 1-2 \(2\).pdf](#)

*Councilmember Massey spoke to his request, garnering support from Councilmember Armato and Mayor pro tem Fangary.*

- b)      **REPORT                                      TENTATIVE FUTURE AGENDA ITEMS  
16-0228                      (Amended 3-21-16 to be discussed under Other Matters as Item 8b)**

**Attachments:** [8b\\_1 Tentative Future Agenda - Updated 3-22-16.pdf](#)

- 2015                      STRATEGIC PLAN** (For reference when considering Other Matters items)

**Attachments:** [2015 Plan in Brief](#)  
[2014-2015 Performance Report](#)  
[2015-2020-2030 Strategic Plan](#)  
[2015 Action Agenda](#)  
[Governance Guiding Principles and Protocols: Operating Guidelines](#)  
[Decision Making Tool](#)



***ADJOURNMENT***

*11:10 p.m. Tuesday, March 22, 2016, in memory of the victims of the terrorist attack in Brussels.*

**Elaine Doerfling**  
**City Clerk**

**Linda Abbott**  
**Deputy City Clerk**