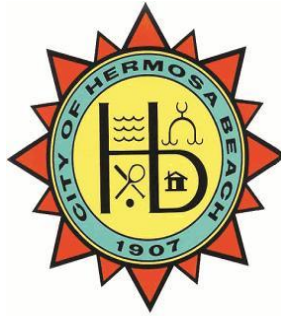


# Hermosa Beach

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



## **Adjourned Meeting Minutes-final**

**Tuesday, September 13, 2016**

**5:30 PM**

**Closed Session - 5:30 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*

**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, Massey, Petty, Mayor Fangary*  
*Absent: Duclos (arrived at 5:45 p.m.)*

**PUBLIC COMMENT** None**RECESS TO CLOSED SESSION IN SECOND FLOOR CONFERENCE ROOM** 5:32 p.m.

1.     **16-0534**     **MINUTES:**   Approval of minutes of Closed Session held on September 7, 2016.
  
2.     **16-0533**     **PUBLIC EMPLOYEE APPOINTMENT/EMPLOYMENT**  
                          **Government Code Section 54957**  
                          Title:   Interim City Manager/City Manager
  
3.     **16-0535**     **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
  
4.     **16-0536**     **CONFERENCE WITH LEGAL COUNSEL: Pending Litigation**  
                          **Government Code Section 54956.9(d)(1)**  
                          *(Continued from Closed Session of September 13, 2016)*  
                          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
  
5.     **16-0540**     **CONFERENCE WITH LEGAL COUNSEL: Workers Comp Litigation**  
                          **Existing Litigation - Government Code Section 54956.9(d)(1)**  
                          *(Continued from Closed Session of September 13, 2016)*  
                          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:   Scott Strouse v. City of Hermosa Beach  
                      WCAB Number: ADJ9644698

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

**7:00 P.M. - REGULAR AGENDA****CALL TO ORDER** *7:10 p.m.***PLEDGE OF ALLEGIANCE****ROLL CALL**

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

**CLOSED SESSION REPORT**

*City Attorney Jenkins said there was no public comment received prior to Closed Session; there were no reportable actions; and items 4 & 5 were continued to Saturday's Closed Session.*

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

- a)      **16-0544**                                      **SUPERVISOR DON KNABE FAREWELL**
  
- b)      **16-0545**                                      **RECOGNIZING HERMOSA BEACH SURFER MORGAN SLIFF**
  
- c)      **16-0546**                                      **WOMAN'S CLUB & FRIENDS OF THE PARK PRESENTATION**

**MISCELLANEOUS ITEMS AND REPORTS - CITY MANAGER**

- a)      **REPORT**                                      **FIRE SERVICES UPDATE**  
         **16-0522**                                      (Interim Fire Chief Pete Bonano)  

*Interim Fire Chief Pete Bonano gave the update and responded to Council questions.*
  
- b)      **REPORT**                                      **SOUTH PARK PHASE II UPDATE**  
         **16-0538**                                      (Public Works Director Andrew Brozyna)  

*Public Works Director Brozyna gave the update and responded to Council questions.*
  
- c)      **REPORT**                                      **UPDATE, PEER REVIEW - SCOPE OF COST BENEFIT ANALYSIS**  
         **16-0531**                                      **FOR SKECHERS**  
    (Finance Director Viki Copeland)

*City Manager Bakaly gave the update and responded to Council questions.*

- d)      **REPORT**                                      **UPDATE ON ENFORCEMENT EFFORTS RELATED TO**

16-0526

**SHORT TERM VACATION RENTALS**

(Community Development Director Ken Robertson)

**PUBLIC PARTICIPATION:****1. ORAL AND WRITTEN COMMUNICATIONS:****2. CONSENT CALENDAR:**

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

- a) **REPORT** **CITY COUNCIL MINUTES MEMORANDUM**  
**16-0541** (City Clerk Elaine Doerfling)

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

- b) **REPORT** **CHECK REGISTERS**  
**16-0527** (Finance Director Viki Copeland)

**Attachments:** [08-18-16](#)  
[08-25-16](#)  
[09-01-16](#)  
[09-01-16a](#)

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

- c) **REPORT** **ACTION MINUTES OF THE EMERGENCY PREPAREDNESS**  
**16-0520** **ADVISORY COMMISSION MEETING OF JUNE 27, 2016**

**Attachments:** [Minutes\\_062716.pdf](#)

**Action:** To receive and file the action minutes of the Emergency Preparedness Advisory Commission meeting of June 27, 2016.

- d) **REPORT** **ACTION MINUTES OF THE PARKS, RECREATION AND**  
**16-0529** **COMMUNITY RESOURCES ADVISORY COMMISSION MEETING OF**  
**AUGUST 2, 2016**

**Attachments:** [PR 8.02.16.pdf](#)

**Action:** To receive and file the action minutes of the Parks, Recreation and Community Resources Advisory Commission meeting of August 2, 2016.

- e) **REPORT** **RECOMMENDATION TO APPROVE FIRST AMENDMENT**  
**16-0548** **TO PROFESSIONAL SERVICES AGREEMENT FOR**  
**PUBLIC INFORMATION OFFICER SERVICES WITH**  
**KATIE CASEY PUBLIC RELATIONS**

(City Manager Tom Bakaly)

**Attachments:** [First Amendment to Agreement - Katie Casey](#)  
[Staff Report and Attachments from 9-23-14](#)  
[Professional Services Agreement 9-23-14](#)

**Action:** To:

1. Approve the First Amendment to the Professional Services Agreement with Katie Casey Public Relations to extend the agreement for an additional 9 month term; and
2. Authorize the Mayor to execute and the City Clerk to attest to the attached First Amendment.

- f) **REPORT** **ADOPTION OF RESOLUTION IN SUPPORT OF THE SOUTH BAY**  
**16-0525** **MEASURE R HIGHWAY PROGRAM PROJECT LIST, APPROVAL OF**  
**THE PCH MOBILITY IMPROVEMENT PROJECT AND COMMITMENT**  
**OF \$40,000 LOCAL MATCH FUNDING FOR THE PROJECT**

(City Manager Tom Bakaly and  
Public Works Director Andrew Brozyna)

**Attachments:** [Resolution FINAL 08312016\(1\)](#)

**Action:** To adopt Resolution No. 16-7044, entitled "**A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF HERMOSA BEACH, CALIFORNIA, IN SUPPORT OF SOUTH BAY MEASURE R HIGHWAY PROGRAM PROJECT LIST, APPROVING OF THE PCH MOBILITY IMPROVEMENT PROJECT AND COMMITTING TO \$40,000 LOCAL MATCH FUNDING FOR THE HERMOSA BEACH PROJECT.**"

- g) **REPORT** **APPROVE THE ADDITION OF THE GREAT HERMOSA BEACH**  
**16-0528** **GLASS PUMPKIN PATCH EVENT ON OCTOBER 22 - 23**  
**TO THE SPECIAL EVENTS CALENDAR**

(Community Resources Manager Kelly Orta)

**Attachments:** [2016 Special Event Calendar \(monthly format\)](#)  
[The Great Hermosa Beach Glass Pumpkin Patch Special Event Application](#)

**Action:** To approve the Parks, Recreation and Community Resources Advisory Commission's recommendation to approve the addition of the Great Hermosa Beach Glass Pumpkin Patch to the Special Events calendar on Saturday, October 22 & Sunday, October 23, 2016.

- h) **REPORT** **REQUEST FOR APPROVAL OF CLASSIFICATION SPECIFICATION**  
**16-0524** **FOR FIRE INSPECTOR/CODE ENFORCEMENT OFFICER;**  
**ESTABLISHING THE POSITION IN THE GENERAL & SUPERVISORY**

**EMPLOYEES' BARGAINING GROUP (TEAMSTERS UNION);  
AND SETTING THE SALARY RANGE**  
(Human Resources Manager Vanessa Godinez)

**Attachments:** [Fire Inspector&Code Enforcement Officer](#)  
[SUPPLEMENTAL Letter from Pete Tucker \(added 9-13-16 at 4pm\).pdf](#)

**Action: To:**

1. Approve the class specification for Fire Inspector/Code Enforcement Officer;
2. Determine the appropriate unit for this classification is the General & Supervisory Employees' Bargaining Group (Teamsters Union); and
3. Establish the 5-Step salary range for this position as \$4,450 to \$5,407 per month as approved in the 2016/2017 Budget.

**i) REPORT REQUEST FOR ON STREET DISABLED PARKING SPACE**  
**16-0521 AT 823 MONTEREY BOULEVARD**  
*(Public Works Director Andrew Brozyna)*

**Attachments:** [ATTACHMENT 1 - PHOTOS](#)  
[PUBLIC NOTICE \(9-13-2016\)](#)  
[SUPPLEMENTAL Letter and Attachments from Ray Duncan \(added 9-12-16 at 1pm\).pdf](#)

**Action:** *To approve the request for a disabled parking space at 823 Monterey Blvd. Motion Petty, second Duclos. The motion carried 4-1, noting the dissenting vote of Fangary.*

### **3. CONSENT ORDINANCES**

**a)      REPORT                  ORDINANCE NO. 16-1368 - “AN ORDINANCE OF THE CITY OF  
16-0539                  HERMOSA BEACH, CALIFORNIA, IMPLEMENTING A COMMUNITY  
CHOICE AGGREGATION PROGRAM”  
(City Clerk Elaine Doerfling)**

**Attachments:** [16-1368 Community Choice Aggregation Exhibit A of Ord - Implementation Plan Responses to Questions LACCE Business Plan.pdf](#)  
[Staff Report CCA 08-23-16.pdf](#)

**Action:** To waive full reading and adopt by title Ordinance No. 16-1368, entitled “**AN ORDINANCE OF THE CITY OF HERMOSA BEACH, CALIFORNIA, IMPLEMENTING A COMMUNITY CHOICE AGGREGATION PROGRAM.**”

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

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

*Item 2(i) was heard at this time but is shown in order for clarity.*

a)      **REPORT                      AUTHORIZE CITY MANAGER TO SIGN AB 2766/ MSRC LOCAL  
16-0542                      GOVERNMENT MATCH PROGRAM CONTRACT**

**(Continued from meeting of August 23, 2016)**

(Environmental Analyst Kristy Morris)

**Attachments:** [MSRC Contract Revised.pdf](#)

**Action:** To authorize the City Manager to sign the AB2766/MSRC Local Government Match Program Contract.

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

## 5. PUBLIC HEARINGS

a)      **REPORT                      SPECIAL EVENT POLICY GUIDE APPROVAL,  
16-0483                      CORRESPONDING ORDINANCE REVISING SPECIAL EVENT  
REGULATIONS AND AMENDING THE HERMOSA BEACH  
MUNICIPAL CODE, AND APPROVAL OF MONTHLY MEETINGS  
FOR THE PARKS, RECREATION AND COMMUNITY RESOURCES  
ADVISORY COMMISSION**

**(Continued from meeting of August 23, 2016)**

(Community Resources Manager Kelly Orta)

**Attachments:** [Special Event Policy Guide](#)  
[Text Amendment to the Municipal Code, Title 12](#)  
[City of Long Beach Fee Waiver Policy](#)  
[Approved 2016 Special Event Fee Waivers](#)  
[City of Hermosa Beach Special Event Fee Waiver Application](#)

*The public hearing opened at 9:39 p.m. As no one came forward to address the Council on this item, the public hearing closed at 9:39 p.m.*

**Action:** To:

1. Approve the Special Event Policy Guide for implementation starting in 2017;
2. Waive full reading and introduce Ordinance No. 16-1370, entitled "**AN ORDINANCE OF THE CITY OF HERMOSA BEACH, CALIFORNIA, REVISING SPECIAL EVENTS REGULATIONS AND AMENDING THE HERMOSA BEACH MUNICIPAL CODE**";
3. Approve the Parks, Recreation and Community Resources Commission to move from bimonthly meetings to monthly, held on the first Tuesday, effective immediately;
4. Determine that the Special Events Policy Guide and Text Amendments to the Municipal Code are Categorically Exempt from the California Environmental Quality Act; and
5. Authorize the City Manager, or appropriate designee, to make minor clarifying amendments to the Special Events Policy Guide consistent with the HBMC.

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

- b) **REPORT** **PUBLIC HEARING TO APPROVE THE PARKS, RECREATION AND COMMUNITY RESOURCES ADVISORY COMMISSIONS 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**

(Community Resources Manager Kelly Orta)

**Attachments:** [Commercial Zone Aerial Map](#)

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

*The public hearing closed at 10:15 p.m.*

**Action:** To continue this item to the October 13, 2016 meeting to allow time for noticing nearby residents.

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

- c) **REPORT** **PUBLIC HEARING AND SECOND READING OF ORDINANCE NO. 16-1369 - "AN ORDINANCE OF THE CITY OF HERMOSA BEACH, CALIFORNIA, PROHIBITING SCAVENGING FROM SOLID WASTE CONTAINERS AND AMENDING THE HERMOSA BEACH MUNICIPAL CODE"**

(City Clerk Elaine Doerfling)

**Attachments:** [16-1369 Trash Scavenging 8-23-16 Staff Report.pdf](#)  
[8-23-16 Attachment 1 - Scavengers in Hermosa Beach.pdf](#)  
[8-23-16 Attachment 2 - Draft Ordinance.pdf](#)  
[8-23-16 Attachment 3 - Anti-savenging notification.pdf](#)  
[SUPPLEMENTAL Letter from Pete Tucker \(added 9-13-16 at 4pm\).pdf](#)

*The public hearing opened at 10:28 p.m.*

*The public hearing closed at 10:35 p.m.*

**Action:** To waive full reading and adopt by title Ordinance No. 16-1369, entitled "**AN ORDINANCE OF THE CITY OF HERMOSA BEACH, CALIFORNIA, PROHIBITING SCAVENGING FROM SOLID WASTE CONTAINERS AND AMENDING THE HERMOSA BEACH MUNICIPAL CODE.**"



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

## 6. MUNICIPAL MATTERS

a) **REPORT** **AWARD OF LICENSE AGREEMENT TO HERMOSA BEACH**  
**16-0523** **COMMUNITY BASKETBALL TO PROVIDE A YOUTH**  
**BASKETBALL LEAGUE**

*(Community Resources Manager Kelly Orta)*

**Attachments:** [Hermosa Beach Community Basketball \(HBCB\) Proposal](#)  
[Hermosa Beach Youth Basketball \(HBYB\) Proposal](#)  
[Hermosa Beach Youth Basketball Letter Dated 9.8.2016](#)

## Public comment

**Action:** *To direct staff to arrange a special Parks & Recreation Commission meeting to form a subcommittee to discuss the applicants in depth, perform interviews addressing Council questions regarding recreation philosophy, hear public comment and make a recommendation to the Council for the September 27, 2016 or October 13, 2016 meeting.*  
*Motion Armato, second Duclos. The motion carried by a unanimous vote.*

**b) REPORT      REPLACEMENT AND RENOVATION OF CIVIC FACILITIES**  
**16-0547      (Public Works Director Andrew Brozyna)**

*(Public Works Director Andrew Brozyna)*

**Attachments:** [Civic Facilities Strategic Plan.pdf](#)  
[City Hall Area Parcels.pdf](#)  
[General Plan City Hall Area.pdf](#)  
[An Owner's Guide to Project Delivery Methods.pdf](#)  
[Facilities Scenario.pdf](#)  
[Future Development Revenue.pdf](#)

## Public comment

**Action:** *To continue this item.*  
*Motion Duclos, second Fangary. The motion carried by a unanimous vote.*

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

a) 16-0423 **MAYOR AND COUNCILMEMBERS TO REPORT ON THEIR  
ATTENDANCE AT THE ICA SUMMER SEMINAR IN CARLSBAD  
FROM JUNE 23-26, 2016  
(Continued from meeting of July 26, 2016)**

*Councilmembers spoke of their attendance at the seminar.*

**b) 16-0463 VERBAL UPDATE FROM MAYOR FANGARY  
REGARDING ICA MEMBERSHIP MEETING  
(Continued from meeting of July 26, 2016)**

**Action:** *To withdraw from ICA.*

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

**c) REPORT LEGISLATIVE UPDATES:  
16-0554 LEAGUE OF CALIFORNIA CITIES 2016 ANNUAL CONFERENCE  
RESOLUTIONS; MEASURE 'M'; MEASURE 'A'; AND  
MARIJUANA-RELATED INITIATIVES  
(Assistant to the City Manager Nico De Anda-Scaia)**

**Attachments:** [Annual Conference Resolutions Packet 2016](#)  
[SUPPLEMENTAL Measure M Update \(added 9-13-16 at 10am\).pdf](#)  
[SUPPLEMENTAL Measure A Update \(added 9-13-16 at 10am\).pdf](#)  
[SUPPLEMENTAL Prop 64 Update \(added 9-13-16 at 10am\).pdf](#)

**Action:** *To support the one resolution (RESOLUTION COMMITTING THE LEAGUE OF CALIFORNIA CITIES TO SUPPORTING VISION ZERO, TOWARD ZERO DEATHS, AND OTHER PROGRAMS OR INITIATIVES TO MAKE SAFETY A TOP PRIORITY FOR TRANSPORTATION PROJECTS AND POLICY FORMULATION, WHILE ENCOURAGING CITIES TO PURSUE SIMILAR INITIATIVES) introduced by the League and provide direction for Councilmember Petty to vote yes.*

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

**Additional Action:** *To continue discussion on the other measures and initiatives to the next meeting.*

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

**8. OTHER MATTERS - CITY COUNCIL**

**a) MAYOR PRO TEM MASSEY REQUESTS TO DISCUSS AT A FUTURE MEETING  
DIRECTING STAFF TO SEEK COUNCIL APPROVAL OF \$7500 FOR A UCLA  
SCHOOL OF BUSINESS EXECUTIVE MBA TEAM TO DO A BUSINESS PLAN FOR  
THE CITY**

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

**b) REPORT TENTATIVE FUTURE AGENDA ITEMS  
16-0543**

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

**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](#)

*It was Council consensus to receive and file the Tentative Future Agenda Items.*

**ADJOURNMENT** *1:26 a.m., Wednesday, September 14, 2016.*

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

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