

City of Hermosa Beach

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



Adjourned Meeting Minutes - draft

Tuesday, January 26, 2016

5:00 PM

Closed Session - 5:00 p.m.

Study Session: General Plan - 6:00 p.m.

Council Chambers

Regular Meeting - 7:00 p.m.

City Council

*Mayor
Carolyn Petty*

*Mayor Pro Tem
Hany Fangary*

*Councilmembers
Justin Massey
Jeff Duclos*

5:00 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 5:03 p.m.**ROLL CALL**

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

PUBLIC COMMENT None**RECESS TO CLOSED SESSION IN SECOND FLOOR CONFERENCE ROOM** 5:04 p.m.

1. **16-0085** **MINUTES:** Approval of minutes of Closed Session held on January 12, 2016.
2. **16-0086** **CONFERENCE WITH LEGAL COUNSEL: Quarterly Litigation Update**
 (Continued from Closed Session of December 8, 2015)
 The City finds, based on advice from legal counsel, that discussion in open session will prejudice the position of the City in the litigation.

 Existing Litigation - Government Code Section 54956.9(d)(1)
 a)Name of Case: Clair v. City of Hermosa Beach
 Los Angeles County Superior Court, Case Number: BC586695
 b)Name of Case: Gietz v. City of Hermosa Beach
 United States District Court, Case Number: 2:15-CV-08984-JAK(FFMx)
 c)Name of Case: Khanlian v. City of Hermosa Beach
 Los Angeles Central Court, Case Number: BC570706
3. **16-0087** **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
4. **16-0088** **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: McColgan v. City of Hermosa Beach
 WCAB Numbers: ADJ8223619; ADJ8226385

ADJOURNMENT OF CLOSED SESSION 6:15 p.m.

6:00 P.M. – STUDY SESSION

CALL TO ORDER 6:20 p.m.

PLEDGE OF ALLEGIANCE

ROLL CALL

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

1. REPORT

16-0098 PLAN HERMOSA (GENERAL PLAN/LOCAL COASTAL PROGRAM)
CITY COUNCIL UPDATE AND REVIEW PROCESS
(Community Development Director Ken Robertson)

Attachments: [SUPPLEMENTAL Letter and Attachment from Robert Fortunato \(added 1-26-16 at 3pm\).pdf](#)

PUBLIC COMMENT

ADJOURNMENT OF STUDY SESSION 7:22 p.m.

7:00 P.M. - REGULAR AGENDA

CALL TO ORDER 7:41 p.m.

PLEDGE OF ALLEGIANCE

ROLL CALL

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

CLOSED SESSION REPORT

City Attorney Jenkins said there was no public comment received prior to Closed Session, no items were added to the agenda, and there were no reportable actions.

ANNOUNCEMENTS

MISCELLANEOUS ITEMS AND REPORTS - CITY MANAGER

a) 16-0092 UPDATE ON THE REDONDO BEACH WATERFRONT PROJECT -
City of Hermosa Beach

Approved on 11/13/2018

EIR COMMENTS

Attachments: [Redondo Beach Waterfront DEIR - Hermosa Beach Comment Letter.pdf](#)

PROCLAMATIONS / PRESENTATIONS

- a) 16-0102 **SOUTHERN CALIFORNIA EDISON RELIABILITY UPDATE FROM
REPRESENTATIVES CONSTANCE TURNER AND PAUL
HENNESSY**

Attachments: [2015 Reliability Report - Hermosa Beach.pdf](#)
[SUPPLEMENTAL Letter from business owner Kristine Ashley \(added 1-26-16 at 9am\).pdf](#)
[SUPPLEMENTAL 2016 Reliability Report - Hermosa Beach \(added 1-27-16 at 2pm\).pdf](#)
[SUPPLEMENTAL Information on how to file a claim with SCE \(added 1-27-16 at 2pm\).pdf](#)

- b) 16-0091 **WINNER OF THE 6TH ANNUAL HERMOSA BEACH
PARKING PERMIT ART CONTEST**

PUBLIC PARTICIPATION:**1. ORAL AND WRITTEN COMMUNICATIONS:**

- a) **REPORT LETTERS FROM GEOFF HIRSCH DATED JANUARY 7, 2016
16-0089 REGARDING DIAL-A-RIDE SERVICE**

Attachments: [Letter from Geoff Hirsch - Taxi Issues.docx](#)
[Letter from Geoff Hirsch - Hermosa Dial-A-Ride Service.docx](#)
[Letter from Geoff Hirsch - Taxicab Franchise Agreements.docx](#)
[Jun 2015 Taxicab Franchise Agreement-All Yellow Taxi.pdf](#)
[Jun 2015 Taxicab Franchise Agreement-South Bay Yellow Cab.pdf](#)
[Letter from Geoff Hirsch - Dial-A-Ride Amendments.docx](#)
[Oct 2015 Dial-A-Ride 1st Amend-All Yellow Taxi.pdf](#)
[Oct 2015 Dial-A-Ride 1st Amend-South Bay yellow Co-op .pdf](#)

Action: To receive and file the letter, and to agendaize discussion of this issue at the February 23, 2016 Regular meeting.
Motion Fangary, second Massey. The motion carried by a unanimous vote.

- b) **REPORT LETTER FROM KENT ALLEN DATED JANUARY 19, 2016
16-0093 REGARDING HOPE CHAPEL**

Attachments: [Letter from Kent Allen.pdf](#)
[SUPPLEMENTAL Letter from Hope Chapel \(added 1-26-16 at 5pm\).pdf](#)

Action: To receive and file the letter.
Motion Fangary, second Massey. The motion carried by a unanimous vote.

- c) **REPORT LETTER FROM FRED HUEBSCHER DATED JANUARY 19, 2016
16-0094 REGARDING HERMOSA BEACH MUNICIPAL CODE SECTION**

8.24.050 (PERMISSIBLE HOURS OF CONSTRUCTION)

Attachments: [Letter from Fred Huebscher.docx](#)
[Municipal Code Section 8.24.050.docx](#)

Action: To receive and file the letter.
Motion Fangary, second Massey. The motion carried by a unanimous vote.

2. CONSENT CALENDAR:

Action: To approve the Consent Calendar recommendations (a) through (n) with the exception of the following items, which were removed for discussion in item 4, but are shown in order for clarity: (l) Massey; (c), (f), (g) and (h) Fangary.
Motion Fangary, second Duclos. The motion carried by a unanimous vote.

- a) **REPORT** **MEMORANDUM REGARDING CITY COUNCIL MINUTES**
 16-0101 (City Clerk Elaine Doerfling)

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

- b) **REPORT** **CHECK REGISTERS**
 16-0080 (Finance Director Viki Copeland)

Attachments: [01-07-16](#)
[01-14-16](#)

Action: To ratify the above-listed check registers.

- c) **REPORT** **TENTATIVE FUTURE AGENDA ITEMS**
 16-0064 (Continued from meeting of January 26, 2016)

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

This item was continued.

- d) **REPORT** **REVENUE AND EXPENDITURE REPORTS FOR DECEMBER 2015**
 16-0070 (Finance Director Viki Copeland)

Action: To receive and file the memorandum regarding the Revenue and Expenditure Reports for December 2015.

- e) **REPORT** **CITY TREASURER'S REPORT AND CASH BALANCE REPORT**
 16-0090 (City Treasurer Karen Nowicki)

Attachments: [December '15 Treasurer Report .pdf](#)

Action: To receive and file the December 2015 City Treasurer's Report and Cash Balance Report.

- f) **REPORT** **ACTION SHEET OF THE PLANNING COMMISSION**
16-0056 **MEETING OF JANUARY 19, 2016**
(Continued from meeting of January 26, 2016)

Attachments: [Planning Commission Action Sheet 1-19-16](#)

This item was continued.

- g) **REPORT** **PLANNING COMMISSION TENTATIVE FUTURE AGENDA ITEMS**
16-0057 **(Continued from meeting of January 26, 2016)**

Attachments: [Planning Commsission Tentative 2-16-16 agenda](#)

This item was continued.

- h) **REPORT** **ACTION MINUTES OF THE PUBLIC WORKS COMMISSION**
16-0062 **MEETING OF NOVEMBER 18, 2015**
(Continued from meeting of January 26, 2016)

Attachments: [action minutes 11-18-15 for cc 1-26-16](#)

This item was continued.

- i) **REPORT** **CIP NO. 10-661 SURFING LEGENDS MEMORIAL STATUE**
16-0065 **COMPLETION OF CONSTRUCTION CONTRACT AND**
ACCEPTANCE OF WORK
(Director of Public Works Andrew Brozyna)

Attachments: [\(draft II\) Accept Construction and File NOC 1.12.16 attach 1](#)

Action: To:

1. Accept the work performed by Concept Consultant, Inc. for CIP No. 10-661 Surfing Legends Memorial Statue;
2. Authorize the Mayor to sign the Notice of Completion; and
3. Authorize staff to release payment to Concept Consulting, Inc. (5% retained for 35 days following filing of Notice of Completion).

- j) **REPORT** **CIP NO. 13-401 SEWER IMPROVEMENTS AT VARIOUS LOCATIONS**
16-0072 **CONSTRUCTION COMPLETION AND ACCEPTANCE OF WORK**
(Director of Public Works Andrew Brozyna)

Attachments: [NOC CIP 13-401 Sewer Improvements attach 1](#)

Action: To:

1. Accept the work performed by Vasilj Inc. for CIP Project No. 13-401 Sewer Improvements at Various Locations as complete;
2. Authorize the Mayor to sign the Notice of Completion; and
3. Authorize staff to release payment to Vasilj Inc. (5% retained 35 days following filing of Notice of Completion).

**k) REPORT RESOLUTION AUTHORIZING SUBMITTAL OF APPLICATION FOR
16-0074 CALRECYCLE PAYMENT PROGRAMS AND RELATED
 AUTHORIZATIONS**

(Environmental Analyst Kristy Morris)

Attachments: [Payment program resolution_HermosaBeach.docx](#)

Action: To adopt Resolution No. 16-7015, entitled “**A RESOLUTION OF THE CITY OF HERMOSA BEACH, CALIFORNIA, AUTHORIZING SUBMITTAL OF APPLICATION FOR PAYMENT PROGRAMS AND RELATED AUTHORIZATIONS.**”

**l) REPORT ACCEPTANCE OF DONATIONS
16-0075 (Continued from meeting of January 26, 2016)
 (Finance Director Viki Copeland)**

This item was continued.

**m) REPORT APPROVAL OF AMENDMENT TO PROFESSIONAL SERVICES
16-0084 AGREEMENT WITH RAIMI+ASSOCIATES TO PREPARE AN INTEGRATED
 GENERAL PLAN UPDATE AND COASTAL LAND USE PLAN AND
 ENVIRONMENTAL IMPACT REPORT BY AMENDING THE SCOPE OF
 WORK AND COST BY UP TO \$41,902 TO PROVIDE ADDITIONAL PUBLIC
 OUTREACH AND PROJECT MANAGEMENT SUPPORT
 (Community Development Director Ken Robertson)**

Attachments: [Amendment to Professional Services Agreement and Exhibit A
Raimi Contract Amendment 4-28-15 Staff Report and attachments](#)

Action: To approve an amendment to the Professional Services Agreement with Raimi + Associates to prepare a General Plan Update integrating the Coastal Land Use Plan and an Environmental Impact Report by amending the Scope of Work and Cost, and approving an appropriation of \$41,902.

**n) REPORT PROJECT STATUS REPORT AS OF DECEMBER 31, 2015
16-0073 (Public Works Director Andrew Brozyna)**

Attachments: [CIP Project Status Report DEC 2015](#)

Action: To receive and file the Project Status Report as of December 31, 2015.

3. CONSENT ORDINANCES

- a) **REPORT** **ORDINANCE NO. 16-1359 - “AN ORDINANCE OF THE CITY OF HERMOSA BEACH, CALIFORNIA, AMENDING SECTION 10.32.340 OF THE HERMOSA BEACH MUNICIPAL CODE REGARDING PARKING OF OVERSIZED VEHICLES”**
 16-0081 (City Clerk Elaine Doerfling)

Attachments: [16-1359 - Oversized Vehicle Parking](#)

Public comment

Action: To waive full reading and adopt by title Ordinance No. 16-1359, entitled “AN ORDINANCE OF THE CITY OF HERMOSA BEACH, CALIFORNIA, AMENDING SECTION 10.32.340 OF THE HERMOSA BEACH MUNICIPAL CODE REGARDING PARKING OF OVERSIZED VEHICLES,” with clerical correction to include the word “residential” in Section 1, F, 2, a, iii, c to make it materially consistent. Motion Massey, second Fangary. The motion carried by a unanimous vote.

- b) **REPORT** **ORDINANCE NO. 16-1360 - “AN ORDINANCE OF THE CITY OF HERMOSA BEACH, CALIFORNIA, AMENDING THE MUNICIPAL CODE, TITLE 12.16 (ENCROACHMENTS) TO WAIVE COMPLIANCE WITH PARKING STANDARDS FOR SMALL OUTDOOR DINING AREAS IN PIER PLAZA”**
 16-0082 (City Clerk Elaine Doerfling)

Attachments: [16-1360 Encroachments-Parking Regs](#)

Action: To waive full reading and adopt by title Ordinance No. 16-1360, entitled “AN ORDINANCE OF THE CITY OF HERMOSA BEACH, CALIFORNIA, AMENDING THE MUNICIPAL CODE, TITLE 12.16 (ENCROACHMENTS) TO WAIVE COMPLIANCE WITH PARKING STANDARDS FOR SMALL OUTDOOR DINING AREAS IN PIER PLAZA.” Motion Duclos, second Massey. The motion carried by a unanimous vote.

4. ITEMS REMOVED FROM THE CONSENT CALENDAR FOR SEPARATE DISCUSSION

Items 2c, f, g, h, and l were heard at this time but are shown in order for clarity.

- a) **REPORT** **APPROVAL OF CITY COUNCIL MINUTES**
 City of Hermosa Beach

Approved on 11/13/2018

16-0053**(Continued from meeting of January 12, 2016)**

(City Clerk Elaine Doerfling)

Attachments: [051115 mtg min draft](#)
[051215 mtg min draft](#)

This item was continued.

b) REPORT
16-0012

**DATES FOR THE 2015-16 MIDYEAR BUDGET REVIEW
AND THE 2016-17 BUDGET WORKSHOP**

(Continued from meeting of January 12, 2016)

(Finance Director Viki Copeland)

Attachments: [February 2016 Calendar w Council Mtgs](#)
[May 2016 Calendar w Council Mtgs](#)
[June 2016 Calendar w Council Mtgs](#)

This item was continued.

5. PUBLIC HEARINGS

a) REPORT
16-0055

**AN ORDINANCE OF THE CITY OF HERMOSA BEACH AMENDING
CHAPTER 2.56 OF THE HERMOSA BEACH MUNICIPAL CODE
REGARDING EMERGENCY SERVICES**

(Interim Fire Chief Pete Bonano)

Attachments: [Redline Version of Chapter 2.56.pdf](#)
[Ordinance with strike through final.pdf](#)
[Ordinance Without Strike through](#)

The public hearing opened at 9:45 p.m. As no one came forward to address the Council on this item, the public hearing closed at 9:45 p.m.

Action: *To waive full reading and introduce by title Ordinance No. 16-1361, entitled “**AN ORDINANCE OF THE CITY OF HERMOSA BEACH, CALIFORNIA, AMENDING CHAPTER 2.56 OF THE HERMOSA BEACH MUNICIPAL CODE REGARDING EMERGENCY SERVICES.**”*

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

6. MUNICIPAL MATTERS

a) REPORT
16-0099

**DIRECTION REGARDING 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**

**EVALUATING TAKING A POSITION IN SUPPORT OF OR IN
OPPOSITION TO, THE PROPOSED DESALINATION PROJECT**

(Environmental Analyst Kristy Morris)

Attachments: [Letter Opposing the Proposed Desalination Project.pdf](#)
[SUPPLEMENTAL Letter from West Basin Municipal Water District General Manager Rich Nagel \(added 1-26-16 at 3pm\).pdf](#)

Public comment

Direction was given to agendize additional discussion of this plant at the upcoming Issue Papers meeting, listing options for level of participation, cost and staff time.

It was Council consensus to continue tonight's meeting until midnight.

- b) REPORT 2014-15 COMPREHENSIVE ANNUAL FINANCIAL REPORT (CAFR)**
16-0095 (Including Report from Independent Auditor)
(Continued from meeting of January 26, 2016)
(Finance Director Viki Copeland)

Attachments: [FINAL2015_Hermosa Beach_CAFR_FINAL_12292015](#)
[SUPPLEMENTAL Letter and Attachments from Jim Lissner \(added 2-22-16 at 4pm\).pdf](#)

This item was continued.

- c) REPORT LETTER OF SUPPORT FOR GREEN STREET FUNDING FOR**
16-0083 ENHANCED WATERSHED MANAGEMENT PLAN COMPLIANCE
(Environmental Analyst Kristy Morris)

Attachments: [Ltr - Green Street Funding Request - Measure R2 \(012616\).doc](#)

Action: To direct staff to submit a letter to the METRO Board supporting a separate fund for Green Streets in the proposed Measure R2.
Motion Duclos, second Massey. The motion carried by a unanimous vote.

- d) REPORT OVERVIEW OF EXISTING AT&T WIRELESS FACILITY**
16-0100 AT 29TH COURT AND RELOCATION OPTIONS IN
VALLEY PARK
(Community Development Director Ken Robertson)

Attachments: [AT&T Attachment 1](#)
[AT&T Attachment 2](#)
[AT&T Attachment 3](#)
[AT&T Attachment 4](#)

[AT&T Attachment 5](#)[AT&T Attachment 6](#)[AT&T Attachment 7](#)[AT&T Attachment 8](#)[AT&T Attachment 9 - Comparison Matrix](#)[SUPPLEMENTAL Memorandum from Community Development Director Ken Robertson](#)[\(added 1-26-16 at 3pm\).pdf](#)

Public comment

Action: To direct staff to hire a consultant to evaluate other options to meet AT&T's needs and return to Council with their findings a future meeting.

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

- e) **REPORT** **PUBLIC COMMENT PERIOD FOR ENVIRONMENTAL IMPACT**
16-0059 **REPORTS RELATED TO STRAND & PIER HOTEL,**
SKECHERS AND PLAN HERMOSA
(Community Development Director Ken Robertson)

Attachments: [Letter from Skechers dated January 14 regarding Public Review](#) [Period for EIR.pdf](#)
[SUPPLEMENTAL Letter from Strand and Pier Holdings regarding Public Review Period for EIR \(added 1-25-16 at 10am\).pdf](#)

Action: To extend the public comment period to 60 days.

Motion Massey, second Fangary. The motion carried 3-1, with Petty the dissenting vote.

7. MISCELLANEOUS ITEMS AND MEETING ATTENDANCE REPORTS - CITY COUNCIL

- a) **REPORT**
16-0066 **MAYOR PETTY TO REPORT ON HER ATTENDANCE**
AT THE 2016 UNITED STATES CONFERENCE OF MAYORS
IN WASHINGTON D.C. FROM JANUARY 20 - 22, 2016
(Continued from meeting of January 26, 2016)
- b) **REPORT**
16-0067 **COUNCILMEMBER MASSEY TO REPORT ON HIS ATTENDANCE**
AT THE 2016 NEW MAYORS AND COUNCILMEMBERS ACADEMY
IN SACRAMENTO FROM JANUARY 20 - 22, 2016
(Continued from meeting of January 26, 2016)
- c) **REPORT**
16-0068 **PLANNING COMMISSION SPECIAL VACANCY**
UNEXPIRED TERM ENDING JUNE 30, 2016
(City Clerk Elaine Doerfling)

Attachments: [Ron Pizer letter](#)
[Ryan Nowicki PC app](#)
[SUPPLEMENTAL Application from Marie Rice \(added 1-26-16 at 4pm\).pdf](#)

[SUPPLEMENTAL Application from Andrea Giancoli \(added 1-27-16 at 2pm\).pdf](#)

It was Council consensus to schedule the interviews of all five applicants for 5:00 p.m., Tuesday, February 9, 2016.

8. OTHER MATTERS - CITY COUNCIL

REPORT

- a) **16-0045** **COUNCILMEMBER DUCLOS REQUESTS TO DIRECT STAFF, WORKING IN COOPERATION WITH THE CHAMBER OF COMMERCE, TO INVESTIGATE AND REPORT BACK TO THE CITY COUNCIL ON OPTIONS AND STRATEGIES FOR INSTALLING A PERMANENT CAROUSEL AT THE ENTRY POINT TO PIER PLAZA. THIS WOULD INCLUDE A PRELIMINARY COST BENEFIT ANALYSIS AND IMPLEMENTATION OF THE CITY DECISION MAKING TOOL. (Continued from meeting of January 12, 2016)**

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 *12:39 a.m., Wednesday, January 27, 2016.*

Elaine Doerfling
City Clerk

Linda Abbott
Deputy City Clerk