

Hermosa Beach

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



Adjourned Meeting Minutes – draft

Tuesday, February 9, 2016

5:00 PM

Planning Commission Applicant Interviews - 5:00 PM

Closed Session - 6:00 PM

Council Chambers

Regular Meeting - 7:00 PM

City Council

*Mayor
Carolyn Petty*

*Mayor Pro Tem
Hany Fangary*

*Councilmembers
Jeff Duclos
Justin Massey*

5:00 P.M. - PLANNING COMMISSION APPLICANT INTERVIEWS

(LOCATION: Second Floor Conference Room)

CALL TO ORDER 5:04 p.m.**ROLL CALL***Present: Duclos, Fangary, Massey, Mayor Petty**Absent: None**Also present were Community Development Director Ken Robertson and Assistant City Attorney Lauren Langer.***INTERVIEWS**

1. 16-0126 APPLICANTS FOR VACANCY ON THE PLANNING COMMISSION
FOR AN UNEXPIRED TERM ENDING JUNE 30, 2016

Attachments: [Julie Hamill Application](#)
[Andrea Giancoli Application.pdf](#)
[Marie Rice Application.pdf](#)
[Lael Stabler Application](#)
[SUPPLEMENTAL Withdrawal of Application from Ryan Nowicki \(added 2-8-16 at 12pm\).pdf](#)

ADJOURNMENT OF INTERVIEWS 5:49 p.m.**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 6:00 p.m.**ROLL CALL***Present: Duclos, Fangary, Massey, Mayor Petty**Absent: None***PUBLIC COMMENT** None**RECESS TO CLOSED SESSION IN SECOND FLOOR CONFERENCE ROOM** 6:01 p.m.

1. 16-0109 **MINUTES:** Approval of minutes of Closed Session held on January 26, 2016.

**2. 16-0110 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: Johnson v. City of Hermosa Beach

WCAB Numbers: ADJ9441576; ADJ9591085

**3. 16-0112 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

ADJOURNMENT OF CLOSED SESSION 7:00 p.m.

7:00 P.M. - REGULAR AGENDA

CALL TO ORDER 7:05 p.m.

PLEDGE OF ALLEGIANCE

ROLL CALL

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

CLOSED SESSION REPORT

Assistant City Attorney Lauren Langer said two items were discussed, and there were no reportable actions.

ANNOUNCEMENTS

MISCELLANEOUS ITEMS AND REPORTS - CITY MANAGER

a) REPORT CNG STATION AND FUELING UPDATE

16-0130

(City Manager Tom Bakaly)

- b) **REPORT** **UPDATE ON ATHENS SERVICES:**
16-0131 **CURRENT SERVICES, AB1826 AND PIER PLAZA COMPACTOR**
(City Manager Tom Bakaly)

PROCLAMATIONS / PRESENTATIONS

- a) **16-0132** **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

This item was continued.

- b) **16-0119** **RECOGNIZING THE SOUTH PARK UNIVERSALLY ACCESSIBLE &**
NATURAL PLAYGROUND DESIGN COMMITTEE FOR THEIR WORK
AND CONTRIBUTION TOWARDS THE SUCCESSFUL GRAND
RE-OPENING OF SOUTH PARK
AND
LOCAL GIRL SCOUT DAISY TROOP TO PRESENT DONATION
CHECK TO THE CITY OF HERMOSA BEACH FROM THEIR
FUNDRAISING EFFORTS DURING THE GRAND RE-OPENING
- c) **16-0120** **RECOGNIZING RON PIZER FOR HIS SERVICE**
ON THE PLANNING COMMISSION FROM
JULY 23, 1996 - JANUARY 11, 2016

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

- a) **REPORT** **LETTER FROM KENT ALLEN DATED FEBRUARY 1, 2016**
16-0122 **REGARDING A NICE COMPLIMENT TO CITY STAFF**

Attachments: [Letter from Kent Allen.pdf](#)

Action: *To receive and file the letter.*

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

**ADMINISTRATION AND COST SHARING FOR COORDINATION AND
IMPLEMENTATION OF THE COORDINATED INTEGRATED
MONITORING PROGRAM (CIMP IMPLEMENTATION MOU).**
(Environmental Analyst Kristy Morris)

Attachments: [CIMP Implementation MOU.pdf](#)
[Exhibit A.pdf](#)

Action: To approve a three-year memorandum of understanding (MOU) with an option to extend for an additional three years.

- f) **REPORT THE HERMOSA BEACH COMMUNITY GARDEN OCCUPANCY
16-0129 LICENSE AGREEMENT AND COMMUNITY GARDEN CONTRACT
 AND WAIVER, RULES, TERMS AND CONDITIONS FOR
 PARTICIPATION AND FUNDRAISING EVENTS ASSOCIATED WITH
 OPENING WEEKEND**
(Environmental Analyst Kristy Morris)

Attachments: [Site Plan](#)
[Occupancy License Agreement](#)
[Contract and Waiver, Rules, Terms and Conditions for Participation](#)
[Certificate of liability insurance](#)
[SUPPLEMENTAL Memo from Kristy Morris and Revised Occupancy License Agreement \(added 2-9-16 at 3pm\).pdf](#)

Action: To:

1. Approve the Hermosa Beach Community Garden Occupancy License Agreement and Contract and Waiver, Rules, Terms and Conditions for Participation;
2. Approve Community Garden events including the Opening Day Ceremony and fundraising events; and
3. Approve an additional appropriation of \$2,500 from the General Fund for fundraising, education, and outreach.

- g) **REPORT CONSIDERATION OF A RESOLUTION DECLARING THE CITY'S
16-0113 PARTICIPATION IN EARTH HOUR ON MARCH 19, 2016 FROM
 8:30 P.M. TO 9:30 P.M. AND PROMOTING EARTH DAY ON
 APRIL 22, 2016**
(Environmental Analyst Kristy Morris)

Attachments: [Attachment 1.docx](#)

Action: To adopt Resolution No. 16-7016, entitled "**A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF HERMOSA BEACH, CALIFORNIA, DECLARING PARTICIPATION IN EARTH HOUR ON MARCH 19, 2016 FROM 8:30 PM TO 9:30 P.M. INCLUDING TURNING OFF ALL NON-ESSENTIAL LIGHTING AND ELECTRIC**

**DEVICES IN MUNICIPAL AND OTHER FACILITIES, AND URGING PARTICIPATION
IN EARTH DAY ON APRIL 22, 2016.**

- h) **REPORT** **RECOMMENDATION TO REJECT CLAIMS**
 16-0117 (Human Resources Manager Vanessa Godinez)

Attachments: [Chung, Claim Report](#)

Action: *To reject the following claim and refer it to the City Liability Claims Administrator for further investigation due to the discrepancy of statements from the parties involved:*

Claimant: Yu Ting Chung
Date of Loss: 8/23/2015
Date Filed: 11/18/2015
Allegation: Property damage (claimant's vehicle)

3. **CONSENT ORDINANCES**

- a) **REPORT** **ORDINANCE NO. 16-1361 - "AN ORDINANCE OF THE CITY OF
 16-0125 HERMOSA BEACH, CALIFORNIA, AMENDING CHAPTER 2.56 OF
 THE HERMOSA BEACH MUNICIPAL CODE REGARDING
 EMERGENCY SERVICES"**
 (City Clerk Elaine Doerfling)

Attachments: [16-1361 Emergency Services Amendment](#)

Action: *To waive full reading and adopt 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 Massey. 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.

- a) **REPORT** **APPROVAL OF CITY COUNCIL MINUTES**
 16-0053 **(Continued from meeting of January 12, 2016)**
 (City Clerk Elaine Doerfling)

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

Action: To approve the above-listed minutes.

Motion Massey, second Duclos. The motion carried 3-1, noting the dissenting vote of Fangary.

- b) **REPORT** **DATES FOR THE 2016-17 MIDYEAR BUDGET REVIEW**
 16-0012 **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](#)

Action: To approve the dates but with a 6:00 p.m. workshop start time.

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

Additional Action: To receive and file the dates for the Midyear Budget Review and Budget Workshop.

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

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

Action: To accept the donations received by the City from December 1, 2015 to January 7, 2016 from the following donors:

South Park CIP 11-537

Kayoko Okada

Stacey Armato

Dency Nelson

Alice Villalobos

Steven Zaw

Taiisa Boughton

Claudia Berman

Kenneth Sarno

Carolyn Petty

Joseph Looney

Jeremy Johnston

William Alley

Kinecta Federal Credit Union

MOMS Club of Hermosa Beach

Firefighters Charitable Foundation-as needed
Woman's Club of Hermosa Beach-as needed by the Police Department

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

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

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

Action: *To receive and file the Tentative Future Agenda Items.*
Motion Fangary, second Massey. The motion carried by a unanimous vote.

e) **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

Action: *To receive and file the action sheet of the Planning Commission meeting of January 19, 2016.*

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

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

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

Action: *To receive and file the Planning Commission Tentative Future Agenda Items. Motion Fangary, second Duclos. The motion carried by a unanimous vote.*

Additional Action: To complete all items this evening.
Motion Duclos, second Massey. The motion carried by a unanimous vote.

g) 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

Action: To receive and file the action minutes of the Public Works Commission meeting of November 18, 2015.

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

5. PUBLIC HEARINGS

None

6. MUNICIPAL MATTERS

- a) **REPORT** **CIP 14-163 INSTALLATION OF FLEXIBLE BOLLARD MARKERS
ON THE STRAND AND TRAFFIC SAFETY IMPROVEMENTS TO
THE INTERSECTION OF HERMOSA AVENUE AND 35TH STREET**
(Public Works Director Andrew Brozyna)

Attachments: [1 Proposed Bollard Design](#)
[2 Proposed Bollard Locations](#)
[3 Hermosa Ave @ 35th St Intersection Review](#)
[4 Depiction of Green Colored Pavement](#)
[5 Pedestrian Directional Signage](#)
[6 Public Notice](#)
[7 Public Works Commission January Draft Minutes](#)
[8 Public Works Commission November Minutes](#)

Public comment

Action: To:

1. Approve the installation of Flexible Bollard Markers at six (6) locations adjacent to The Strand as recommended by the Public Works Commission (Commission);
2. Approve of various traffic safety improvements to the intersection of Hermosa Avenue and 35th Street as recommended by Commission;
3. Approve the use of green colored pavement, a traffic control device with interim approval from the California Traffic Control Device Committee (CTCDC), for the bike path at the intersection of Hermosa Ave and 35th Street, and authorize the Public Works Director to notify the CTCDC as required for the use of such a device; and
4. Direct staff to explore possible safety improvements to the pedestrian crosswalk north of 35th Street.

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

- b) **REPORT** **APPROVAL OF DONATION POLICIES FOR CITY PROJECTS AND
AFFIRM THAT THE DONATION PROGRAM FOR THE SOUTH PARK
RENOVATION PROJECT MEETS THESE GUIDELINES**
(Community Resources Manager Kelly Orta)

Attachments: [SPPAC Phase II Prioritized List of Items](#)
[SPPAC Donation Program Information and Signage Discussion](#)
[Public Works Memorial Donation Information](#)
[San Diego County Naming Rights FAQ](#)
[SUPPLEMENTAL Photo from Mayor Pro Tem Fangary \(added 2-9-16 at 6pm\).pdf](#)

Action: To:

1. Approve the proposed donation policy to be used for City projects and affirm that the donation program for the South Park renovation project is compliant with these guidelines;

and

2. Add the words “person or entity” and “persons or entities” with a 10 year limit instead of five on founder level signage.

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

- c) **REPORT RESPONSE TO 2015-16 GRAND JURY REPORT**
16-0124 ON EL NIÑO PLANNING FOR COUNTY HOMELESS POPULATION
 (Management Analyst Nico De Anda-Scaia)

Attachments: [2015-16 Interim Report \(IR\) Los Angeles County Civil Grand Jury.pdf](#)
[Grand Jury Cover Letter 2-9-16.pdf](#)
[Official Grand Jury 2015-16 Response.docx](#)
[Grand Jury Homeless Survey Questionnaire \(Appendix\).docx](#)

Public comment

Action: To approve responses to the 2015-16 Los Angeles County Civil Grand Jury Interim Report and Recommendations.

{The Mayor will sign the City's response on behalf of the City Council.}

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

- d) **REPORT RESOLUTION APPROVING CHANGES TO THE MEMORANDA OF**
16-0058 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](#)

Council gave staff direction to agendize a Closed Session to discuss this matter, and then bring discussion back to Open Session.

7. MISCELLANEOUS ITEMS AND MEETING ATTENDANCE REPORTS - CITY COUNCIL

- a) **REPORT APPOINTMENT TO FILL AN UNSCHEDULED VACANCY ON THE**
16-0108 PLANNING COMMISSION FOR AN UNEXPIRED TERM ENDING
JUNE 30, 2016

(City Clerk Elaine Doerfling)

Attachments: [Julie Hamill Application](#)
[Andrea Giancoli Application.pdf](#)
[Ryan Nowicki Application](#)
[Marie Rice Application.pdf](#)
[Lael Stabler Application](#)
[SUPPLEMENTAL Application from Michael Keegan \(added 2-8-16 at 12pm\).pdf](#)
[SUPPLEMENTAL Withdrawal of Application from Ryan Nowicki \(added 2-8-16 at 12pm\).pdf](#)
[SUPPLEMENTAL Statement of Support for Lael Stabler from Kat Bacallao \(added 2-9-16 at 12pm\).pdf](#)
[SUPPLEMENTAL Statement of Support for Marie Rice from Dency Nelson \(added 2-9-16 at 5pm\).pdf](#)

<i>It was Council consensus to appoint Marie Rice to the Planning Commission.</i>

- b) 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)**
- c) 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)**
- d) 16-0121 **MAYOR PETTY, MAYOR PRO TEM FANGARY, AND
COUNCILMEMBER DUCLOS TO REPORT ON THEIR ATTENDANCE
AT THE ICA WINTER SEMINAR IN SANTA BARBARA FROM
JANUARY 29 - 31, 2016**

8. OTHER MATTERS - CITY COUNCIL

- 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)**

Councilmember Duclos spoke to his request, garnering support from Mayor pro tem Fangary, with the stipulation that staff also consider other options such as a water feature to enhance the Pier Plaza family-friendly vibe.

- b) **16-0128 COUNCILMEMBERS MASSEY AND FANGARY REQUEST TO DIRECT STAFF TO SUBMIT AN ISSUE PAPER FOR CONSIDERATION AT THE MARCH 2, 2016 ISSUE PAPERS STUDY SESSION THAT (1) IDENTIFIES ALL NON-PROJECT SPECIFIC CONTRACTS FOR OUTSIDE SERVICES TO WHICH THE CITY IS A PARTY AND (2) SEEKS COUNCIL DIRECTION ON REQUIRING PERIODIC OPEN BIDDING FOR ALL SUCH CONTRACTS.**

Councilmember Massey and Mayor pro tem Fangary spoke to their request, garnering support from Councilmember Duclos.

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 11:12 p.m., Tuesday, February 9, 2016.

Elaine Doerfling
City Clerk

Linda Abbott
Deputy City Clerk