

Hermosa Beach

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



Adjourned Meeting Minutes - draft

Tuesday, March 8, 2016

5:00 PM

Closed Session-5pm

Study Session: Senior Rebate Program for Sewer Charge-6pm

Council Chambers

Regular Meeting-7pm

City Council

*Mayor
Hany Fangary*

*Mayor Pro Tem
Justin Massey*

*Councilmembers
Jeff Duclos
Carolyn Petty*

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, Massey, Petty, Mayor Fangary
Absent: None

PUBLIC COMMENT None**RECESS TO CLOSED SESSION IN SECOND FLOOR CONFERENCE ROOM** 5:04 p.m.**1. 16-0177 (5 minutes)**

MINUTES: Approval of minutes of Closed Session held on February 23, 2016.

2. 16-0178 (30 minutes)**CONFERENCE WITH LABOR NEGOTIATOR****Government Code Section 54957.6**

(Continued from Closed Session of February 23, 2016)

City Negotiator: City Manager

Employee Organizations: Hermosa Beach Firefighters' Association

3. 16-0179 (15 minutes)**CONFERENCE WITH LEGAL COUNSEL: Anticipation of Litigation****Government Code Section 54956.9(d)(2)**

(Continued from Closed Session of February 23, 2016)

A point has been reached where, in the opinion of the City Council on the advice of its legal counsel, there is a significant exposure to litigation against the City Council.

Number of Potential Cases: 1 (Vasilj Claim)

4. 16-0180 (10 minutes)**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

ADJOURNMENT OF CLOSED SESSION 6:00 p.m.

6:00 P.M. – STUDY SESSION

CALL TO ORDER 6:06 p.m.

PLEDGE OF ALLEGIANCE

ROLL CALL

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

**a) REPORT SENIOR CITIZEN AND PERMANENTLY DISABLED SEWER FEE
16-0181 REBATE PROGRAM**

(Public Works Director Andrew Brozyna)

Attachments: [1 Hermosa Beach Senior Rebate Summary Report 02-18-2016](#)
[2 Application for Tax Rebate LSLD](#)
[3 City of Hermosa Beach Sewer Charge Levy 02-11-2016](#)
[4 Mailer notice of study session FINAL](#)
[5 SUPPLEMENTAL Letter from Ron Felsing \(added 3-7-16 at 1pm\).pdf](#)
[6 SUPPLEMENTAL Letter from Pam Haile \(added 3-7-16 at 1pm\).pdf](#)
[7 SUPPLEMENTAL Letter from Fred and Sonia Nichols \(added 3-8-16 at 1pm\).pdf](#)
[8 SUPPLEMENTAL Letter from Sam Perrotti \(added 3-8-16 at 3pm\).pdf](#)

PUBLIC COMMENT

ADJOURNMENT OF STUDY SESSION 7:15 p.m.

7:00 P.M. - REGULAR AGENDA

CALL TO ORDER 7:27 p.m.

PLEDGE OF ALLEGIANCE

ROLL CALL

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

CLOSED SESSION REPORT

City Attorney Jenkins said there was no public comment received prior to Closed Session, nothing was added to the agenda, and there were no reportable actions.

ANNOUNCEMENTS

MISCELLANEOUS ITEMS AND REPORTS - CITY MANAGER

- a) **REPORT** **GRANITE BOLLARDS & HONORARY PLAQUES**
16-0171

- b) **REPORT** **POLYSTYRENE USE UPDATE**
16-0170

Attachments: [Polystyrene Ban FAQ \(Modified 020316\).pdf](#)

PROCLAMATIONS / PRESENTATIONS

- a) **16-0172** **AMERICAN HEART ASSOCIATION 'FIT FRIENDLY AWARD'**
CITY OF HERMOSA BEACH AND
EMPLOYEE WELLNESS COMMITTEE

2. CONSENT CALENDAR:

Action: To approve the Consent Calendar recommendations (a) through (i) with the exception of the following items, which were removed for discussion later in the meeting: 2(c), (f) and (i), Fangary; 2(h), Duclos.
Motion Fangary, second Duclos. The motion carried by a unanimous vote.

- a) **REPORT** **MEMORANDUM REGARDING CITY COUNCIL MINUTES**
16-0188 (City Clerk Elaine Doerfling)

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

- b) **REPORT** **CHECK REGISTERS**
16-0165 (Finance Director Viki Copeland)

Attachments: [02-18-16](#)
[02-22-16](#)
[02-25-16](#)

Action: To ratify the above-listed check registers.

- c) **REPORT** **TENTATIVE FUTURE AGENDA ITEMS**
16-0175

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.

- d) **REPORT** **RESOLUTION SUPPORTING FOUR PETITIONS RELATED TO**

**16-0182 HELICOPTER NOISE RELIEF SUBMITTED TO THE FEDERAL
AVIATION ADMINISTRATION BY THE LOS ANGELES AREA
HELICOPTER NOISE COALITION**
(Community Development Director Ken Robertson)

Attachments: [Proposed Resolution.pdf](#)

Action: *To adopt Resolution No. 16-7018, entitled “**A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF HERMOSA BEACH, CALIFORNIA, IN SUPPORT OF THE LOS ANGELES AREA HELICOPTER NOISE COALITION'S PETITIONS TO REGULATE HELICOPTER NOISE IN LOS ANGELES COUNTY.**”*

e) **REPORT PARKING STRUCTURE COUNTING SYSTEM - COMPLETION OF
16-0169 CONSTRUCTION CONTRACT AND ACCEPTANCE OF WORK**
(Public Works Director Andrew Brozyna)

Attachments: [Attachment 1_NOC](#)

Action: *To:*

- 1. Accept the work performed by Green Giant Landscape Inc. for the installation of the Parking Structure Counting System; and*
- 2. Authorize the Mayor to sign the Notice of Completion.*

f) **REPORT SOUTH BAY WORKFORCE INVESTMENT BOARD
16-0176 QUARTERLY SUMMARY**

Attachments: [Quarterly Summary.pdf](#)
[Committees Activity Report.pdf](#)
[PY 2015-2016 - Number of Individuals Served.pdf](#)
[Transitional Subsidized Employment Info.pdf](#)
[South Bay Business Portal Web Site Info.pdf](#)
[2014-2015 Annual Report.pdf](#)
[News.pdf](#)

It was Council consensus to receive and file the Quarterly Summary from the South Bay Workforce Investment Board.

g) **REPORT RECOMMENDATION TO APPROVE THE FIRST AMENDMENT TO
16-0186 AGREEMENT FOR PROFESSIONAL SERVICES NO. 15.013 FOR
CAPITAL IMPROVEMENT PROJECT ENGINEER STAFF
AUGMENTATION SERVICES BETWEEN THE CITY OF HERMOSA
BEACH AND CIVIL SOURCE, INC.**
(Public Works Director Andrew Brozyna)

Attachments: [1 first Amendment to psa 15-013.doc](#)
[PSA 15.013 Civil Source FY 15-16 executed](#)

Action: *To:*

1. Approve the First Amendment to Civil Source Agreement to increase the value of the Professional Services Agreement for staff augmentation services; and
2. Authorize the Mayor to Execute and the City Clerk to attest the attached First Amendment subject to approval by the City Attorney.

- h) REPORT AGREEMENT BETWEEN BIG FISH ENTERTAINMENT, LLC AND
16-0166 THE CITY OF HERMOSA BEACH TO FILM A POLICE SERIES**

(Police Chief Sharon Papa)

Attachments: [filming agreement \(Big Fish\).doc](#)

Public comment

Action: *To reject the proposed agreement.*

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

- i) REPORT AGREEMENT BETWEEN THE CITY OF HERMOSA BEACH AND THE
16-0150 ROTARY CLUB OF HERMOSA BEACH'S FARMERS' MARKET ON
11TH STREET AND VALLEY DRIVE**

(Community Resources Manager Kelly Orta)

Attachments: [Friday Farmer's Market Agreement](#)
[SUPPLEMENTAL Memorandum and Attachments from Community Resources Manager Kelly Orta \(added 3-7-16 at 2pm\).pdf](#)

Public comment

Action: *To approve the agreement as recommended in the supplemental memorandum, with inclusion of wording that says proceeds will not be used for City elections-related campaigning. Motion Fangary, second Massey. The motion carried by a unanimous vote.*

3. CONSENT ORDINANCES

- a) REPORT ORDINANCE NO. 16-1362 - "AN ORDINANCE OF THE CITY OF
16-0189 HERMOSA BEACH, CALIFORNIA, AMENDING SECTIONS
17.42.110 AND 17.26.030 OF THE HERMOSA BEACH MUNICIPAL
CODE TO EXPRESSLY PROHIBIT ALL COMMERCIAL MEDICAL
MARIJUANA USES IN THE CITY AND PROHIBITING
CULTIVATION FOR MEDICAL USE BY A QUALIFIED
PATIENT OR PRIMARY CAREGIVER"**

(City Clerk Elaine Doerfling)

Attachments: [Ord. 16-1362](#)

[4 Easter Sunrise Mass Special Event Application](#)
[5 Surf Fest Special Event Application](#)
[6 Richstone Pier to Pier Walk Special Event Application](#)
[7 JVA & BVCA National Beach Championship Special Event Application](#)
[8 AVP First Special Event Application \(new\)](#)
[9 International Surf Festival Special Event Application](#)
[10 NVL West Coast Championship Special Event Application](#)
[11 South Bay Yoga Conference Special Event Application \(new\)](#)
[12 Ride with the Tide Bike Tour Special Event Application](#)
[13 Day at the Beach Hermosa Triathlon Special Event Application](#)
[14 Skecher's Pier to Pier Friendship Walk Special Event Application](#)
[15 LA Brain Tumor Walk Special Event Application](#)
[16 Snow Fest Special Event Application](#)
[17 USLA National Lifeguard Championships Special Event Application \(new\)](#)
[18 Smackfest Coed 4's Volleyball Tournament Special Event Application](#)
[19 2016 Calendar of Events - Table Format](#)
[20 2016 Calendar of Events - Monthly Format](#)
[21 2016 Calendar of Events - Location Matrix Format](#)
[22 Public Notice](#)
[23 SUPPLEMENTAL Memorandum and Attachments from Community Resources Manager Kelly Orta \(added 3-8-16 at 1pm\).pdf](#)

The public hearing opened at 8:05 p.m.

The public hearing closed at 8:16 p.m.

Action: To:

1. Approve the 2016 Special Events with an estimated attendance of over 500 people;
2. Approve the addition of the Smackfest Volleyball Tournament on Saturday, July 23, making an exception to the special event policy that prohibits events from taking place simultaneously on the north and south side of the Pier, provided there will be no alcohol sponsorship;
3. Approve the addition of the USLA National Lifeguard Championships from Wednesday, August 10-Saturday, August 13, making an exception to the special event policy that limits the number of days Category III and IV events take place during the peak season; and
4. Waive the fees for Surf Fest to take place on Saturday, April 23 as a community event, as historically done in conjunction with the Surfer's Walk of Fame Induction Ceremony, which is now scheduled for Saturday, August 20.

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

6. MUNICIPAL MATTERS

- a) **REPORT PROJECTTOUCH COMMUNITY CENTER LEASE DISCUSSION AND
16-0163 RENTAL PAYMENT CONSIDERATIONS**
(Community Resources Manager Kelly Orta)

Attachments: [PROJECTtouch Information Pamphlet](#)
[June 13, 2011 City Council Meeting Minutes and PROJECTtouch Staff Report](#)
[PROJECTtouch 2012/2013 Lease Agreement \(executed copy\)](#)
[PROJECTtouch Form 990 \(2014\)](#)

Public comment

Action: *To:*

1. Direct staff to update the PROJECTtouch lease agreement to include usage of classroom 15 on Wednesday evenings with room usage fees to be waived;
2. Direct staff to retroactively waive lease payments not received for 2013, 2014, and 2015;
3. Direct staff to update PROJECTtouch's lease agreement for use of an office space (11b) at the Community Center, waiving all usage fees; and
4. Direct staff to return with a policy related to non-profit leases including policy surrounding rent waivers.

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

b) REPORT CHAMBER OF COMMERCE SPONSORSHIP AND PROMOTIONS
16-0185 AT EVENTS AND WEDNESDAY FARMERS' MARKET
CONTRACT UPDATE

(Community Resources Manager Kelly Orta)

Attachments:

[Chamber of Commerce Fiesta Agreement 2015-17](#)
[**Chamber of Commerce Farmers' Market Agreement \(2015-2016\)**](#)
[Wednesday Farmers' Market Map](#)
[Trackless Train Information](#)
[Light Pole Banner Information](#)
[First Amendment to Wenesday Farmers' Market](#)

Public comment

Action: To approve staff recommendation with the following changes/revisions:

- 1) After the word “alcohol,” the addition of “junk food, tobacco and marijuana products”;
- 2) Add a bullet point that states preference is given to businesses with a physical presence in Hermosa; and
- 3) After “money generated,” include wording that such monies will not be used for elections - related campaigning.

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

It was Council consensus to continue tonight's meeting until 11:30.

c) **REPORT APPROVAL OF 2016 SPECIAL EVENTS WITH AN ESTIMATED
16-0173 ATTENDANCE OF LESS THAN 500 PEOPLE AND CONFIRM THE
2016 SPECIAL EVENT CALENDAR**

(Community Resources Manager Kelly Orta)

Attachments:

[2016 Special Event Policy Updates](#)
[2016 Event Descriptions \(less than 500\)](#)
[2016 Calendar of Events - Table Format](#)
[2016 Calendar of Events - Monthly Format](#)
[2016 Calendar of Events - Locations Matrix Format](#)

Action: To:

- 1. Affirm policy guidelines related to the Chamber of Commerce's ability to generate promotional opportunities for community events required under the Fiesta agreement; and*

2. Approve updates to the Wednesday Farmers' Market contract to include a trackless train, music, and banners on the Plaza light poles regularly advertising the market through the end of the current agreement.
Motion Fangary, second Duclos. The motion carried by a unanimous vote.

7. MISCELLANEOUS ITEMS AND MEETING ATTENDANCE REPORTS - CITY COUNCIL

8. OTHER MATTERS - CITY COUNCIL

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 *11:28 p.m., Tuesday, March 8, 2016.*

Elaine Doerfling
City Clerk

Linda Abbott
Deputy City Clerk