

City of Hermosa Beach

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



Special/Regular Meeting Minutes

Tuesday, February 23, 2016

5:00 PM

Closed Session - 5:00 PM

**Study Session: Downtown Cost/Benefit Finance Analysis - 6:00
Council Chambers
PM**

Regular Meeting - 7:00 PM

City Council

*Mayor
Carolyn Petty*

*Mayor Pro Tem
Hany Fangary*

*Councilmembers
Justin Massey
Jeff Duclos*

NOTICE OF SPECIAL MEETING AND AGENDA

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

<i>Present:</i> Duclos, Fangary, Massey, Mayor Petty <i>Absent:</i> None

PUBLIC COMMENT None

**a) 16-0158 LETTERS REGARDING ITEM THREE ON THE FEBRUARY 23, 2016
CLOSED SESSION AGENDA**

Attachments: [SUPPLEMENTAL Letter Submitted by Katrina Bacallao \(added 2-22-16 at 4pm\).pdf](#)

[SUPPLEMENTAL Letter Submitted by Claudia Berman \(added 2-23-16 at 10am\).pdf](#)

[SUPPLEMENTAL Letter Submitted by Ron Siegel \(added 2-23-16 at 10am\).pdf](#)

[SUPPLEMENTAL Letter Submitted by Krista Capo \(added 2-23-16 at 3pm\).pdf](#)

[SUPPLEMENTAL Letter Submitted by Jose Bacallao \(added 2-23-16 at 3pm\).pdf](#)

<p><u>Action</u> (taken during open session): To receive and file the five supplemental letters. Motion Massey, second Duclos. The motion carried by a unanimous vote.</p>

RECESS TO CLOSED SESSION IN SECOND FLOOR CONFERENCE ROOM 5:04 p.m.

1. 16-0142 MINUTES: Approval of minutes of Closed Session held on ~~January 26, 2016~~ February 9, 2016 (correction made 2-22-16 at 7pm).

2. 16-0144 CONFERENCE WITH LABOR NEGOTIATOR
Government Code Section 54957.6
City Negotiator: City Manager
Employee Organizations: Hermosa Beach Firefighters' Association

3. 16-0145 **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. 16-0146 **CONFERENCE WITH LEGAL COUNSEL: Anticipation of Litigation
Government Code Section 54956.9(d)(2)**

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)

ADJOURNMENT OF CLOSED SESSION 6:00 p.m.

6:00 P.M. – STUDY SESSION

CALL TO ORDER 6:07 p.m.

PLEDGE OF ALLEGIANCE

ROLL CALL

Present: Duclos, Fangary, Massey, Mayor Petty

Absent: None

1. **REPORT DRAFT COST BENEFIT ANALYSIS, DOWNTOWN**
16-0149 (Finance Director Viki Copeland)

Attachments: [Draft Downtown HB CBA 2-8-16](#)

[SUPPLEMENTAL Public Comments and Responses \(added 2-23-16 at 10am\).pdf](#)

Action: *To direct staff to work with Kosmont to address the issues and concerns raised by the public and Council in the two prior sessions and today, and to come back with either a Study Session or an agenda item with a revised report that addresses issues, and some suggestions or recommendations, for the next steps within a time frame that staff and Kosmont feels is appropriate.*

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

PUBLIC COMMENT

ADJOURNMENT OF STUDY SESSION 7:27 p.m.

7:00 P.M. - REGULAR AGENDA

CALL TO ORDER 7:27 p.m.

PLEDGE OF ALLEGIANCE *Adrienne Slaughter*

ROLL CALL

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

CLOSED SESSION REPORT

City Attorney Jenkins said there was no public comment received, no additions to the agenda, only one item was discussed, and there were no reportable actions.

ANNOUNCEMENTS

MISCELLANEOUS ITEMS AND REPORTS - CITY MANAGER

a) 16-0138 SOUTHERN CALIFORNIA EDISON RELIABILITY UPDATE

Attachments: [SUPPLEMENTAL Information from SCE \(added 2-22-16 at 4pm\).pdf](#)

City Manager Bakaly presented the update.

PROCLAMATIONS / PRESENTATIONS

**a) 16-0139 LOCAL WINNERS OF THE COUNTY OF LOS ANGELES
PUBLIC LIBRARY 2015 CHILDRENS BOOKMARK CONTEST**

**b) 16-0140 WATER CONSERVATION RULES AND REGULATIONS
UPDATE FROM CALIFORNIA WATER SERVICE
REPRESENTATIVE JAMES LAU**

Attachments: [SUPPLEMENTAL Presentation Feb 23 2016 \(added 2-23-16 at 12pm\).pptx](#)

c) 16-0141 **HERMOSA BEACH CHAMBER OF COMMERCE RECAPS
2015 EVENTS, CONTRIBUTIONS AND GOALS**

Attachments: [SUPPLEMENTAL Presentation 2015 Chamber YIR \(added 2-23-16 at 1pm\).pptx](#)

PUBLIC PARTICIPATION

1. ORAL AND WRITTEN COMMUNICATIONS:

a) 16-0158 **LETTERS REGARDING ITEM THREE ON THE FEBRUARY 23, 2016
CLOSED SESSION AGENDA**

Attachments: [SUPPLEMENTAL Letter Submitted by Katrina Bacallao \(added 2-22-16 at 4pm\).pdf](#)

[SUPPLEMENTAL Letter Submitted by Claudia Berman \(added 2-23-16 at 10am\).pdf](#)

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[SUPPLEMENTAL Letter Submitted by Krista Capo \(added 2-23-16 at 3pm\).pdf](#)

[SUPPLEMENTAL Letter Submitted by Jose Bacallao \(added 2-23-16 at 3pm\).pdf](#)

Action: To receive and file the five supplemental letters.
Motion Massey, second Duclos. The motion carried by a unanimous vote.

2. CONSENT CALENDAR:

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

a) **REPORT** **MEMORANDUM REGARDING CITY COUNCIL MINUTES**
16-0147 (City Clerk Elaine Doerfling)

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

b) **REPORT** **CHECK REGISTERS**
16-0143 (Finance Director Viki Copeland)

Attachments: [02-01-16](#)
[02-04-16](#)

02-11-16

Action: To ratify the above-listed check registers.

- c) REPORT TENTATIVE FUTURE AGENDA ITEMS DATED FEBRUARY 18, 2016**
16-0153 (Continued from meeting of February 23, 2016)

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

This item was continued.

- d) **REPORT** **REVENUE AND EXPENDITURE REPORTS FOR DECEMBER 2015**
16-0154 (Finance Director Viki Copeland)

Attachments: [dec 2015 revenue report](#)

dec 2015 expenditure report

Action: To receive and file the December 2015 Financial Reports.

- e) **REPORT** **CITY TREASURER'S AND CASH BALANCE REPORT**
16-0155 *(Finance Director Viki Copeland)*

Action: To receive and file the memorandum.

- f) REPORT** **CANCELLATION OF CERTAIN CHECKS**
16-0135 (City Treasurer Karen Nowicki)

Action: To approve the cancellation of certain checks.

- g) REPORT ACTION SHEET OF THE PLANNING COMMISSION MEETING OF
16-0151 FEBRUARY 16, 2016**

Attachments: Planning Commission Action Sheet 2-16-16.pdf

Action: *To receive and file the action sheet of the Planning Commission meeting of February 16, 2016.*

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

- h) REPORT PLANNING COMMISSION TENTATIVE FUTURE AGENDA ITEMS***
16-0152 (Continued from meeting of February 23, 2016)
 (Community Development Director Ken Robertson)

Attachments: Planning Commission Tentative 3-15-16 Agenda.pdf

This item was continued.

- i) **REPORT** **AWARD PROFESSIONAL SERVICES**
16-0136 **AGREEMENT TO M6 CONSULTING, INC.**
FOR ON-CALL PROFESSIONAL LAND
DEVELOPMENT SERVICES
(Public Works Director Andrew Brozyna)

Attachments: [PSA 15.xxxx M6 Consulting 2-17-2016](#)

[M6 proposal attach 2](#)

[M6 proposal attach 3](#)

[Attachment 4 - Fee schedules from HR Green](#)

Action: To award a Professional Services Agreement (PSA) to M6 Consulting, Inc. to provide on-call professional land development services for the not-to-exceed amount of \$250,000 for three (3) years.

- j) **REPORT** **PROJECT STATUS REPORT AS OF JANUARY 31, 2016**
16-0134 (Public Works Director Andrew Brozyna)

Attachments: [CIP Project Status Report JAN 2016](#)

Action: To receive and file the Project Status Report as of January 31, 2016.

- k) **REPORT** **REVIEW OF CITY PROSECUTOR PERFORMANCE**
16-0127 (Police Chief Sharon Papa)

Action: To receive and file the report regarding first year contractual performance of City Prosecutors.

3. **CONSENT ORDINANCES** None

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

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

5. **PUBLIC HEARINGS**

- a) **REPORT** **TEXT AMENDMENT TO EXPRESSLY PROHIBIT ALL COMMERCIAL**
16-0137 **MARIJUANA LAND USES THROUGHOUT THE CITY, INCLUDING**

[Budget Summary Report](#)

[Midyear CIP Spreadsheet Revisions](#)

[Budget Transfers Report](#)

[Resolution - Increase to General Plan Maint Fees](#)

[City Council Travel and Benefits](#)

Action: To:

1. Approve the revisions to estimated revenue, appropriations, budget transfers and fund balances as shown herein and in the attached Revenue Detail Report, Additional Appropriations Report, Budget Transfers Report, and Budget Summary Report;
 2. Approve the additions of \$269,477 to the assigned fund balance for Contingencies in order to meet our target of 16% for this goal; and appropriate the remaining funds available of \$54,306 to Prospective Expenditures;
 3. Approve a transfer of funds in the amount of \$844,421 from the Insurance Fund to the Equipment Replacement Fund (ERF) to bring the balance to the goal amount in the ERF;
 4. Approve a transfer of funds in the amount of \$840,708 from the Insurance Fund to the Capital Improvement Fund;
 5. Approve a transfer of \$274,994 from the General Fund to the 2015 Lease Revenue Bond Fund for the May 1, 2016 interest payment;
 6. Approve a transfer of \$2,157,565 from the General Fund to the Capital Projects Fund from funds assigned for Debt Service 2014-15 (\$725,006 which is the balance after funds for the interest payment due is transferred) and 2015-16 (\$1,000,000) and unspecified contingencies (\$432,559);
 7. Adopt Resolution No. 16-7017, entitled "**A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF HERMOSA BEACH, CALIFORNIA, APPROVING GENERAL FUND COMMITMENTS OF FUND BALANCE FOR FISCAL YEAR 2015-2016,**" which reflects the revised amount for General Plan Maintenance Fees; and
 8. Receive and file the attached information about City Council travel and benefits.
- Motion Massey, second Duclos. The motion carried by a unanimous vote.

c) **REPORT PROPOSED REVISIONS TO THE SPEED HUMPS POLICIES, GUIDELINES, AND PROCEDURES**
16-0156
(Public Works Director Andrew Brozyna)

Attachments: [speed hump policies and guidelines and procedures FINAL wTR 2-18-16](#)

[speed hump policies and guidelines and procedures DRAFT 2-18-16](#)

[DRAFT action minutes 2-17-16](#)

[Item 8a Proposed Revisions to the Speed Hump Policies, Guidelines, and Procedures w Supplementals 1 and 2](#)

[SUPPLEMENTAL Memo and Attachments from Public Works Director Andrew Brozyna \(added 2-22-16 at 7pm\).pdf](#)

Action: To adopt the proposed revisions to the City's Speed Humps Policies, Guidelines, and Procedures per the recommendation of the Public Works Commission. .
 Motion Duclos, second Massey. The motion carried by a unanimous vote.

- d) **REPORT REQUEST FOR INSTALLATION OF A SECOND SPEED CUSHION
 16-0157 ON 16TH STREET BETWEEN MIRA STREET AND BONNIE BRAE
 STREET ADJACENT TO 1011 16th STREET
 (Public Works Director Andrew Brozyna)**

Attachments: [speed hump policies and guidelines and procedures Final for cc 16th
 st item 2-23-16](#)

Action: To:

1. Waive the requirement that 100% of the owners of residences adjacent to 1011 16th Street sign the petition for installation of a speed cushion at that location; and
2. Approve installation of a second speed cushion on 16th Street between Mira Street and Bonnie Brae Street adjacent to 1011 16th Street.

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

- e) **REPORT RECOMMENDATION TO APPROVE THE ISSUANCE OF
 16-0148 RESTRICTED TAXI LICENSES FOR A NOMINAL FEE OR AT NO
 COST TO TAXI DRIVERS WHO OPERATE WHEELCHAIR VANS
 AND ARE ALREADY PARTICIPATING IN A DIAL-A-TAXI OR
 SIMILAR PROGRAM IN A NEIGHBORING CITY
 (Police Chief Sharon Papa)**

Attachments: [SUPPLEMENTAL Letter Submitted by Jessica Guheen \(added
 2-23-16 at 3pm\).pdf](#)

[SUPPLEMENTAL Photo Submitted by Geoff Hirsch during meeting
 \(added 2-29-16\).pdf](#)

Action: To approve the issuance of restricted taxi licenses, without additional franchise or licensing fees (i.e., at no cost), to taxi franchise drivers who operate vans equipped with wheelchair lifts and who are already participating in a Dial-A-Taxi or similar program in a neighboring city.

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

7. MISCELLANEOUS ITEMS AND MEETING ATTENDANCE REPORTS - CITY COUNCIL None

8. OTHER MATTERS - CITY COUNCIL None

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

12:36 a.m. Wednesday, February 24, 2016

Elaine Doerfling
City Clerk

Linda Abbott
Deputy City Clerk