

ACTION MINUTES
PUBLIC WORKS COMMISSION
REGULAR MEETING OF WEDNESDAY, March 20, 2019
CITY HALL, COUNCIL CHAMBERS
1315 VALLEY DRIVE
7:00 P.M.

COMMISSIONERS

Andrea Giancoli Kathy Dunbabin Janice Brittain Kent F. Brown David Grethen

1. Call to Order 7:01 p.m.
2. Pledge of Allegiance
3. Roll Call

Present: Commissioner Brown, Commissioner Grethen, Commissioner Dunbabin, and Chairwoman Brittain.
Absent: Commissioner Giancoli*

*Commissioner Giancoli arrived at 7:11 p.m.

Staff present: Lucho Rodriguez, Acting Public Works Director/Deputy City Engineer; Kathy Shin, Assistant City Attorney; and Andrew Nguyen, Temporary Assistant Engineer.

4. Approval of Action Minutes

ACTION: Motion was made by Commissioner Brown to approve the action minutes from January 16, 2019. Commissioner Grethen seconded and the motion passed.

AYES: Brittain, Brown, and Grethen
NOES: None
ABSTAIN: Dunbabin
ABSENT: Giancoli

5. Public Comment on Non-Agenda Items

Mr. Hamilton spoke for himself and on behalf of volunteer Betty Star, both of Hermosa Beach, to be able to plant trees and provide maintenance for trees planted in the Greenbelt, across from South Park. To provide landscaping and care for trees planted for the kids, identified as 100 trees in Hermosa Beach. Betty Star is a volunteer involved with the gardening in the parks. It was the consensus of the commission to okay the request.

Chairwoman Brittain also shared:

Madam Chairwoman Brittain shared with the Commission the City will remove soil, irrigate and monitor the trees in the parks. It was pointed out that the volunteer group, Friends of the Parks are doing a great job, and are responsible for maintaining the ice plant growth. It was pointed out that anything that happens in the parks must go through the Parks and Recreation Department to the attention of Kelly Orta.

6. Correspondence – None, No Action
7. Presentations – None, No Action

8. Items for Consideration

Hermosa Beach Tree Policy Study Session

Recommendation: It is recommended that the Public Works Commission approve the staff recommendation to 1) review this supplemental report respecting the City's tree policy, 2) direct staff to amend the tree ordinance, and 3) direct staff as to any additional action that should be taken toward developing a tree management policy.

Assistant City Attorney, Kathy Shin opened the discussion of Item No. 8 stating this is our second session on the tree policy study. A report was provided to the Commissioners addressing all questions asked in the first session held on January 16, 2019. The purpose of the second session is to provide policy direction for ultimate purpose of amending the City's current tree policy which is in Chapter 1236 Municipal Code. The planting policy concerned the Commission, which raised a question whether they wanted to have a permit for planting trees in the right-of-ways and the requisite permit for such planting. At the time it was thought the Public Works Right-of-Way Improvement permit was adequate to be used for the planting, however, the Finance Department pointed out that it was not the appropriate permit. There is a public tree installation review permit, which is issued for a fee of \$193. The fee amount is attributable to the staff's time to ensure that a tree is planted according to ordinance specifications.

Maintenance policy

Discussion followed about maintenance completion and the responsibility of property owners. In the last session it was the consensus to keep the same language in the maintenance per the Municipal Code. In the second session thorough discussions addressed the obligations for landscaping, owners election to abate a nuisance, abatement, tree installation, unlawful removal of trees with or without permits, arborist reports, and protecting the character of the community. The following is a summary of the discussion:

1. Amend the Municipal Code to "include preserve and protect, and maintain the neighborhood character and all mature trees to be made a priority.
2. To add to the Municipal Code that the Public Works Department Director should be involved in all stages of the tree removal process.
3. It was confirmed that a tree removal permit regardless of size should be reviewed and decided by the Public Works Director following a Public Hearing. The PW Director requires an arborist report as standard procedure.
4. To specify the cost for tree removal, it was suggested to add the language, "the tree removal is at the owner's expense." This would trigger the existing provisions for a tree removal permit.

Item No. 1. The Assistant City Attorney Shin introduced Item No. 1 – Should the City adopt a tree management policy to guide the commission's consideration of tree removal request. The staff researched surrounding cities tree management policies and found a comparative policy from Palos Verdes Estates.

A proposed statement of purpose was presented to be placed at the start of Chapter 1236 that states: "The purpose of the chapter is to realize the City's commitment to create and maintain an environmentally sound forest. The City values its space and the value of life of the Hermosa Beach community. The City Ordinance is intended to protect the property owner's trees and ensure the planted trees comply with the safety and health and welfare of the community." The City's ordinance is to reflect a policy preference in the form of preserving all parkway trees. It was clarified the revised purpose statement was to provide guidance for tree removal requests.

Various features of the Palos Verdes Estates policy were reviewed and Commissioner Giancoli requested the policy pertaining to the neighborhood character be included in the City of Hermosa Beach policy, along with speaking to the balance between preservation views, preservation of trees, and homeowner privacy factors.

The Commissioners agreed that the language will be amended to include preserve and protect, maintaining neighborhood character, and making decisions about mature trees a priority.

Item No. 2 – Should a request for a tree removal permit, regardless of the tree size, be reviewed and decided by the Public Works Director? It was pointed out that the PW Director would require an arborist report for all tree removal requests when determining if a tree is dead or not. The size of the tree determines whether the matter goes before the Commission or handled by the PW Staff. Item No. 3 states if the tree is large and dead it should come before the Commission. Commissioner Giancoli stressed the importance of obtaining an arborist report when determining a large tree is dead or not.

ACTION: It was the consensus of the Commission to add in the policy, the terms input from Public Works Director and an Arborist to the requirements to be met before removing dying trees. The vote was as follows:

AYES: Brittain, Dunbabin, Giancoli, Grethen
NOES: Brown
ABSTAIN: None
ABSENT: None

Item No. 3 discusses the powers given to the Public Works Director. The ordinance says the Public Works Director shall decide if the tree is dead, if it has a diameter of 12 inches or less. Commissioner Grethen desires the wording to say: “the Public Works Director should consider any application to remove a tree that is dead provided an on-site placement is feasible, based on recommendation by an arborist.” Commissioner Brittain pointed out that Section E clarifies the conditions to be met regarding a tree removal request. Requested changes to be incorporated in the City ordinance, which will be in both the ordinance and Public Works Commission policy.

Commissioner Brittain requested clarification from Commission Grethen: “I’m saying two cases where a Director can decide, one is if it’s a small tree, 12 inches or less, or if the tree is dead. I want the condition that it is dead and also that on-site replacement is feasible.” Per Commission Brittain, this requested change is not necessary, as it is covered in Section E. It was agreed that if the tree is to be relocated, it should come before the Commission. The new language will be included in both Sections C and E.

ACTION: A hand motion vote for a consensus was made to agree with Commissioner Grethen’s suggestion. The vote was as follows:

AYES: Dunbabin, Giancoli, Grethen, Brown
NOES: Brittain
ABSTAIN: None
ABSENT: None

An observation was made stating if a resident asked the City to remove a tree from the sidewalk, to be replaced behind their property line, the tree then is no longer property of the City, and it becomes private property, and it can go at any time in the future. Based on the concern, it was noted a valid point was raised regarding location within a 60 foot frontage to the project on the parkway, would automatically come to the Public Works Commission.

Commissioner Grethen expressed his position on Commission involvement as a judgment call, nothing personal toward the PW Director. He questions the arborist report as the final decision to remove a dead tree; the Commission needs to understand why the tree needs to be removed, and to ensure its relocation in the City.

Item No. 4 speaks to the tree trunk diameter. The ordinance shows it must be measured six (6) feet above the ground. The Public Works Superintendent indicated the industry standard is four (4) feet. No objections to making this change were made.

Item No. 5 states should the tree removal application request include a fee in the amount of the City hiring of arborist to inspect the tree. The answer is “yes”, if an arborist opinion is required for a tree removal request.

There were no other questions on the other attachments or parts of the report, except for Section D “Notice of the Public Hearing. The question was raised who picks up the cost for the notice. It is quite costly to the City. Does the applicant pick up the cost or is it built in somewhere. Assistant City Attorney Shin clarified that an existing provision of the code states the City bears the cost. It was recommended that the fee is built in to the fees for the requestor because it is costly and time consuming per Public Works Superintendent.

It was agreed that the intent of Public Works is if a tree is allowed to be taken down by the property owner, it may be relocated to different location in the City. The language should be worded as to not force another property owner to have to become responsible for the replacement tree.

Commissioner Giancoli requested a definition of Section 2A "No person shall remove a parkway tree without obtaining a permit from the Director or unless there is an emergency situation." Attorney Shin will respond to request.

Commissioner Grethen requested clarification of Section 4 and 5. There is a list of Municipal Codes in Chapter 110 dealing with the subject of administrative penalty procedures. The staff will be adding Chapter 1236 to the list.

It was confirmed that the Public Works Commission approved the staff recommendations to review supplemental reports with respect to City's tree policy, direct staff to amend the tree ordinance and direct staff to take additional action developing the tree amendment policy.

ACTION: Motion was made by Commissioner Grethen to incorporate suggested amendments as approved by the commission to the Ordinance and the Ordinance will go to Council for adoption. Commissioner Brown seconded and the motion passed.

AYES: Brittain, Dunbabin, Giancoli, Grethen, Brown

NOES: None

ABSTAIN: None

ABSENT: None

9. Commissioners' Reports

Commissioner Dunbabin reported on the Public Works Commission Handbook. It's been put on hold for right now, until we get a Public Works Director and a new Administrative Assistant.

Commissioner Grethen reported that the Subcommittee has obtained the cost estimates for the bathrooms and are in the process of being contained for reporting to the Council level prior to going out for bids. Construction documents are complete, the Coastal Commission hurdle has been passed, and bid documents are in the process of being prepared. Commissioner Brown added that, although, they are still working on the preparation process, this project is dramatically over budget, before getting started. The million dollar initial bid has gone to \$1.4 million for three bathroom stalls. There is no explanation at this time for reason for increase in cost. There has been a lot of changes to project, including personnel shortfall.

Per Lucho Rodriguez, Acting Public Works Director, the Access Hermosa working group is planning meetings for the first or second week of April, on Wednesday at 5:00 P.M. A booklet is being prepared since the last meeting, with standards and procedures discussing how to move forward with the working group.

Commissioner Grethen acknowledged that the public many not know that the Public Works Department is understaffed. We have a Director of Public Works, one Engineer, and one Management Analyst position to fill. We are doing all that is possible to move forward despite the shortfall in personnel. The Public Works Management team was congratulated for their hard work and commitment to success of the department.

10. Monthly Reports

Lucho Rodriguez, Acting Public Works Director, submitted handouts of the capital improvements projects reporting on status as following:

1. Project CIP-15-669 – City Restrooms. Preparing final documents. Awarding project on March 26, 2019.
2. Project CIP-17-687 – ADA Improvements. Project to be awarded at next City Council Meeting of March 26, 2019. Construction to begin end of April, 2019 for Prospect Avenue. In conjunction with CIP 18-691, this project continues and extends the scope on Prospect Avenue, 5th Street forward, Guadalupe School, 5th to Fort Lots of Fun.

3. Project CIP-12-160 – PCH Improvements. The second phase of project. Notice to proceed has been issued for March 25, 2019. The notice to proceed does not pertain to Caltrans, but to the Contractor for the City's project.
4. Project CIP-16-184 – PCH Sidewalk Improvements. Same Contractor was also awarded Project 16-184.
5. Project CIP-16-185 – ADA Improvements on PCH. Same Contractor is performing on Caltrans 16-185. Construction from 2nd Street to 21st Street for onramp. Commissioner Grethen requested clarification, two separate contracts awarded to same performer. Lucho Rodriguez confirmed. Notice to Proceed begins March 25, 2019. Two of the three projects include signal work. One on Pier Avenue, including a sidewalk on Pier Avenue and PCH; access ramps on several corners. Traffic signals have a four (4) month backlog. New poles required; lead time involved.
6. Project CIP-17-187. Stamped concrete is nearing completion week ending March 22, 2019 followed by clean up at the Strand. It was clarified that all the stamped concrete on the Strand to be replaced from 10th Street to 14th street, past the Park. Project to be finished by the end of the week.
7. Project CIP-14-168 – Bike Friendly Street Improvements. The Engineers are selecting streets to paint based on the Bicycle Master Plan and Plan Hermosa. Painting is projected to be completed by end of June, 2019 in accordance with the approved plans to complete project.
8. Project CIP-17-188 - Strand Bikeway & Walkway Improvements at 35th Street. Commissioner Giancoli inquired about status of Grant Application. Per Lucho Rodriguez, we have not heard back from agency approving the grant application. They should be coming to a decision by March 31, 2019. PW will follow-up with application and see where the City stands, and what will be the next step. Based on the approved funding, Public Works staff will start a study and conceptual planning with other cities, which is the first phase on the public project. Commissioner Giancoli questioned if the grant is not approved, what is Plan B. Per PW Director, the Commission will revisit the project. There are some funds allocated in reserve to complete the project, which will permit PW to move to the design stage. Council Meeting discussions will be covering topic in April 2019.
9. Project CIP-14-173 – 8th Street-Safe Route to School. In response to Commissioner Dunbabin's question about final plan check due date expiring, the Plans are out to Bid and the Bid Opening is April 4, 2019.
10. Project CIP 16-174 – Annual Street Improvements/Various Locations. Hermosa Avenue concrete paving is complete. Striping markings approved by Traffic Engineer. Striping to being week ending March 29, 2019. The bus benches have been changed on Hermosa Avenue and the project is nearing completion. DuraTherm for Hermosa Avenue intersection was approved by Council. The Public Works staff are in discussions with contractor. Andrew Nguyen, Temporary Assistant Engineer, confirmed that the work by DuraTherm will start in a couple of weeks, and sidewalk painting to be finished week ending March 29, 2019. All materials have been ordered, paving has started and estimated to be completed in two weeks.
11. Project CIP-17-186 – Annual Street Improvement/Various Locations. 24th Street is included Project CIP-17-186. As expressed by Public Works, this project will begin following sewer repairs. Engineering to start design work very soon.
12. Project CIP-17-416 – Sewer Improvement Project. Per Commissioner Brown the Annual Sewer Improvement project is budgeted for \$1.2 million. It was noted that recommendations for Sewer Master Plan was almost three times that amount on an annual basis for optimal maintenance cycle. PW Dept. was encouraged to add staffing resources on this project, as many other projects are dependent on the sewer. Per PW the Sewer Master Plan is in review status and should be returned by the end of March, 2019. After review, the Plan will be ready for award phase. The final price has not yet been determined. The Commission expressed concerns about the prioritizing of action items. PW confirmed critical items and clarified the order of numbers referenced on the report were for internal purposes only; noting milestones to be completed by June, 2019, December 2019, or in June 2020.
13. Project CIP-17-544 – Feasibility, Greenbelt Path. Comments to be updated, deleting "this project is on hold following opinion provided by City Attorney." Opinion has been provided. PW pointed out the highlighted items on the reports are the ones that have changes. There has been no movement of CP-17-544 at this time.
14. Project CIP-17-689 – Clark Building Renovations. PW is hiring an architect for this project to obtain required permits from the County of Los Angeles. The project is moving forward and PW expects status updates by March 31 2019.
15. Project CIP-16-674 – Police Department Substation Facility Improvement. Project is being wrapped up to allow the opening of the Police Substation at the parking structure.
16. Projects CIP-15-668 – Library Community Needs Assessment. Project on hold by City Council since 2018.
17. Project CIP-17-683 – Bard Street Closure. The library is open for business now. Volunteers and library staff are receiving huge book donations. Recommended to stop by the Bard Street Library.
18. Project CIP-18-650 – Community Center General Improvements. Per Commissioner Brittain painting has been completed. She advised there are problems with the present windows. She is aware of the historical

nature of the structure, but the windows are a safety hazard. Public Works is trying to find a way around the historical designation so the windows can be replaced. It is a serious issue at the Community Center. Commissioner Brittain requested status of this project, as it was probably started. Public Works to provide status updates to the Commission at next meeting.

11. Commissioners' Items (Other Matters)

Commissioner Dunbabin reminded the PW Department

The crosswalk on Valley Drive between Clark and the park building and the parking lot. There is a crosswalk, but there is nothing there. Commissioner Brittain pointed out there is a plan to do something, but it has not been done yet. Requested a report on status at next meeting. Acting PW Director Rodriguez stated he will research the status and report at the next meeting. It was confirmed the project has not been implemented yet.

Commissioner Brown

Saturday is Parks Hermosa, March 23, 2019. Encouraged all to come out and support Hermosa schools.

Commissioner Brittain

There still has not been any action on the parking problem at the Clarke Building. We are trying to reserve parking on Wednesday from 9 a.m. – 12 p.m. The problem is the number of people there and there are not enough parking spaces.

12. Commissioner's Announcements –

Commissioner Brittain

April 27, 2019 is the Plant Sale by Hermosa Garden. You can get healthy homegrown plants by our Garden Club members at the Clarke Building. This is a fundraiser and the money goes back to support our different conservation groups and their wonderful indoor and outdoor plants. They will also be offering homemade goods, treasures, and crafts.

Also on Saturday, April 27, 2019 at 6:00 p.m. is Leadership Hermosa Beach Ball. Tickets can be purchased online at www.leadershiphermosa.org.

13. Adjournment - The Regular Meeting of the Public Works Commission for March 20, 2019 was adjourned at 10:26 p.m. to the Regular Meeting of the Public Works Commission on Wednesday, May 15, 2019 at 7 p.m.