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

Regular Meeting Minutes

Tuesday, November 24, 2015
7:00 PM

(Canvass of Votes and Installation of Officers)

Closed Session to follow Regular Meeting

Council Chambers

City Council

Mayor
Carolyn Petty

Mayor Pro Tem
Hany Fangary

Councilmembers
Justin Massey
Jeff Duclos
7:00 P.M. - REGULAR MEETING AGENDA

CALL TO ORDER – 7:10 p.m.

PLEDGE OF ALLEGIANCE – Siena Tucker, Danay and Ananda DiVirgilio

ROLL CALL

Present: DiVirgilio, Fangary, Tucker, Mayor Petty
Absent: None

CANVASS OF VOTES AND INSTALLATION OF OFFICERS

a) REPORT CERTIFIED RESULTS OF THE CANVASS OF VOTES FOR THE
15-0829 GENERAL MUNICIPAL ELECTION OF NOVEMBER 3, 2015
AND INSTALLATION OF ELECTED OFFICERS
(City Clerk Elaine Doerfling)

Attachments: SUPPLEMENTAL Memorandum and Attachments from City Clerk
Elaine Doerfling (added 11-24-15 at 9am).pdf


Coming forward with presentations to outgoing elected officials DiVirgilio and Tucker were:

Joey Apodaca, on behalf of Congressman Ted Lieu
Lauren Pizer Mains, on behalf of State Senator Ben Allen
Sarah Wiltfong, on behalf of Assemblymember David Hadley
Steve Napolitano, on behalf of County Supervisor Don Knabe
Mark Burton, Manhattan Beach Mayor
Wayne Powell, Manhattan Beach Councilmember
Steve Aspel, Redondo Beach Mayor

Mayor Petty presented commemorative plaques to outgoing City Councilmembers DiVirgilio and Tucker and thanked them for their service.

Outgoing Councilmember Tucker thanked his wife Siena, City Manager Bakaly, City staff, and residents for their support.
Outgoing Councilmember DiVirgilio thanked residents, City staff, City Manager Bakaly, his wife Danay and their daughter Ananda for their support.

Mayor pro tem Fangary thanked outgoing Councilmembers DiVirgilio and Tucker for their service to the community.

Mayor Petty said it had been an honor to serve with both outgoing Councilmembers.

At 7:54 p.m., the meeting recessed for light refreshments in the foyer, the outgoing officials departed the dais and the new name plates were appropriately arranged.

At 8:20 p.m. the meeting reconvened.

As requested by Mayor Petty, Deputy City Clerk Abbott administered the oath of office and presented a certification of election to newly elected City Clerk Elaine Doerfling.

City Clerk Doerfling administered the oath of office and presented a certificate of election to each of the newly elected officials as they were called forward by Mayor Petty: City Treasurer Karen Nowicki and the two Members of the City Council Justin Massey and Jeff Duclos. Following photographs with family members, the Councilmembers took their seats at the dais, and the City Treasurer was invited to the guest chair at the dais.

City Treasurer Nowicki thanked everyone for their support, especially her deputy Maria Ghassemi and Finance Director Copeland for their assistance during her first two years in office, noting the five-year investment plan she implemented, congratulated City Clerk Doerfling and Councilmembers Duclos and Massey, and said she looked forward to the opportunity of serving the community for the next four years.

City Clerk Doerfling spoke of the honor of serving 26 years as Hermosa’s City Clerk, thanked everyone for their support and her deputy Linda Abbott and assistant Terri Dinubilo for their exemplary assistance; said she appreciated the confidence of the City Council and City staff, and was truly grateful to have the opportunity to continue serving the community she loves for the next four years.

Councilmember Massey thanked outgoing Councilmembers Pete Tucker and Michael DiVirgilio for their service, the other Council candidates for a race well run, his family for all of their support, and the voters who cast ballots for him, urging citizens to stay engaged and to communicate with members of the City Council.

Councilmember Duclos thanked outgoing Councilmembers Pete Tucker and Michael DiVirgilio for their service, saying he looked forward to serving with the current Council members; thanked his wife Christine and other family members for their support, along with his campaign manager, Hermosa Beach voters and the others who ran for office.
Mayor pro tem Fangary thanked City Treasurer Nowicki and City Clerk Doerfling for their service; congratulated Councilmembers Duclos and Massey and welcomed them to the dais; spoke of the time required to perform the work required of the Councilmembers, adding that he looked forward to learning from Mr. Duclos, who has previous experience as a member of the City Council.

Mayor Petty echoed the above comments, commending City Clerk Doerfling for her 26 years of service; thanked City Treasurer Nowicki for her service and expertise; and congratulated the newly elected Councilmembers for their successful campaigns, noting that Councilmember Duclos knows the work involved from having previously served, and that Councilmember Massey is well prepared.

CLOSED SESSION REPORT

City Attorney Jenkins said this evening’s Closed Session would take place after the Regular meeting and that anyone wishing to comment on the Closed Session agenda may do so during Public Participation. He said any reportable actions taken this evening would be announced at the end of the Closed Session and at the next Regular meeting.

ANNOUNCEMENTS

Mayor pro tem Fangary thanked the residents who attend his Community First meetings, adding that a mixer would be held at approximately 3 p.m. on Saturday, December 12, with the location yet to be determined.

Mayor Petty (1) said the Dewey Weber memorial’s recent unveiling was well-attended and referred residents interested in donating toward the memorial to the City’s website for information; (2) thanked City staff and residents for a wonderful Veterans Day service; (3) announced the Christmas Tree lighting festivities Thursday, December 3, on Pier Plaza; (4) invited everyone to the El Nino and Winter Preparedness informational meeting on Tuesday, December 15, in the Council Chambers; and (5) spoke of her attendance yesterday at an elected officials meeting on Homeless Veterans.

MISCELLANEOUS ITEMS AND REPORTS - CITY MANAGER – None

PROCLAMATIONS / PRESENTATIONS

a) 15-0824 WALK WITH SALLY PRESENTATION

Michelle McRae, Walk with Sally Director of Development, spoke of the organization, which assists children with a parent, guardian or sibling who has cancer.
PUBLIC PARTICIPATION:

Coming forward to address the Council at this time were:
Adrienne Slaughter
Chuck Sheldon, Mike Flaherty and George Schmeltzer, Hermosa Beach Murals Project
Mike Collins
Marie Rice
Allan Mason
Jim Light
Missy Sheldon
Trent Larson
Sylvia Lautenbach
Betsy Ryan
Sheryl Main
Andrea Giancoli
Craig Cadwallader, Surfrider Foundation South Bay Chapter

1. ORAL AND WRITTEN COMMUNICATIONS:

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 in item 4, but are shown in order for clarity: 2(c), Fangary; 2(g), Duclos.
   Motion Massey, second Duclos. The motion carried by a unanimous vote.

   a) REPORT APPROVAL OF CITY COUNCIL MINUTES
   15-0834 (City Clerk Elaine Doerfling)

   Attachments: 031015 reg mtg
   032415 reg mtg
   032615 adj reg mtg
   041415 reg mtg
   042715 adj reg mtg
   042815 reg mtg

   Action: To approve the minutes for the following meetings:
   1) Regular meeting of March 10, 2015
   2) Regular meeting of March 24, 2015
   3) Adjourned Regular meeting of March 26, 2015
   4) Regular meeting of April 14, 2015
   5) Adjourned Regular meeting of April 27, 2015
   6) Regular meeting of April 28, 2015
b) REPORT CHECK REGISTERS  
15-0819  
(Finance Director Viki Copeland)  
Attachments: 11-05-15  
11-12-15  

Action: To ratify the check registers as presented.

c) REPORT TENTATIVE FUTURE AGENDA ITEMS  
15-0823  
Attachments: Tentative Future Agenda.doc  

This item was removed from the consent calendar by Councilmember Fangary for separate action later in the meeting.

City Manager Bakaly and City Attorney Jenkins responded to Council questions.

Proposed Action: To find alternative dates for the Strategic Planning meetings, no earlier than February 1, 2016, and no later than March 31, 2016. Motion Fangary, second Petty. The motion was amended below.

Amended Action: To initiate the Strategic Planning process on Saturday, January 9, 2016 with an Issue Papers Study Session, then follow-up with a two-day Strategic Planning meeting to be held between February 1, 2016 and March 31, 2016. Motion Fangary, second Duclos. The motion carried by a unanimous vote.

Additional Action: To agendize discussion, at the December 8, 2015 meeting, regarding possible direction to staff on the Redondo Beach Waterfront Draft Environmental Impact Report (EIR). Motion Massey, second Fangary. The motion carried by a unanimous vote.

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

d) REPORT MEMORANDUM REGARDING  
15-0832  
REVENUE AND EXPENDITURE REPORTS  
CITY TREASURER’S AND CASH BALANCE REPORT  
OCTOBER 2015  
(Finance Director Viki Copeland)  

Action: To receive and file the memorandum regarding the October 2015 Financial Reports.
e) REPORT  CANCELLATION OF CERTAIN CHECKS  
15-0828  
(City Treasurer Karen Nowicki)

**Action:** To approve cancellation of certain checks as recommended by the City Treasurer.

f) REPORT  MEMORANDUM REGARDING PLANNING COMMISSION  
TENTATIVE FUTURE AGENDA ITEMS  
15-0821  
(Community Development Director Ken Robertson)

**Action:** To receive and file the memorandum regarding Planning Commission Tentative Future Agenda Items.

g) REPORT  ACTION SHEET OF THE PLANNING COMMISSION MEETING  
OF NOVEMBER 17, 2015  
15-0822  
(Community Development Director Ken Robertson)

**Attachments:** 11-17-15 PC Action Sheet  
SUPPLEMENTAL Memorandum from Community Development  
Director Ken Robertson (added 11-23-15 at 6pm).pdf

This item was removed from the consent calendar by Councilmember Duclos for separate discussion later in the meeting.

Director Robertson and City Manager Bakaly responded to Council questions.

**Action:** To receive and file the action minutes of the Planning Commission meeting of November 17, 2015.  
Motion Duclos, second Fangary. The motion carried by a unanimous vote.

h) REPORT  CONSENT TO USE MUNICIPAL PARKING STRUCTURE FOR THE HERMOSA BEACH MURAL PROJECT  
15-0830  
(Community Development Director Ken Robertson)

**Attachments:** Email from Hermosa Beach Mural Project 11-5-15

**Action:** To authorize the Hermosa Beach Murals Project to install a mural on the south and west sides of the Municipal Parking Structure.
i) REPORT  
PROJECT STATUS REPORT AS OF OCTOBER 31, 2015 
15-0816  
(Public Works Director Andrew Brozyna) 

Attachments:  CIP Project Summary OCT 2015  

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

At 9:34 p.m., the order of the agenda moved to Public Hearing Item 5(a). 

3. CONSENT ORDINANCES – None 

4. ITEMS REMOVED FROM THE CONSENT CALENDAR FOR SEPARATE DISCUSSION 

Items 2(c) a 2(g) were heard at this time but are shown in order for clarity. 

Public comments on items removed from the Consent Calendar are shown under the appropriate item. 

At 11:30 p.m., the order of the agenda moved to Municipal Matter Item 6(a). 

5. PUBLIC HEARINGS 

a) REPORT  
REVIEW OF THE PLANNING COMMISSION APPROVAL OF A PRECISE DEVELOPMENT PLAN TO ALLOW A 30,250+ SQUARE FOOT HOTEL WITH 30 ROOMS AND COMMON AREAS ON AN UNDEVELOPED 11,516+ SQUARE FOOT LOT AT 1429 HERMOSA AVENUE; (2) CONDITIONAL USE PERMIT TO ALLOW ON-SALE GENERAL ALCOHOL (MINI-BARS) IN GUEST ROOMS; (3) PARKING PLAN TO ALLOW A VALET PROGRAM AND PARKING IN TANDEM ON-SITE, AND ADOPTION OF ENVIRONMENTAL MITIGATED NEGATIVE DECLARATION AND MITIGATION MONITORING PLAN.  
(Community Development Director Ken Robertson) 

Attachments:  Proposed Resolution - final  
Attachment 2 - Planning Commission Staff Report from October 20, 2015  
Attachment 3 - Legal Posting  
Hermosa Boutique Hotel Project Final TIS 2013-02-13  
Project plans (all pages)  
SUPPLEMENTAL Information from Applicant (added 11-23-15 at 6pm).pdf  
SUPPLEMENTAL List of supporters from Applicant (added 11-24-15 at 2pm)).pdf
At 9:35 p.m., Councilmember Massey recused himself (due to the proximity of his residence to the project site) and left the dais and the room.

Councilmember Fangary and Mayor Petty disclosed ex parte communications.

Director Robertson presented the staff report and responded to Council questions, noting that Council action on this matter would require three affirmative votes, otherwise the Planning Commission decision will stand.

Luis de Moraes, EnviroTechno Architecture AIA-ASID-LEED AP B+D, gave a PowerPoint presentation on the project, noting some new project details, and responded to Council questions. Raju Chhabria, the developer, also responded to Council questions.

Coming forward to address the Council at 10:23 p.m. were:
   Alan Lang
   Sheryl Main
   Sylvia Lauterbach
   Cara Peck
   Ira Lifland
   Ron Newman
   Andrea Jacobsson, JAMA Autohaus
   Betsy Ryan

The public hearing briefly paused when Mayor Petty left the room at 10:42 p.m., returning at 10:45 p.m.

Coming forward at 10:45 p.m. to continue the public hearing were:
   George Barks
   Sandy Saemann

The public hearing closed at 10:53 p.m.

**Proposed Action:** To continue the matter to the first meeting in January, thereby postponing the decision until that time.
Motion Duclos. The motion died for lack of a second.

**Proposed Action:** To sustain the Planning Commission's approval.
Motion Fangary, second Petty. The motion deadlocked with a 2-1 vote, noting the dissenting vote of Duclos and the absence of Massey.

As the motion failed to garner three affirmative votes, City Attorney Jenkins said the decision of the Planning Commission is final.

At 11:15 p.m., with all members present, the order of the agenda moved to Item 4 to consider items 2(c) and (g), which had been removed from the consent calendar for separate discussion.
6. **MUNICIPAL MATTERS**

**Action:** To extend the meeting until midnight.  
Motion Massey, second Fangary. The motion carried by a unanimous vote.

a) **REPORT**  
**ENERGY EFFICIENCY MEASURES UPDATE: ENERGY LEADER 15-0831**  
**PARTNERSHIP AND CLIMATE ACTION PLAN**  
*(Continued from meeting of October 13, 2015)*

(Environmental Analyst Kristy Morris)

**Attachments:**  
- HB Energy Study Report_3-10-15.docx  
- Hermosa Beach At A Glance Q3 2015.docx  
- EECAP GhG Inventory.pdf  
- EECAP_20151117_HB Municipal Reduction Measures_Final v2.pdf  
- EECAP_20150916_HB Community Reduction Measures_Final v2.pdf  
- EECAP_20151124_Energy Reduction Measures Presentation HB Council.pptx  
- SUPPLEMENTAL Memorandum from Environmental Analyst Kristy Morris (added 11-23-15 at 6pm).pdf

Environmental Analyst Morris presented the staff report and responded to Council questions. City Manager Bakaly also responded to Council questions.

Kim Fuentes, South Bay Cities Council of Governments (SBCCOG) Deputy Executive Director, and Zhe Chen, Atkins Environmental Scientist, gave a PowerPoint presentation and responded to Council questions.

No one from the public came forward to address the Council on this item.

**Action:** To approve Energy Efficiency Measures for inclusion in the City's Climate Action Plan as outlined, as recommended by staff. 
Motion Massey, second Duclos. The motion carried by a unanimous vote.

b) **REPORT**  
**PLAN HERMOSA 15-0814**  
**(GENERAL PLAN/LOCAL COASTAL PROGRAM)**  
**UPDATE AND NEXT STEPS**

*(Community Development Director Ken Robertson)*

**Attachments:**  
- Hermosa Outreach and Hearing Schedule.pdf

Director Robertson presented the report requesting Council input on the proposed
community engagement approach for PLAN Hermosa, and responded to Council questions.

Leeanne Singleton, Raimi + Associates Senior Planner, responded to Council questions.

No one came forward to address the Council on this item.

Council suggestions for engaging the community included creating a webinar, mailing colored notices to attract attention, reaching out to schools, and making presentations to local groups and organizations.

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

RECESS TO CLOSED SESSION – At 12:07 a.m., Wednesday, November 25, 2015, at the close of the Regular Meeting, the Council recessed and moved to the Second Floor Conference Room to conduct the scheduled Closed Session, with all members present.

CLOSED SESSION AGENDA

PUBLIC COMMENT – Comments on Closed Session agenda items had been solicited from the public during the Regular meeting’s Open Session under Public Participation.

1. 15-0827 APPROVAL OF MINUTES: Closed Session held November 17, 2015

2. 15-0825 CONFERENCE WITH LEGAL COUNSEL: Existing Litigation Government Code Section 54956.9(d)(1)

Name of Case: Miller v. City of Hermosa Beach, et al.
3. 15-0826 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 (E&B Natural Resources Management)

RECONVENE TO OPEN SESSION – 1:30 a.m.

ADJOURNMENT – The Regular City Council Meeting of Tuesday, November 24, 2015,
adjourned at 1:30 a.m. Wednesday, November 25, 2015, to the Thursday, December 2, 2015
Santa Monica Bus Tour, departing in front of City Hall at 8:00 a.m. for their destination at 1717
Fourth Street, Suite 100, Santa Monica, CA 90401, which will then adjourn to the Regular City
Council Meeting of Tuesday, December 8, 2015, with a Closed Session at 6:00 p.m., followed by
the Regular Meeting at 7:00 p.m.

City Clerk Elaine Doerfling

Deputy City Clerk Linda Abbott