

CITY OF HERMOSA BEACH
RESOLUTION NO. 26-XXXX

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF HERMOSA BEACH APPROVING THE CONSTRUCTION OF CAPITAL IMPROVEMENT PROJECT NUMBER 626 (“CIP 626”) COMMUNITY DEVELOPMENT BLOCK GRANT (“CDBG”) IMPROVEMENTS, AWARDING A PUBLIC WORKS CONTRACT, AND ESTABLISHING A PROJECT PAYMENT ACCOUNT

WHEREAS, the City of Hermosa Beach (“City”) has the authority to implement actions for the protection of public health, safety, and welfare (to include the construction, maintenance, and improvement of public streets, sidewalks, and related infrastructure within the public right-of-way) pursuant to California Streets and Highways Code Sections 1800 *et seq.*, California Government Code Section 37359, and the California Constitution (Section 7 to Article XI); and

WHEREAS, the City is further obligated under the Americans with Disabilities Act (Section 12101 *et seq.* to Title 42 of the U.S. Code)(“ADA”) and California Government Code Sections 4450 *et seq.* to ensure that public facilities (including sidewalks and curb ramps) are accessible to persons with disabilities; and

WHEREAS, the City has identified the need to reconstruct curb ramps and sidewalks along Monterey Boulevard to improve pedestrian safety and accessibility, and to comply with the ADA; and

WHEREAS, CIP 626 (“Project”) consists of the reconstruction of eleven (11) curb ramps and approximately four hundred nineteen (419) square feet of sidewalk; and

WHEREAS, the Project is funded in whole or in part through CDBG funds provided by the U.S. Department of Housing and Urban Development, and is therefore subject to applicable Federal and state labor and procurement requirements; and

WHEREAS, the City issued a Notice Inviting Bids in accordance with the California Public Contract Code (including but not limited to Sections 20160 *et seq.*), and received eleven (11) bids on February 12, 2026; and

WHEREAS, the bid process complied with applicable public contracting requirements, including bidder security pursuant to Public Contract Code Section 20170 and competitive bidding procedures; and

WHEREAS, City staff reviewed all bids and determined that TVR Construction Engineering, LLC (“TVR”) is the lowest responsive and responsible bidder in the amount of \$89,285; and

WHEREAS, the City Council (“Council”) finds that the contract award is consistent with the requirement to award to the lowest responsive and responsible bidder under California law; and

WHEREAS, the Council desires to approve the plans and specifications for purposes of design immunity pursuant to California Government Code Section 830.6, award the construction contract, authorize a contingency, and establish a project payment account.

NOW, THEREFORE, THE CITY COUNCIL OF THE CITY OF HERMOSA BEACH, CALIFORNIA, DOES HEREBY RESOLVE AS FOLLOWS:

SECTION 1. Recitals. The recitals above are true and correct, and are hereby incorporated herein by reference.

SECTION 2. California Labor Code (“Labor Code”) Compliance. The Council hereby finds that the Project is a “public works” project subject to Labor Code Sections 1720 *et seq.*, including prevailing wage requirements under Section 1773 and contractor registration requirements under Section 1725.5. As such, the Project shall comply with all applicable labor laws including but not limited to the following: (a) prevailing wage requirements (Labor Code Sections 1770-1773); (b) contractor registration (Labor Code Section 1725.5); and (c) apprenticeship requirements (Labor Code Section 1777.5) and applicable Federal labor standards associated with CDBG funding.

SECTION 3. Approval and Authorization. The Council hereby approves and authorizes the following:

a. Approval of Plans and Specifications. The plans and specifications for the Project are approved conferring design immunity pursuant to California Government Code Section 830.6.

b. Award of Contract. The Council awards the construction contract for the Project to TVR (as the lowest responsive and responsible bidder) in the amount of \$89,285 in accordance with the California Public Contract Code.

c. Authorization of Contingency. The Director of Public Works is authorized to establish a Project contingency in an amount not to exceed \$17,857 (approximately 20%), and to approve change orders within such contingency amount consistent with applicable law.

d. Contract Execution Authority. The City Manager is authorized to execute the construction contract and any necessary amendments or related documents, subject to approval as to form by the City Attorney.

e. Project Payment Account. A Project payment account is established for the Project, funded through the CDBG Fund, with sufficient appropriations to cover construction and contingency costs.

f. Notice of Completion. The Director of Public Works is authorized to file a Notice of Completion upon final completion of the Project pursuant to applicable law.

SECTION 4. Design Immunity. The approval and authorization granted by this Resolution is intended to avail the City and the City's delegated officers of the immunities set forth in California Government Code Section 830.6 with regards to the plans and construction of the Project. The City Engineer finds that the plans are complete and the Project may be constructed.

a. The design and plans for the Project are determined to be consistent with the City's standards and are approved.

b. The design approval set forth in this Resolution occurred before actual work on the Project construction commenced.

c. The approval granted by this Resolution conforms with the City's General Plan.

d. The City Engineer, or designee, is authorized to act on the City's behalf in approving any alterations or modifications of the design and plans approved by this Resolution; and

SECTION 5. California Environmental Quality Act ("CEQA"). The Council finds that the Project is categorically exempt from CEQA pursuant to CEQA Guidelines Section 15301 (Class 1 - Existing Facilities) because it consists of minor repair, rehabilitation, and replacement of existing sidewalks and curb ramps within the public right-of-way with no expansion of use or capacity. The Council further finds that no exceptions under CEQA Guidelines Section 15300.2 apply including that the Project will not result in significant environmental effects; cumulative impacts; or impacts to scenic, hazardous, or historical resources. The Director of Public Works, or designee, is hereby authorized and directed to file a Notice of Exemption with the Los Angeles County Clerk and the State Clearinghouse (if applicable) in accordance with CEQA Guidelines Sections 15062 and 21152 of the California Public Resources Code.

SECTION 6. Severability. If any section or provision of this Resolution is for any reason held to be invalid or unconstitutional by any court of competent jurisdiction, or contravened by reason of any preemptive legislation, the remaining sections and/or provisions of this Resolution shall remain valid. The Council hereby declares that it would have adopted this Resolution, and each section or provision thereof, regardless of the fact that any one or more section(s) or provision(s) may be declared invalid or unconstitutional or contravened via legislation.

SECTION 7. Certification. The City Clerk shall certify to the passage and adoption of this Resolution; cause the same to be entered among the original resolutions of the City; and make a minute of the passage and adoption thereof in the records of the proceedings of the Council in the minutes of the meeting at which time same is passed and adopted.

SECTION 8. Effective Date. This Resolution is effective immediately upon adoption.

PASSED, APPROVED and ADOPTED on this 14th day of April 2026.

Mayor Mike Detoy
PRESIDENT of the City Council and **MAYOR** of the City of Hermosa Beach, CA

ATTEST:

APPROVED AS TO FORM:

Martha Alvarez
City Clerk

Jason Baltimore
Interim City Attorney