

MINUTES OF THE REGULAR MEETING OF THE CITY COUNCIL of the City of Hermosa Beach, California, held on Tuesday, September 12, 2006, at the hour of 7:20 p.m.

PLEDGE OF ALLEGIANCE – Sienna Tucker

ROLL CALL:

Present: Bobko, Edgerton, Keegan, Reviczky, Mayor Tucker
Absent: None

APPOINTMENT OF MAYOR AND MAYOR PRO TEMPORE: Memorandum from City Clerk Elaine Doerfling dated August 29, 2006.

A. Designate Mayor for a term ending June 26, 2007.

Action: To designate Mayor Pro Tempore Sam Edgerton as Mayor for a term ending June 26, 2007.

Motion Mayor Tucker, second Reviczky. The motion carried by a unanimous vote

B. Designate Mayor Pro Tempore for a term ending June 26, 2007.

Action: To designate Councilmember Michael Keegan as Mayor Pro Tempore for a term ending June 26, 2007.

Motion Reviczky, second Edgerton. The motion carried by a unanimous vote

C. Intergovernmental agencies requiring appointment of Mayor as delegate.

Action: To appoint Mayor Edgerton to the Los Angeles County – City Selection Committee; to appoint Mayor Edgerton to the South Bay Cities Sanitation District Board of Directors and Mayor Pro Tempore Keegan as alternate director; and to continue appointment of the remaining assignments to the next meeting.

Motion Edgerton, second Reviczky. The motion carried by a unanimous vote.

OUTGOING COMMENTS BY MAYOR

Outgoing Mayor Tucker expressed gratitude for having the opportunity to serve as Mayor and thanked City staff for keeping the meetings brief. He then described the Council's accomplishments during his tenure as Mayor such as street paving, two choices for cable TV providers, completion of the pier project, lifeguard headquarters, and the Tim Kelly statue, a summer of great beach concerts and programs for children, and planning events for the City's Centennial Celebration, which he noted was only 124 days away. He thanked his wife Sienna for her support and the residents of the City he loves.

PRESENTATION OF PLAQUE TO OUTGOING MAYOR

Mayor Edgerton presented a plaque to outgoing Mayor Tucker, stating that he had done an outstanding job as mayor, particularly for a rookie Councilmember; and said he hoped Pete will run again for Council and serve again as Mayor.

Councilmember Reviczky concurred that outgoing Mayor Tucker had done a wonderful job as Mayor and thanked him for his efforts.

Mayor Pro Tempore Keegan said outgoing Mayor Tucker ran efficient meetings and that he was proud to have served with him during his time as Mayor.

Councilmember Bobko said he had enjoyed having outgoing Mayor Tucker as Mayor during the early portion of his term as Councilmember.

INCOMING COMMENTS BY MAYOR

Mayor Edgerton said he admired the Council's ability to work through difficult issues to solve problems; thanked his wife Joanne for her support; said through the efforts of many in the community, the Centennial Celebration was almost fully funded and that it would be a wonderful year of celebrating beach culture; said he had seen many improvements in the City since he was first elected to the Council in 1991, particularly in the area of street and sewer maintenance; complimented the Police and Fire Departments for keeping the community safe; and thanked the community for the opportunity to serve.

RECESS – The meeting recessed at 7:35

RECONVENE– The meeting reconvened at 7:46 p.m.

ANNOUNCEMENTS – Councilmember Tucker discussed his recent attendance, along with other governmental officials, at the League of California Cities Conference in San Diego, commented on the sessions, and said that the highlight for him was conferring with many other coastal cities about working with the California Coastal Commission and learning more about utility undergrounding.

Councilmember Reviczky said he found the disaster planning sessions very informative at the League conference.

PROCLAMATIONS

ST. CROSS BY THE SEA CENTENNIAL

Mayor Edgerton read the proclamation and congratulated the congregation of St. Cross by the Sea Episcopal Church on the church's 100th anniversary, predating incorporation of the City.

Pastor Paul David Lawson gave a brief history of the church and invited the community to their Centennial Celebration events.

Carol Reznichuk informed the City Council that former Councilmember and Mayor Jack Belasco passed away over the weekend. She discussed his contributions to the City and gave details of his memorial service, which will take place Saturday, September 30, at St. Cross Church.

Richard Reznichuk said the Centennial Celebration events would take place in the evening on Friday, September 15, and the morning of Sunday, September 17.

Mayor Edgerton said tonight's meeting would be adjourned in memory of Jack Belasco.

**CORALIE EBAY DAY
SEPTEMBER 16, 2006**

Mayor Edgerton read the proclamation listing the many contributions to the City by Coralie Ebay, who recently passed away. Mayor Pro Tempore Keegan said he would present the proclamation at a memorial gathering at the home of resident Carol Tanner on Saturday, September 16.

Mayor Edgerton announced that tonight's meeting would be adjourned in memory of former Hermosa Beach Mayors and Council members Jack Belasco and Roger Creighton, and Coralie Ebay.

PUBLIC PARTICIPATION:

1. ORAL AND WRITTEN COMMUNICATIONS

(a) Letter from Patty Egerer dated September 3, 2006, regarding Conditional Use Permit for 1601 Pacific Coast Highway.

Coming forward to address the Council regarding this letter was:

Patty Egerer – Hermosa Beach, discussed issues in her neighborhood associated with the CUP discussed in her letter; said she hoped an appeal would be filed regarding this CUP approval and requested that item 2(k) – minutes of the August 15 Planning Commission meeting – be removed from the consent calendar for separate discussion.

Action: To receive and file the letter.

Motion Tucker, second Keegan. The motion carried by a unanimous vote.

(b) Letter from Jim Lissner dated September 6, 2006, regarding Conditional Use Permit for 1601 Pacific Coast Highway.

No one came forward to address the Council regarding this letter.

Action: To receive and file the letter.

Motion Keegan, second Reviczky. The motion carried by a unanimous vote.

Coming forward to address the Council at this time were:

Betty Ryan – Hermosa Beach, thanked the Council for its support of the "Envelope of Life Program"; said through the generous donations of other civic organizations, all residents could participate in this program, described the forms to be completed, which provide important medical information in the event of an emergency;

Kellie Kovak-Reedy – Hermosa Beach, on behalf of the Centennial Committee, invited everyone to place their handprints on the Skate Park wall on Saturday, September 16, from 9 a.m. to 3 p.m. at a cost of \$10 for adults and \$5 per children; said the Police Department would also be there to sponsor fingerprinting identification for children; reminded residents to check the Centennial website to purchase throws, T-shirts, hats, tote bags, and flags featuring the Centennial logo, as well commemorative bricks to continue the Millennium walkway along Fourteenth Street; and

Robert Aronoff – Hermosa Beach, asked that the City consider providing safety training to Police Officers who patrol the beach to avoid a tragic accident like the incident that occurred in Santa Barbara in which a woman was killed while sunbathing; suggested also that signs were needed at the beach to inform beachgoers that smoking is no longer allowed on the beach.

2. CONSENT CALENDAR:

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

(a) RECOMMENDATION TO APPROVE THE MINUTES OF THE REGULAR MEETINGS OF JULY 25 AND AUGUST 8, 2006.

Action: To approve as presented the minutes of the Regular Meetings of July 25 and August 8, 2006.

(b) RECOMMENDATION TO RATIFY CHECK REGISTER NOS. 44843 THROUGH 45197, INCLUSIVE, AND TO APPROVE THE CANCELLATION OF CHECK NOS. 33344, 44203, AND 44744, AS RECOMMENDED BY THE CITY TREASURER.

Action: To ratify the check register as presented.

(c) RECOMMENDATION TO RECEIVE AND FILE TENTATIVE FUTURE AGENDA ITEMS.

Action: To receive and file Tentative Future Agenda Items as presented.

(d) RECOMMENDATION TO RECEIVE AND FILE THE JULY 2006 FINANCIAL REPORTS:

- 1) Revenue and expenditure report;
- 2) City Treasurer's report; and
- 3) Investment report.

Action: To receive and file the July 2006 financial reports:

(e) RECOMMENDATION TO RECEIVE AND FILE THE ACTION MINUTES OF THE PUBLIC WORKS COMMISSION MEETING OF JULY 19, 2006.

Action: To receive and file the action minutes of the Public Works Commission meeting of July 19, 2006

(f) RECOMMENDATION TO ADOPT A RESOLUTION APPROVING AN ADDENDUM TO THE AREA G JOINT POWERS AUTHORITY AGREEMENT WHICH AUTHORIZES THE OFFICE OF DISASTER MANAGEMENT, AREA G, TO CREATE PRE-DISASTER PURCHASING AGREEMENTS ON BEHALF OF THE AREA G CITIES AND DIRECT THE CITY MANAGER TO EXECUTE THE ADDENDUM ON BEHALF OF THE CITY. Memorandum from City Manager Stephen Burrell dated July 20, 2006.

Action: To approve the staff recommendation to adopt Resolution No. 06-6489, entitled "A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF HERMOSA BEACH, CALIFORNIA, ADOPTING AN ADDENDUM TO THE AREA G JOINT POWERS AUTHORITY AGREEMENT WHICH AUTHORIZES THE OFFICE OF DISASTER MANAGEMENT, AREA G, TO CREATE PRE-DISASTER PURCHASING AGREEMENTS ON BEHALF OF THE AREA G CITIES."

(g) RECOMMENDATION TO RECEIVE AND FILE PROJECT STATUS REPORT. Memorandum from Public Works Director Richard Morgan dated August 30, 2006.

Action: To receive and file the Status Report of capital improvement projects that are either under design or construction as of July 31, 2006.

(h) RECOMMENDATION TO ADOPT A RESOLUTION APPROVING AMENDMENT NO 6. TO THE ICLFA JOINT POWERS AGREEMENT ALLOWING ICLFA TO PROVIDE FINANCING OR REFINANCING OF PROJECTS AND PROGRAMS BENEFITING, AMONG OTHERS, MEMBER

AND ASSOCIATE CITIES. Memorandum from Finance Director Viki Copeland dated August 28, 2006.

Action: To approve the staff recommendation to adopt Resolution No. 06-6490, entitled "**A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF HERMOSA BEACH, CALIFORNIA, APPROVING AMENDMENT NO. 6 TO JOINT POWERS AGREEMENT WITH THE INDEPENDENT CITIES LEASE FINANCE AUTHORITY AND PROVIDING OTHER MATTERS PROPERLY RELATING THERETO.**"

- (i) **RECOMMENDATION TO AWARD PURCHASE OF ONE (1) NEW JOHN DEERE 320 SKID STEER LOADER FROM COASTLINE EQUIPMENT OF LONG BEACH IN THE AMOUNT OF \$32,331.24; AUTHORIZE AN ADDITIONAL APPROPRIATION OF \$2,400 FROM THE EQUIPMENT REPLACEMENT FUND; AND, AUTHORIZE STAFF TO ISSUE THE APPROPRIATE PURCHASE DOCUMENTS AS REQUIRED.** Memorandum from Public Works Director Richard Morgan dated August 31, 2006.

Action: To approve the staff recommendation to:

- (1) Award purchase of one (1) new John Deere 320 Skid Steer Loader from Coastline Equipment of Long Beach in the amount of \$32,331.24;
- (2) Authorize an additional appropriation of \$2,400 from the Equipment Replacement Fund; and
- (3) Authorize staff to issue the appropriate purchase documents as required.

- (i) **RECOMMENDATION TO ADOPT A RESOLUTION APPROVING AND ADOPTING THE ADMINISTERING AGENCY-STATE MASTER AGREEMENT NO. 07-5155 AND PROGRAM SUPPLEMENT AGREEMENT NO. 002-M FOR PROJECT STPL-5155 (005) PAVEMENT REHABILITATION OF 21ST STREET: ARDMORE AVENUE TO PROSPECT AVENUE; HERMOSA AVENUE: 26TH STREET TO 35TH STREET; LONGFELLOW AVENUE: MANHATTAN AVENUE TO INGLESIDE AVENUE.** Memorandum from Public Works Director Richard Morgan dated August 30, 2006.

Action: To approve the staff recommendation to adopt Resolution No. 06-6491, entitled "**A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF HERMOSA BEACH, CALIFORNIA, APPROVING AND ADOPTING THE ADMINISTERING AGENCY-STATE MASTER AGREEMENT NO. 07-5155 AND PROGRAM SUPPLEMENT AGREEMENT NO. 002-M FOR PROJECT STPL-5155 (005) PAVEMENT REHABILITATION OF 21ST STREET: ARDMORE AVENUE TO PROSPECT AVENUE; HERMOSA AVENUE: 26TH STREET TO 35TH STREET; LONGFELLOW AVENUE: MANHATTAN AVENUE TO INGLESIDE AVENUE.**"

(k) **RECOMMENDATION TO RECEIVE AND FILE THE ACTION MINUTES OF THE PLANNING COMMISSION MEETING OF AUGUST 15, 2006.**

Supplemental letters from Lisa & Daniel Brannan, Sybil & Maurie Wolfe, and Barbara Ross received September 12, 2006.

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

City Attorney Jenkins responded to Council questions.

Action: To request Council review and reconsideration of the approval of item 6 on the August 15 Planning Commission minutes – approval of a Conditional Use Permit, with modifications, for on-sale general alcohol in conjunction with a restaurant, Still Water Contemporary American Bistro, and Parking Plan amendment to modify the allocation of uses within the Hermosa Pavilion at 1601 Pacific Coast Highway.
Motion Tucker, second Mayor Edgerton.

Further Action: To receive and file the action minutes of the Planning Commission meeting of August 15, 2006.

Motion Tucker, second Mayor Edgerton. The motion carried by a unanimous vote.

(l) **RECOMMENDATION TO AUTHORIZE THE PURCHASE OF THREE (3) NEW BLACK AND WHITE PATROL CARS AT A COST OF \$81,246; AUTHORIZE THE PURCHASE OF TWO (2) NEW UNMARKED DETECTIVE CARS AT A COST OF \$42,175; AND, AUTHORIZE THE EXPENDITURE OF \$7,208 FOR THE ABOVE VEHICLES FROM FUNDS APPROPRIATED FOR REPLACEMENT OF KAWASAKI MOTORCYCLES.** Memorandum from Police Chief Greg Savelli dated August 24, 2006.

Action: To approve the staff recommendation to:

- (1) Authorize the purchase of three (3) new black and white patrol cars at a cost of \$81,246;
- (2) Authorize the purchase of two (2) new unmarked detective cars at a cost of \$42,175; and,
- (3) Authorize the expenditure of \$7,208 for the above vehicles from funds appropriated for replacement of Kawasaki motorcycles.

(m) **RECOMMENDATION TO AUTHORIZE A CONTRACT INCREASE IN THE AMOUNT OF \$5,100.00 TO M3 SERVICES INC. FOR THE FIRE STATION FRONT RENOVATION PROJECT AND AUTHORIZE AN APPROPRIATION OF FUNDS IN THE AMOUNT OF \$5,100 INTO ACCOUNT #180-8610-4201 FROM FY 05/06 TO FY 06/07.** Memorandum from Fire Chief Russell Tingley dated September 5, 2006.

Action: Approve the staff recommendation to:

- (1) Authorize a contract increase in the amount of \$5,100.00 to M3 Services Inc. for the Fire Station Front Renovation Project; and
- (2) Authorize an appropriation of funds in the amount of \$5,100 into account #180-8610-4201 from FY 05/06 to FY 06/07.

(n) **RECOMMENDATION TO ACCEPT DONATIONS OF \$1,600 FROM VINCE KELLY TO BE USED FOR A MEMORIAL BENCH FOR JUDY A. KELLY; \$8,000 FROM CHEVRON TEXACO TO BE USED FOR 2006-07 SURF CAMP; \$400 (ESTIMATED VALUE) FROM FRIENDS OF THE PARKS FOR 20 REPLACEMENT BASKETBALL NETS FOR THE COURTS AT VALLEY PARK, EDITH RODAWAY FRIENDSHIP PARK AND THE CLARK FIELD COMPLEX; \$50 FROM MARY ANNE FEDROCHUK TO BE USED FOR THE FIRE DEPARTMENT AIR STATION REPAIR AND INSTALLATION; \$1,600 FROM KAREN SHEPHERD TO BE USED FOR A MEMORIAL BENCH FOR DAVID PERUMEAN; \$2,685 IN ANONYMOUS DONATIONS COLLECTED AT THE SUMMER CONCERT HELD ON 8/6/06 TO BE USED FOR THE CENTENNIAL CONCERT SERIES IN AUGUST 2007; \$250 FROM HERMOSA CYCLERY, INC. TO BE USED FOR THE CENTENNIAL CELEBRATION; \$2000 FROM THE WOMAN'S CLUB OF HERMOSA BEACH, \$250 FROM THE HERMOSA BEACH ROTARY CLUB, \$1,000 FROM THE HERMOSA BEACH CHAMBER OF COMMERCE AND \$500 FROM THE HERMOSA KIWANIS FOUNDATION TO BE USED FOR THE ENVELOPE OF LIFE PROGRAM.** Memorandum from Finance Director Viki Copeland dated August 31, 2006.

This item was removed from the consent calendar by Councilmember Reviczky for separate discussion later in the meeting in order to acknowledge and thank the donors.

Action: To accept the following donations:

- \$1,600 from Vince Kelly for a memorial bench for Judy A. Kelly;
- \$8,000 from Chevron Texaco for 2006-07 Surf Camp;
- \$ 400 (estimated value) from Friends of the Parks for 20 replacement basketball nets for the courts at Valley Park, Edith Rodaway Friendship Park and the Clark Field complex;
- \$ 50 from Mary Anne Fedrochuk for the Fire Department air station repair and installation;
- \$1,600 from Karen Shepherd for a memorial bench for David Perumean;
- \$2,685 in anonymous donations collected at the Summer Concert held on 8/6/06 for the Centennial Concert Series in August 2007;
- \$ 250 from Hermosa Cyclery, Inc. for the Centennial Celebration;
- \$2,000 from the Woman's Club of Hermosa Beach for the Envelope of Life program;
- \$ 250 from Hermosa Beach Rotary Club for the Envelope of Life program;

- \$1,000 from the Hermosa Beach Chamber of Commerce for the Envelope of Life program; and
- \$ 500 from the Hermosa Kiwanis Foundation for the Envelope of Life program.

Motion Reviczky, second Tucker. The motion carried by a unanimous vote.

- (o) **RECOMMENDATION TO ADOPT A RESOLUTION AMENDING RESOLUTION NO. 90-5422 RELATING TO THE SCHEDULE OF FEES FOR BUILDING VALUATION, BUILDING PERMITS AND BUILDING PLAN REVIEW FEES.** Memorandum from Community Development Director Sol Blumenfeld dated August 28, 2006.

Action: To approve the staff recommendation to adopt Resolution No. 06-6492, entitled "**A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF HERMOSA BEACH, CALIFORNIA, AMEMDING RESOLUTION NO 90-5422 OF THE CITY OF HERMOSA BEACH RELATING TO THE SCHEDULE OF FEES FOR BUILDING VALUATION, BULDING PERMITS AND BUILDING PLAN REVIEW FEES.**"

- (p) **RECOMMENDATION TO ACKNOWLEDGE THE DATE FOR THE MANDATORY EXECUTIVE LEVEL NIMS/SEMS TRAINING FOR ELECTED OFFICIALS ON TUESDAY, OCTOBER 10, 2006 AT 6:00 P.M. (BEFORE THE REGULAR CITY COUNCIL MEETING).** Memorandum from Fire Chief Russell Tingley dated August 16, 2006.

Action: To acknowledge the date for the mandatory Executive Level NIMS/SEMS Training for Elected Officials on Tuesday, October 10, 2006 at 6:00 p.m. (before the regular City Council meeting).

- (q) **RECOMMENDATION TO ACKNOWLEDGE THE DATE FOR THE REQUIRED AB1234 ETHICS TRAINING ON MONDAY OCTOBER 30, 2006, FROM 7:00 P.M. TO 9:00 P.M.** Memorandum from City Manager Stephen Burrell dated September 5, 2006.

Action: To continue the item to the Council meeting of September 26 to schedule the required AB1234 ethics training.
Motion Mayor Edgerton, second Reviczky. The motion carried by a unanimous vote.

- (r) **RECOMMENDATION TO RECEIVE AND FILE NOTICE OF CLOSED CLAIM.** Memorandum from Personnel & Risk Management Director Michael Earl dated September 5, 2006.

Action: To receive and file the notice of closed claim.

- (s) **RECOMMENDATION TO DENY THE FOLLOWING CLAIM AND REFER IT TO THE CITY'S LIABILITY CLAIMS ADMINISTRATOR.** Memorandum from Personnel Director/Risk Manager Michael Earl dated September 5, 2006.

Claimant: Wright, William & Ellen
Date of Loss: 03/16/06
Date Filed: 08/23/06
Allegation: Wrongful death

Action: To deny the above claim and refer it to the City's Liability Claims Administrator, as recommended by staff.

- (t) **RECOMMENDATION TO ADOPT RESOLUTION APPROVING FINAL MAP #26464 FOR A 2-LOT SUBDIVISION AT 836 BEACH DRIVE AND 32 NINTH STREET.** Memorandum from Community Development Director Sol Blumenfeld dated September 5, 2006.

Action: To approve the staff recommendation to adopt Resolution No. 06-6493, entitled **"A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF HERMOSA BEACH, CALIFORNIA, APPROVING FINAL PARCEL MAP NO. 26464, FOR A TWO-LOT SUBDIVISION LOCATED AT 836 BEACH DRIVE AND 32 NINTH STREET IN THE CITY OF HERMOSA BEACH, CALIFORNIA."**

- (u) **RECOMMENDATION TO ADOPT RESOLUTION APPROVING FINAL MAP #62219 FOR A 2-UNIT CONDOMINIUM AT 918 MONTEREY BOULEVARD.** Memorandum from Community Development Director Sol Blumenfeld dated September 5, 2006.

Action: To approve the staff recommendation to adopt Resolution No. 06-6494, entitled **"A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF HERMOSA BEACH, CALIFORNIA, APPROVING FINAL PARCEL MAP NO. 62219, FOR THE SUBDIVISION OF A TWO-UNIT CONDOMINIUM, LOCATED AT 918 MONTEREY BOULEVARD IN THE CITY OF HERMOSA BEACH, CALIFORNIA."**

3. **CONSENT ORDINANCES**

- a. **ORDINANCE NO. 06-1272 - "AN ORDINANCE OF THE CITY OF HERMOSA BEACH, CALIFORNIA, AMENDING THE ZONING ORDINANCE TO ADD LARGE DAY SPAS AS A CONDITIONALLY PERMITTED USE IN THE C-2 AND C-3 ZONES AND TO ADD LARGE DAY SPA FACILITIES IN THE USE DEFINITION IN CHAPTER 17.04."** For adoption. Memorandum from City Clerk Elaine Doerfling dated August 24, 2006.

Action: To waive full reading and adopt Ordinance No. 06-1272. Motion Reviczky, second Tucker. The motion carried by the following vote:

AYES: Bobko, Keegan, Reviczky, Tucker, Mayor Edgerton
NOES None
ABSENT None
ABSTAIN: None

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

Items 2(k), (n) and (q) 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.

5. **PUBLIC HEARINGS** - None

6. **MUNICIPAL MATTERS** - None

7. **MISCELLANEOUS ITEMS AND REPORTS - CITY MANAGER**

a. **CONSOLIDATED DISPOSAL SERVICE: NOTICE OF 3% RATE INCREASE EFFECTIVE JANUARY 1, 2007.** Memorandum from City Manager Stephen Burrell dated August 16, 2006.

Action: To receive and file the notice of 3% rate increase for Consolidated Disposal Service effective January 1, 2007.

Motion Reviczky, second Tucker. The motion carried by a unanimous vote.

8. **MISCELLANEOUS ITEMS AND REPORTS - CITY COUNCIL**

a. **VACANCIES - BOARDS AND COMMISSIONS UPCOMING EXPIRATION OF TERMS.** Memorandum from City Clerk Elaine Doerfling dated August 31, 2006.

City Clerk Doerfling presented the staff report and responded to Council questions.

Action: To direct the City Clerk to immediately advertise and request applications from interested parties for two Public Works Commission terms that will expire October 31, 2006, with appointments to be made at the regular Council meeting of October 24, 2006.

Motion Tucker, second Keegan. The motion carried by a unanimous vote.

9. **OTHER MATTERS - CITY COUNCIL**

- a. Request from Mayor Edgerton to amend the Zoning Code regarding non-conforming commercial buildings to allow rebuilding of fire damaged structures in a similar manner as allowed for residential structures.

Mayor Edgerton spoke to his request.

Action: To refer the matter to the Planning Commission.
Motion Edgerton, second Tucker. There were no objections.

- b. Request from Mayor Pro Tempore Keegan to amend the Municipal Code to increase the monthly salary of Councilmembers consistent with Sections 36516 and 36516.5 of the Government Code (\$300 to \$600 per month).

Mayor Pro Tempore Keegan spoke to his request.

Action: To agendize the matter for a future Council meeting.
Motion Keegan, Reviczky second. The motion passed, noting the dissenting votes of Tucker and Mayor Edgerton.

- c. Request from Mayor Pro Tempore Keegan to review the New Year's Eve band at a future meeting.

Mayor Pro Tempore Keegan spoke to his request.

Action: The request to agendize a review of the New Year's Eve band failed due to the dissenting votes of Reviczky, Tucker and Mayor Edgerton.

- d. Request from Councilmember Reviczky that City Council adopt an entertainment permit system separate from the Conditional Use Permit. These permits would be issued for set periods of time and subject to review and renewal.

Councilmember Reviczky spoke to his request.

Action: To agendize the matter for a future Council meeting, noting that Redondo Beach had a similar system.
Motion Reviczky, second Tucker. The motion carried.

- e. Request from Councilmember Bobko that the City and the public be involved in a joint process, to discuss the strategy for the improvement of upper Pier Avenue.

Councilmember Bobko spoke to his request.

Action: To direct staff to report back with suggestions on gathering public input and working with the community on a strategic plan for Upper Pier Avenue.

Motion Bobko, second Edgerton. There were no objections.

ANNOUNCEMENT IN OPEN SESSION OF ITEMS TO BE DISCUSSED IN CLOSED SESSION AS FOLLOWS:

1. **MINUTES: Approval of minutes of Closed Session meeting held on July 11, 2006.**

2. **CONFERENCE WITH LEGAL COUNSEL**

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.

Existing Litigation: Government Code Section 54956.9(a)

Name of Case: Philia Five Group, LLC dba The Union Cattle Company
Case Number: YS015070


Name of Case: Johnny Anderson v. City of Hermosa Beach
Case Number: CV06-5078

ADJOURN TO CLOSED SESSION – The Regular Meeting of the City Council of the City of Hermosa Beach adjourned on Tuesday, September 12, 2006, at the hour of 8:42 p.m. to a closed session.

RECONVENE TO OPEN SESSION – The Closed Session convened at the hour of 8:55 p.m. At the hour of 9:16 p.m., the Closed Session adjourned to the Regular Meeting.

ORAL ANNOUNCEMENTS – There were no decisions made requiring a public announcement.

ADJOURNMENT - The Regular Meeting of the City Council of the City of Hermosa Beach adjourned in memory of Roger D. Creighton, Coralie Ebey, and Jack Belasco on Tuesday, September 12, 2006, at the hour of 9:17 p.m. to the Regular Meeting of September 26, 2006, at 7:10 p.m.


City Clerk


Deputy City Clerk

