

MINUTES OF THE REGULAR MEETING OF THE CITY COUNCIL of the City of Hermosa Beach, California, held on Tuesday, October 10, 2006, at the hour of 7:10 p.m.

ROLL CALL:

Present: Bobko, Keegan, Tucker, Mayor Edgerton
Absent: Reviczky (arrived at 7:14 p.m.)

PLEDGE OF ALLEGIANCE – Lee Grant

ANNOUNCEMENTS – Mayor Edgerton proposed continuing items 6(f) and 6(g) to the November 14, 2006 Council meeting; seconded by Councilmember Tucker and so ordered with no objection. Mayor Edgerton announced several streets scheduled for repair and the dates that the work would be done.

Councilmember Bobko thanked everyone who placed handprints on the skate park wall for the Centennial fundraiser, noting that on November 4 the public would have one more opportunity to participate; suggested posting the street repair schedule on the City's website. (City Manager Burrell said residents of these areas were noticed.)

Mayor Pro Tempore Keegan said October is National Disability Employment Awareness month; said 22% of South Bay residents have some kind of disability and encouraged everyone to take a moment to do something for a disabled person.

Councilmember Reviczky announced an art fair October 20-22 in Redondo Beach that would interest Hermosa residents as well; said the event, featuring work by local and non-local artists, would take place at the AES power plant, and is also an excellent opportunity to get inside this impressive building before it is torn down.

PROCLAMATIONS / PRESENTATIONS

**CERTIFICATE OF RECOGNITION
PRESENTED TO
BOB MEISTRELL**

Mayor Edgerton announced that the presentation to Mr. Meistrell would take place later this evening on a televised show hosted by Roger Bacon during the Council recess. (During the show, Mr. Bacon presented information and photographs about the history of the Meistrell brothers and their contributions, including their business Dive 'n Surf and the founding of Body Glove. Also at that time, Mayor Edgerton presented a certificate of recognition to Bob Meistrell for his and his late brother's contributions to beach and surfing culture. Mr. Meistrell, along with his nephew Billy Meistrell, thanked the City for this recognition.)

CLOSED SESSION REPORT FOR MEETING OF SEPTEMBER 26, 2006: No reportable actions.

PUBLIC PARTICIPATION:

1. ORAL AND WRITTEN COMMUNICATIONS

There were no written communications.

Coming forward to address the Council at this time were:

Jim Lissner – Hermosa Beach, asked that item 2(f) be removed from the consent calendar for separate discussion; and

Ron Miller – Hermosa Beach, described noise and traffic problems on 16th Street near his home related to 18-wheelers delivering to Von's Market and the traffic and parking problems associated with the Hermosa Pavilion facility; asked the Council to evaluate these problems and requested that the Police Department increase enforcement of traffic and parking violations.

Action: To direct staff to look at options about issues raised by Mr. Miller. Motion Edgerton, second Tucker. The motion carried by a unanimous vote.

Continuing to come forward to address the Council at this time were:

Lee Grant – Hermosa Beach, said that the traffic study did not appear to accurately reflect the true situation on 16th Street near Pacific Coast Highway; said residents observe that drivers are speeding; asked that the City order another traffic study and listen to the area residents;

Eric Conrad – Hermosa Beach, described an incident he witnessed the previous Friday night from his home near Ardmore and 8th Place, with a large group of teenagers running along Ardmore chasing a person, who they then caught and beat unconscious; said he called 911 and the Police arrived two minutes later, but by then the group had pulled the young man into a car and drove off; said his neighborhood was working with the Neighborhood Watch program and would like to present suggestions at a future Council meeting (Mayor Edgerton asked that the suggestions be emailed to the Council members);

Jean Cullen – Hermosa Beach, introduced Susan Blaco, her co-chair of the 15th annual Pancake Breakfast sponsored by the Woman's Club of Hermosa Beach; provided invitations to the Council and thanked them for their support over the years; invited the community to attend the breakfast at the Clark Building on Sunday, October 22 from 8 a.m. to noon, with tickets priced at \$8 per person or two for \$15 and children under 2 free; added that the Woman's Club was celebrating its 85th Anniversary (Council consensus was to hear Municipal Matter 6(a), at this time, but their action appears in the proper agenda order);

Howard Longacre – Hermosa Beach, discussed possible gang activity in the City and mentioned that Mike Jenkins, Hermosa's City Attorney, was currently acting as Interim City Manager for one of the most affluent South Bay cities;

Lynne Gonzales – Hermosa Beach, said in the past she had enjoyed taking her grandchildren for a walk on the Promenade to watch the sunset but no longer felt safe going to that area after dark because of the drinking and foul language; said she was very concerned and had become active in Neighborhood Watch; and

Nicki Tenpas – Hermosa Beach resident and Sierra Club member, asked that Hermosa become a “cool” city by implementing measures to counteract global warming and asked the Mayor to look over materials she had brought (Mayor Edgerton said he would be happy to look over materials related to this serious problem; Councilmember Reviczky suggested that Ms. Tenpas speak to City Manager Burrell to learn what the City was already doing and why some measures were not implemented due to prohibitive cost and lack of government incentives to cities that were offered to private citizens, suggesting that requests be made to the State legislature to offer these incentives to cities).

At the request of Council, Police Chief Greg Savelli commented on the situation described by Mr. Conrad; said they attempted to reach a homeowner in that area believed to be associated with the incident but were unsuccessful, even after leaving a note on the door of the residence; said they arrived two minutes and two seconds after the 911 call but everyone involved had left the scene; said they would continue to pursue the matter but at this time had no one in custody.

2. CONSENT CALENDAR:

Action: To approve the consent calendar recommendations (a) through (j) with the exception of the following items, which were removed for discussion in item 4, but are shown in order for clarity: 2(d) Reviczky, and (f) Edgerton. Motion Reviczky, second Tucker. The motion carried by a unanimous vote.

(a) RECOMMENDATION TO APPROVE THE MINUTES OF THE REGULAR MEETING OF SEPTEMBER 26, 2006.

Action: To approve as presented the minutes of the Regular Meeting of September 26, 2006.

(b) RECOMMENDATION TO RATIFY CHECK REGISTER NOS. 45428 THROUGH 45592, INCLUSIVE, AND TO APPROVE THE CANCELLATION OF CHECK NOS. 45319 AND 45383, 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 ACCEPT DONATIONS OF \$200 FROM BARTEL ASSOCIATES TO BE USED FOR REPAIRS AND MAINTENANCE ON THE VETERAN'S MEMORIAL AND \$100 FROM DIANE GARSEN TO BE USED FOR FIRE DEPARTMENT EQUIPMENT PURCHASES.** Memorandum from Finance Director Viki Copeland dated October 2, 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:

- \$200 from Bartel Associates to be used for repairs and maintenance on the Veteran's Memorial; and
- \$100 from Diane Garsen to be used for Fire Department equipment purchases.

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

- (e) **RECOMMENDATION TO ACCEPT THE WORK BY KC INDUSTRIES, INC. FOR PROJECT NO. CIP 05-643 PIER CONCRETE DECK TREATMENT; AUTHORIZE THE MAYOR TO SIGN THE NOTICE OF COMPLETION; AND AUTHORIZE STAFF TO RELEASE PAYMENT (10% RETAINED 35 DAYS FOLLOWING FILING OF NOTICE OF COMPLETION).** Memorandum from Public Works Director Richard Morgan dated October 3, 2006.

Action: To approve the staff recommendation to:

- (1) Accept the work by KC Industries, Inc. for Project No. CIP 05-643 Pier Concrete Deck Treatment;
- (2) Authorize the Mayor to sign the Notice of Completion; and
- (3) Authorize staff to release payment to KC Industries, Inc. (10% retained 35 days following filing of Notice of Completion).

- (f) **RECOMMENDATION TO RECEIVE AND FILE THE DRAFT MINUTES OF THE PUBLIC WORKS COMMISSION MEETING HELD ON SEPTEMBER 20, 2006.**

This item was removed from the consent calendar by Mayor Edgerton at the request of Jim Lissner for separate discussion later in the meeting.

Coming forward to address the Council on this item was:

Jim Lissner – Hermosa Beach, said it was wrong to focus only on Upper Pier Avenue, that the entire downtown commercial area should be studied.

Action: To receive and file the draft minutes of the Public Works Commission meeting held on September 20, 2006.

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

- (g) **RECOMMENDATION TO APPROVE THE LOS ANGELES COUNTY CARDIAC CARE PROGRAM EQUIPMENT AND TRAINING AGREEMENT WITH THE LOS ANGELES COUNTY DEPARTMENT OF HEALTH SERVICES – EMERGENCY MEDICAL SERVICES AGENCY; AUTHORIZE THE CITY MANAGER TO SIGN THE AGREEMENT; APPROPRIATE \$51,000 FOR THE REIMBURSABLE PURCHASE OF THE EQUIPMENT NOT TO EXCEED \$17,000 PER UNIT; AND, APPROVE ESTIMATED REVENUE OF \$51,000 FROM THE COUNTY OF LOS ANGELES.**
Memorandum from Fire Chief Russell Tingley dated October 4, 2006.

Action: To approve the staff recommendation to:

- (1) Approve the agreement with the Los Angeles County Department of Health Services – Emergency Medical Services Agency;
 - (2) Authorize the City Manager to sign the agreement;
 - (3) Appropriate \$51,000 for the reimbursable purchase of the equipment not to exceed \$17,000 per unit; and
 - (4) Approve estimated revenue of \$51,000 from the County of Los Angeles.
- (h) **RECOMMENDATION TO RECEIVE AND FILE REPORT OF CUSTOMER SERVICE SURVEYS/COMPLAINTS.** Memorandum from City Clerk
Memorandum from City Clerk Elaine Doerfling dated October 3, 2006.

Action: To receive and file report of Customer Service Surveys/Complaints.

- (i) **RECOMMENDATION TO ADOPT RESOLUTION APPROVING FINAL MAP #62912 FOR A TWO-UNIT CONDO AT 836 AND 838 BARD STREET.**
Memorandum from Community Development Director Sol Blumenfeld dated October 5, 2006.

Action: To approve the staff recommendation to adopt Resolution No. 06-6503, entitled **“A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF HERMOSA BEACH, CALIFORNIA, APPROVING FINAL PARCEL MAP NO. 62912, FOR THE SUBDIVISION OF A TWO-UNIT CONDOMINIUM LOCATED AT 836 AND 838 BARD STREET IN THE CITY OF HERMOSA BEACH, CALIFORNIA.”**

- (j) **RECOMMENDATION TO ADOPT RESOLUTION APPROVING FINAL MAP #62913 FOR A TWO-UNIT CONDO AT 842 AND 844 BARD STREET.**
Memorandum from Community Development Director Sol Blumenfeld dated October 5, 2006.

Action: To approve the staff recommendation to adopt Resolution No. 06-6504, entitled **“A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF HERMOSA BEACH, CALIFORNIA, APPROVING FINAL PARCEL MAP NO. 62913, FOR THE SUBDIVISION OF A TWO-UNIT CONDOMINIUM**

LOCATED AT 842 AND 844 BARD STREET IN THE CITY OF HERMOSA BEACH, CALIFORNIA.”

At 7:45 p.m., the order of the agenda was suspended to go to public hearing item 5 (a).

3. CONSENT ORDINANCES

- a. **ORDINANCE NO. 06-1273 – “AN ORDINANCE OF THE CITY OF HERMOSA BEACH, CALIFORNIA, REGARDING GRAFITTI REMOVAL AND AMENDING THE HERMOSA BEACH MUNICIPAL CODE.”** *For adoption.* Memorandum from City Clerk Elaine Doerfling dated October 3, 2006.

Action: To waive full reading and adopt Ordinance No. 06-1273.
Motion Reviczky, second Keegan. The motion carried by the following vote:

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

- b. **ORDINANCE NO. 06-1274 – “AN ORDINANCE OF THE CITY OF HERMOSA BEACH, CALIFORNIA, AMENDING PROCEDURAL PROVISIONS OF THE TRANSIENT OCCUPANCY TAX ORDINANCE AND AMENDING CHAPTER 3.32 OF THE HERMOSA BEACH MUNICIPAL CODE.”** *For adoption.* Memorandum from City Clerk Elaine Doerfling dated October 3, 2006.

Action: To waive full reading and adopt Ordinance No. 06-1274.
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(d) and (f) 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 12:50 a.m., the order of the agenda went to Consent Ordinance items 3a and 3b,

5. PUBLIC HEARINGS

- a. REVIEW AND RECONSIDERATION OF PLANNING COMMISSION APPROVAL OF A CONDITIONAL USE PERMIT 06-4 FOR "ON-SALE" ALCOHOL IN CONJUNCTION WITH A RESTAURANT, "STILL WATER CONTEMPORARY AMERICAN BISTRO," AND PARKING PLAN AMENDMENT 06-2 TO MODIFY THE ALLOCATION OF THE USES WITHIN THE HERMOSA PAVILION AT 1601 PACIFIC COAST #170. Memorandum from Community Development Director Sol Blumenfeld dated October 2, 2006, and memorandum from Public Works Director Richard Morgan dated October 5, 2006. Supplemental traffic information (corrected page two) received October 9, 2006 from Director Morgan, and supplemental letter from Patty Egerer received October 9, 2006. Supplemental photographs were submitted by Ron Miller at the onset of the meeting.

Community Director Blumenfeld presented the staff report and responded to Council questions.

The public hearing opened at 8:10 p.m. Coming forward to address the Council on this item were:

Gene Shook – Pavilion owner/applicant, agreed that the "lot full" sign shown in the submitted photographs was badly worded and said he would change it; explained his attempt to direct cars from two overlapping classes to different parking entrances and said a parking attendant was directing the cars; said the parking structure was never completely full but that more spaces could be provided by valet parking and employees parked in tandem; said he needed the midnight closing time because it was common for a dining party to remain 1-1/2 hours or so; said he hoped to have a TV in the bar area, with no sound, for sports fans, like other high-end restaurants; described experiments he conducted with an assistant, shouting and listening from various locations, and said the shouting was not as loud as the traffic noise; asked that smokers be allowed to step outside onto the patio; noted the additional storage areas required by the Health Department were not reflected in the square footage figure quoted by the Planning Commission, that the square footage was not accurately presented in other cases, noting he did not want that to cause problems later;

Ron Miller – Hermosa Beach, said he lived in the unit closest to the Pavilion parking garage and saw no attendant when he took the photographs; said the neighborhood's quality of life had decreased since the Pavilion opened; said the restaurant would make the still unresolved problems worse and should not be approved until the current street parking problems were solved;

Bud Pfister – Hermosa Beach, said there are too many bars in town already and the noise from the people coming and going at the bars was worse than the parking problems;

Lee Grant – Hermosa Beach, said there were successful restaurants and bars in the city, which was good, but with these successful businesses came numerous law enforcement problems; asked if these businesses represented enough revenue for the City to pay for the increased law enforcement required; was concerned that the entertainment district was being expanded to PCH, with more of an impact to residents;

Linda Miller – Hermosa Beach, said a comparison had been made between the proposed restaurant and some existing restaurants in Manhattan Beach and El Segundo, but that those businesses were not in close proximity to residential areas; was concerned that there had been meetings with Mr. Shook which were not public;

Alan Thomen – Hermosa Beach, said he did not want another bar in town and that better parking control was needed in the neighborhoods near the Pavilion; suggested the use of red and green lights depending on which parking entrances were available instead of a "lot full" sign;

Alan Strusser – Hermosa Beach, said progress was good but not at the expense of the residents; said the two hours of free parking had not reduced Pavilion patrons parking on neighborhood streets and he had many confrontations with people parking on his street; wanted a safe school route for his children and said this facility had threatened that;

Dave Peterson – Hermosa Beach, noted that the CUP stayed with the location, not the business; said a bar on PCH provided more potential DUI's than bars on the Plaza; said the wine shop should be approved separately, not as part of the restaurant;

Nathan Coors – an employee of Mr. Shook, said he had assisted with the noise-level testing in the neighborhood and that the traffic noise was louder than the noise they generated by shouting;

Rosalind Bender – Hermosa Beach, said the street parking problems had not been resolved; said the studies indicated that peak hours for 24-Hour Fitness were 5 to 9 p.m. and peak hours for the proposed restaurant would be 7 to 9 p.m., which would overlap customers; questioned the need for a midnight closing if the restaurant's peak hours were 7 to 9 p.m.; said Fleming's Restaurant in El Segundo had a closing time of 10 p.m. on weeknights and 11 p.m. on weekends;

Howard Longacre – Hermosa Beach, said the Council's denial of a 2 a.m. closing at Mediterraneo at the last meeting had been a start in the right direction; questioned why anyone would want to patronize a high-end restaurant located near a gym where patrons would be walking by in their sweats; said that a better business for this location might be a sport medicine center or some other type of professional offices; said if approved, the bar should not be open past 11 p.m.;

Patty Egerer – Hermosa Beach, said the City had become a regional drinking district and parking was still a problem near the Pavilion; doubted the figures shown in the traffic study; said if this project were approved, she would like to see a three-year sunset clause for protection should the restaurant prove to be unsuccessful; said there should be no advertising promoting the sale of alcohol; said the restaurant should not be approved because of incomplete data;

Jim Lissner – Hermosa Beach, asked for clarification regarding an ABC permit allowing the service of alcohol until 2 a.m. at a restaurant that is restricted by the City to an earlier closing time; said employees would leave later, even with a midnight closing, and hoped they would be parked in the garage rather than on the neighborhood streets;

Karl Newman – Hermosa Beach, said high-end restaurants had not always been successful in Hermosa and sometimes turned into bars; was concerned about noise enforcement; said parking signage issues had arisen before and not been resolved; said residents had a right to the comfortable enjoyment of their homes; asked that the Council not add to the current problems by allowing this restaurant;

Sandy Seaman – Hermosa Beach, said the city did not need another bar and two hours of free parking was not enough; said he was a current and past owner of restaurants and that Mr. Shook was talking about having special banquets, which would increase parking requirements dramatically; said noise from taxis honking horns would increase if this restaurant were approved;

Tom Hudson – Hermosa Beach, said a midnight closing would mean that people would leave this restaurant and head to Pier Plaza for later hours which would mean many taxis honking their horns in residential areas;

Carla Merriman – Executive Director of the Hermosa Beach Chamber of Commerce and Visitors' Bureau, said she represented 350 member businesses and the Chamber's Board of Directors, who supported the proposed Still Water Contemporary American Bistro as a fine dining establishment for residents and visitors staying in the City's hotels; said there would be a maximum of 178 diners at 35 tables and that the bar area was too small to qualify as an actual bar; said many residents welcome such an establishment but often only those opposed express their opinion; said she understood the public's concern about noise and drunkenness, and did not condone that behavior, but asked the Council to have faith in this new business; noted that the PCH commercial corridor has 30 businesses and only two restaurants with liquor licenses;

Greg Sampson – Hermosa Beach, said neither traffic nor parking issues had been properly addressed and that they should be resolved before any decision is made;

Gene Shook – Pavilion owner, in rebuttal, said the seating plan submitted showed a total of 143 diners, not 178; said even though Fleming's website indicated a closing time of 10 p.m. on weeknights and 11 p.m. on weekends, anyone phoning would be told that customers arriving before those times would be allowed to stay until midnight; said the rooftop fans were in the same location as when building was constructed and that silencers had been added in accordance with noise levels approved by City.

Action: To continue the public hearing to the City Council meeting of December 12, 2006, and direct staff to report back on the size and number of

parking spaces, roof equipment noise, improved parking garage signage, and to arrange for another traffic count by a different consultant, with the neighbors being made aware of the time the study is being performed.

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

The meeting recessed at 9:53 p.m.

The meeting reconvened at 10:22 p.m., with item 6(b).

6. **MUNICIPAL MATTERS**

- a. **REQUEST FOR WAIVER OF BANNER PERMIT FEES FROM THE HERMOSA BEACH WOMAN'S CLUB FOR THE ANNUAL PANCAKE BREAKFAST ON OCTOBER 22, 2006.** Memorandum from City Manager Stephen Burrell dated October 4, 2006.

City Manager Burrell presented the staff report and responded to Council questions. (This item was acted on during public participation, but is shown in order for clarity.)

Action: To approve the staff recommendation to waive the \$245 banner fee for the Woman's Club Annual Pancake Breakfast on October 22, 2006. Motion Edgerton, second Reviczky. The motion carried by a unanimous vote.

- b. **PIER AVENUE IMPROVEMENT PROJECT.** Memorandum from Public Works Director Richard Morgan dated October 2, 2006.

Public Works Director Morgan presented the staff report and responded to Council questions.

Coming forward to address the Council on this item were:

Diana Albergate – Hermosa Beach, supported maintaining the two lanes but questioned whether signals on Pier Avenue could be timed to improve the traffic flow; said she liked the change to two lanes because it slowed down traffic and encouraged acts of kindness by motorists; said a beach town should be laid back; also thought the two-lane change was good for the retail businesses on Pier Avenue;

Joan Arias – Hermosa Beach, said the change on Pier Avenue from four to two lanes had resulted in more traffic on 8th Street; said there were backups at the signal at PCH, the air quality has decreased and her house shook with the increased traffic; said she would support traffic lights on Pier Avenue and beautiful landscaping but wanted the street returned to four lanes;

John Crandless – Hermosa Beach, concurred that traffic was worse on 8th Street; said he was concerned about the safety of his two small children because cars were either racing up the hill to make the green light at PCH or speeding downhill;

Pat Price – Hermosa Beach, provided photos of the traffic backup on 8th Street, said there had been a motorcycle policeman on 8th Street with a radar gun but that his location made collection of accurate data impossible because the cars were backed up down the hill from the signal at PCH; said it was hazardous to exit driveways on 8th Street with the current conditions;

Shirley Cassell – Hermosa Beach, said the Council represents the people and the people want Pier Avenue returned to four lanes;

Sandy Seaman – Hermosa Beach, said a traffic count on a weekday in the spring was not going to provide meaningful data because people come to this beach community on weekends, holidays and in the summer and a traffic count should be performed during those peak times; said people were finding other routes other than using Pier Avenue; said signals on Pier Avenue and a few nice trees might have merit; said the people should be allowed to decide what they want by a ballot;

Jim Lissner – Hermosa Beach, said he objected to mass transit funds being used for this test because it had nothing to do with mass transit; said Upper Pier Avenue did not need attention but that sidewalk repair on PCH does;

Carla Merriman – Executive Director of the Hermosa Beach Chamber of Commerce and Visitors' Bureau, said the Chamber supported supporting the maintenance of infrastructure, including lighting and drainage; said they have not received any complaints from Chamber member businesses regarding the reduction from four lanes to two lanes on Pier Avenue; opposed widening sidewalks because it would encourage outdoor dining and residents did not favor that concept; was concerned that new large developments currently being planned for Pier Avenue would produce additional traffic that would fit better in four lanes, rather than two lanes;

Howard Longacre – Hermosa Beach, said he understood an email to Public Works Director Morgan indicated Spyder was opposed to the lane reduction as well as Ragin Cajun and the key shop, but maybe they were not Chamber of Commerce members; said possibly an ad hoc committee could provide good suggestions for the area; said people were using the line behind the parallel parked cars as if it were indicating a bike path; said residents were told this lane reduction was a test and it could be put back if the people didn't like it;

Dan Marinelli – Hermosa Beach Public Works Commissioner, said residents speaking before the Public Works Commission meeting last month indicated that they liked the stop sign at Bard because it contributed to public safety; said that residents at the Marineland Mobile Home Park supported the lane reduction and retention of the stop sign at Bard;

Steve Roberts – Café Bugaloo owner and Hermosa Beach resident; said a proper traffic study would be made over a number of days, not one; said that he knew of no one who supported the lane reduction and the Council should not make a decision without listening to the people;

Viet Ngo – Manhattan Beach, said public funds should be used for the proper purposes, and questioned using those funds for this purpose;

Ron Muner – Hermosa Beach, said it had been a waste of money to conduct this test and asked that Pier Avenue be returned to four lanes;

Melinda Curtis – Hermosa Beach, said she had organized a group of her 8th Street neighbors and thanked them for coming, noting that they had addressed all the major issues; asked the Council to return Pier Avenue to four lanes; and

Roger Bacon – said he discussed the lane reduction on Pier Avenue with the Ralphs' real estate people and they did not support a change that would slow traffic in and out of the shopping center; said a traffic count must be taken over more than one day; supported improvement of drainage and landscaping; said Police and Fire were concerned about the lane reduction slowing down emergency response time; believed the lane reduction has been bad for business.

Action: To approve the following:

- (1) Return Pier Avenue to four lanes, making sure lanes are sized per Code and that there is extra space for diagonal parkers to move safely into traffic;
- (2) Maintain the stop sign at Bard and implement other safety measures, as staff deems necessary; and
- (3) Form a committee to conduct a comprehensive study of Upper Pier Avenue and report back to Council.

Motion Bobko, second Tucker. The motion carried, noting the dissenting vote of Edgerton.

Proposed Action: To make Eighth Street one way and ban taxicabs from using the street.

Motion Edgerton. The motion died for lack of a second.

- c. **PIER CLOCK BENCH BARRIER PROJECT – AWARD CONSTRUCTION CONTRACT.** Memorandum from Public Works Director Richard Morgan dated October 3, 2006.

Public Works Director Morgan presented the staff report and responded to Council questions.

Coming forward to address the Council on this item were:

Dallas Yost – Hermosa Beach, said the Plaza looks great the way it is; said a car hitting a wall would flip over the wall and slide down the plaza but bollards would just stop a car and people could walk between them; said he did not have an opinion as to what part of the Plaza the clock should be located;

Howard Longacre – Hermosa Beach, said the installation of the clock and the construction of a wall were two separate issues; opposed a wall because he felt it was unattractive and bollards could prevent cars

from entering the plaza but new, stronger ones would have to be installed;

Shirley Cassell – Hermosa Beach, supported placing the clock in the middle of the Plaza and said the wall would simply provide something for people to jump over when the bars closed at 2:00 am.

Jim Lissner – Hermosa Beach, spoke about conditions under which a wall might be appropriate but in general opposed it;

Carla Merriman – Executive Director of the Hermosa Beach Chamber of Commerce and Visitors' Bureau, said Chamber businesses supported the wall, liked the idea that there would be signage indicating Hermosa Beach Pier Plaza and liked the concept of a barrier to stop runaway vehicles; said she did not speak to them about the location of the clock; said that the wall would not prevent emergency vehicles from entering the Plaza;

Pat Love – Hermosa Beach, said the clock should stand alone and a wall was not needed; and,

Sandy Seaman – Hermosa Beach, said a wall would be visually confining; suggested reinforcing and/or adding more bollards to provide better protection against a runaway vehicle; supported installing the clock.

Action: To place the clock in the center of the plaza on a round pedestal, with a circular bench around it for people to sit, and direct that a design drawing be submitted to the Council for final approval
Motion Keegan, second Edgerton. The motion carried by a unanimous vote.

Further Action: To reject all bids.
Motion Keegan, second Edgerton. The motion carried by a unanimous vote.

Further Action: To direct staff to look into a protective open rather than solid wall, such as new, reinforced bollards or concrete blocks to keep runaway vehicles from entering Pier Plaza.
Motion Edgerton, second Bobko. The motion carried by a unanimous vote.

- d. **COCA-COLA BOTTLING COMPANY SPONSORSHIP AGREEMENT.** Memorandum from Community Resources Director Lisa Lynn dated October 3, 2006.

Action: To continue the item to a future Council meeting.
Motion Reviczky, second Keegan. The motion carried by a unanimous vote.

- e. **CENTENNIAL CELEBRATION – JANUARY 14, 2007 BIRTHDAY PARTY PROPOSAL.** Memorandum from Community Resources Director Lisa Lynn dated October 3, 2006.

Community Resources Director Lynn presented the staff report and responded to Council questions.

Action: To approve the staff recommendation to appropriate \$53,500 of Centennial Celebration sponsorship funds toward entertainment for the January 14, 2007, birthday celebration.

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

- f. **REVIEW OF PROPOSED CODE AMENDMENT TO ADD RESIDENTIAL (LIVE-WORK) AS A PERMITTED LAND USE IN THE M-1 (LIGHT MANUFACTURING) ZONE.** Memorandum from Community Development Director Sol Blumenfeld dated September 28, 2006. Supplemental letter received from Kent and Eileen Brown on September 10, 2006.

Action: To continue to October 24, 2006.

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

- g. **REVIEW OF ELIMINATING RESIDENTIAL CONDOMINIUMS IN THE C-1 ZONE.** Memorandum from Community Development Director Sol Blumenfeld dated September 28, 2006.

Action: To continue to October 24, 2006.

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

- h. **ORDINANCE ADJUSTING CITY COUNCIL COMPENSATION.** Memorandum from City Manager Stephen Burrell dated September 26, 2006. Supplemental information received from City Manager Stephen Burrell on October 9, 2006.

City Manager Burrell presented the staff report and responded to Council questions.

Coming forward to address the Council on this item were:

Viet Ngo – Manhattan Beach, said he had no problem with the Council compensation being increased but believed that the \$350 per month car allowance was improper use of public funds for personal use;

Kathy Midstokke – former City Clerk, Councilmember and Hermosa Beach resident, opposed the 100% pay increase, stating that she had been on the Council which had passed on an increase 20 years ago; said she would support a 5-10% increase but not an increase to make up for the last 20 years; said Councilmembers would never be paid enough for all the work they perform in this public service job; and

Jim Lissner – Hermosa Beach, said he would support any increase in pay the Council might propose if term limits were included in the package; said he did not want to see Councilmembers staying on the job merely for the money.

Action: To increase the Councilmember compensation to \$530 per month, Motion Bobko, second Keegan. The motion carried, noting the dissenting votes of Tucker and Mayor Edgerton.

Further Action: To approve the staff recommendation to waive full reading and introduce Ordinance No. 06-1275, entitled "**AN ORDINANCE OF THE CITY OF HERMOSA BEACH, CALIFORNIA, ADJUSTING COMPENSATION FOR CITY COUNCIL MEMBERS AND AMENDING THE HERMOSA BEACH MUNICIPAL CODE,**" as amended to increase the monthly compensation for City Councilmembers to \$530, rather than the \$600 proposed.

Motion Reviczky, second Keegan. The motion carried, noting the dissenting votes of Tucker and Mayor Edgerton.

7. **MISCELLANEOUS ITEMS AND REPORTS - CITY MANAGER** - None

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

- a. **CITY COUNCIL COMMITTEE ASSIGNMENTS.** Memorandum from City Clerk Elaine Doerfling dated October 3, 2006.

Action: Council consensus was to continue this item to October 24, 2006.

- b. **VACANCIES – BOARDS AND COMMISSIONS EXPIRATION OF TERMS – PUBLIC WORKS COMMISSION.** Memorandum from City Clerk Elaine Doerfling dated October 5, 2006.

Action: To schedule a meeting at 6:15 p.m. prior to the regular meeting of Tuesday, November 28, 2006, for the purpose of interviewing applicants with appointment to be made that evening at the regular meeting.

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

At 12:48 a.m., the agenda went to item 4, items removed from the consent calendar.

9. **OTHER MATTERS - CITY COUNCIL** - None

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

Due to the lateness of the hour, Council consensus was to cancel the Closed Session.

1. **MINUTES: Approval of minutes of Closed Session meeting held on September 26, 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)

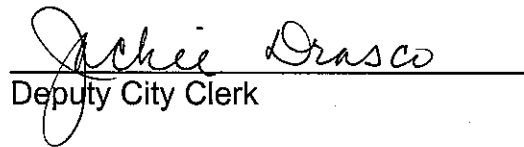
Name of Case: Philia Five Group, LLC dba The Union Cattle Company
Case Number: YS015070

**3. CONFERENCE WITH LABOR NEGOTIATOR
Government Code Section 54957.6**

City Negotiator: Stephen Burrell
Employee Organization: Hermosa Beach Firefighters' Association

ADJOURNMENT - The Regular Meeting of the City Council of the City of Hermosa Beach adjourned on Wednesday, October 10, 2006, at the hour of 12:50 a.m. to the Regular Meeting of October 24, 2006, at 7:10 p.m.


City Clerk


Deputy City Clerk