

MINUTES OF THE REGULAR MEETING OF THE CITY COUNCIL of the City of Hermosa Beach, California, held on Tuesday, January 9, 2007, at the hour of 7:15 p.m.

ROLL CALL:

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

PLEDGE OF ALLEGIANCE – Dr. Muriel Savikas, Director of Beach Cities Health District

ANNOUNCEMENTS – Mayor Edgerton announced the Centennial kickoff events on Sunday, January 14, starting with the grand re-opening of the expanded Historical Museum at the Community Center at 2:30 p.m.; the Mayor's "State of the City" address at the Beach House at 5 p.m.; remarks by State Assemblyman Ted Lieu and Los Angeles County Supervisor Don Knabe center stage on the Pier Plaza at 6:30 p.m., followed by a concert featuring Dean Torrance of Jan and Dean fame and Stonebridge; and ending with choreographed fireworks at 8:30 p.m. He also announced the arrival of a delegation from Hermosa's sister city Loreto to join in the celebration, and said a cocktail party in their honor would take place at 7 p.m. Saturday, January 13, at Sangria.

Councilmember Bobko encouraged everyone to show pride in Hermosa Beach and purchase Centennial merchandise (including hooded sweat shirts, caps and flags) at the Community Center or online at www.hermosa100.com.

Councilmember Tucker said there would be many events throughout the year with a Centennial theme to celebrate the City's 100th birthday; thanked all who participated in the annual Beach Cities Holiday Toy Drive, including the restaurants who donated food; said the first meeting of the Upper Pier Avenue Committee would take place Thursday, January 18, at 7 p.m. in Room 12 at the Community Center to brainstorm, but take no action, about the development of the area; announced an e-Waste and Hazardous Household Waste Roundup on Valley Drive near Clark Stadium on Saturday, January 27, noting that residents simply drive up and the County staff will remove the items from their cars; and congratulated Mayor Edgerton on winning a trophy for his entry in the King Harbor Christmas Boat Parade.

Mayor Pro Tempore Keegan said although Sunday, January 14, was the official 100th Anniversary of the City's incorporation, many events would take place throughout the year to continue the celebration, and that annual community events such as the Saint Patrick's Day Parade would all have a Centennial theme.

Councilmember Reviczky added that Triangle Hardware was getting into the spirit by having a Centennial Weekend Sale; reminded everyone of the last chance to participate in the handprint wall fundraiser on Saturday, January 13, from 9 a.m. to

noon; and asked that the meeting be adjourned in memory of Tara McCollough, 19-year old daughter of Mari Hudson.

PRESENTATIONS

PRESENTATION BY BEACH CITIES HEALTH DISTRICT HONORING THE HERMOSA BEACH CENTENNIAL

Joanne Edgerton, Beach Cities Health District Board Member introduced the rest of the Board, Dr. Muriel Savikas, Vanessa Poster, Patrick Aust and Walt Dougher, and presented a proclamation to the City in honor of its 100th Birthday; said she was proud to be a resident of Hermosa Beach, the "Little City That Could," which had transformed itself from a sleepy little town to a more cosmopolitan city, having the benefits of a larger city without the drawbacks; praised the citizens who created the unique community with its sense of community and volunteerism.

CLOSED SESSION REPORT FOR MEETING OF DECEMBER 12, 2006: Meeting canceled.

PUBLIC PARTICIPATION

1. ORAL AND WRITTEN COMMUNICATIONS

There were no written communications.

Coming forward to address the Council at this time was:

Jim Lissner – Hermosa Beach, urged everyone to attend the January 16 Planning Commission meeting, stressing the importance of agenda items with regard to the CUP for Point 705, all downtown restaurant CUPs, and the re-zoning of City property; urged the Council to ask Leadership Hermosa to use the Community Center for its meeting and instead conduct the Upper Pier Avenue Committee meeting in the Council Chambers so that it may be televised, with the suggestion that this newly formed committee explore other topics as well.

City Manager Burrell recommended that public hearing item 5(a) – Community Development Block Grant (CDBG) allocations for FY 2007-2008 – be continued to the next meeting, and requested that consent calendar item 2(g) be removed for separate discussion since representatives of the organization were in the audience wishing to speak.

Action: To continue public hearing item 5(a) to the meeting of January 23, 2007, as recommended by staff.

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

Council requested that information regarding the Upper Pier Avenue Committee meetings be placed on the City's website and in the e-newsletter.

Council consensus was to leave the Upper Pier Avenue Committee meeting at the Community Center for the January 18 meeting, with future meetings in the Council Chambers, and once the committee's organizational meetings are complete, to have the remainder of the meetings televised.

2. CONSENT CALENDAR:

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

(a) RECOMMENDATION TO APPROVE THE MINUTES OF THE REGULAR MEETING OF NOVEMBER 28, 2006.

Action: To approve, as presented, the minutes of the Regular Meeting of November 28, 2006.

(b) RECOMMENDATION TO RATIFY CHECK REGISTER NOS. 46279 THROUGH 46537, INCLUSIVE, AND TO APPROVE THE CANCELLATION OF CHECK NOS. 38521, 45281, 45282, 45994, AND 46006, 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 NOVEMBER 2006 FINANCIAL REPORTS:

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

Action: To receive and file the November 2006 financial reports.

(e) RECOMMENDATION TO ACCEPT DONATIONS OF \$250 FROM HENNESSEY'S TAVERN TO BE USED FOR THE CENTENNIAL CELEBRATION; \$250 FROM RO-AL, INC. DBA PATRICK MOLLOY'S TO BE USED FOR THE CENTENNIAL CELEBRATION; \$500 FROM THE

WOMAN'S CLUB OF HERMOSA BEACH TO BE USED FOR THE SAND SNOWMAN AND TREE LIGHTING EVENTS; AND, \$100 FROM CALIVA RACING TEAM/PHILLIP CALIVA TO BE USED FOR THE PURCHASE OF FIRE DEPARTMENT SMALL EQUIPMENT. Memorandum from Finance Director Viki Copeland dated December 28, 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:

- \$250 from Hennessey's Tavern to be used for the Centennial Celebration;
- \$250 from Ro-al, Inc., dba Patrick Molloy's, to be used for the Centennial Celebration;
- \$500 from the Woman's Club of Hermosa Beach to be used for the Sand Snowman and Tree lighting events; and
- \$100 from Caliva Racing Team/Phillip Caliva to be used for the purchase of Fire Department small equipment.

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

- (f) **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 January 2, 2007.

Claimant:	Moody, Patrick
Date of Loss:	07-22-06
Date Filed:	11-30-06
Allegation:	Personal Injury

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

- (g) **RECOMMENDATION TO AUTHORIZE A MEMORANDUM OF UNDERSTANDING WITH NOAH'S WISH, AN ANIMAL RESCUE ORGANIZATION, TO PROVIDE ANIMAL EVACUATION AND RESCUE SERVICES DURING A DISASTER.** Memorandum from Police Chief Greg Savelli dated December 26, 2006.

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

Police Chief Savelli presented the staff report and responded to Council questions.

Coming forward to address the Council on this item was:

Dean Richmond – Noah's Wish Coordinator, described the free service offered to cities to rescue, shelter, and to assist in adoption and fostering of animals during a disaster; explained how the operation was handled by coordinators and volunteers through the United States and Canada, supported entirely by donations; provided the website address: www.noahswish.org

Action: To authorize a Memorandum of Understanding with Noah's Wish, an animal rescue organization, to provide animal evacuation and rescue services during a disaster, as recommended by staff.

Motion Tucker, second Reviczky. The motion carried, noting the absence of Keegan.

- (h) **RECOMMENDATION TO RECEIVE AND FILE PROJECT STATUS REPORT.** Memorandum from Public Works Director Richard Morgan dated December 19, 2006.

Action: To receive and file the Status Report of capital improvement projects that are either under design or construction as of November 30, 2006.

- (i) **RECOMMENDATION TO RECEIVE AND FILE REPORT ON THE INSTALLATION OF NEW GREASE CONTROL DEVICES IN RESTAURANTS AND OTHER FOOD SERVICE ESTABLISHMENTS.** Memorandum from Community Development Director Sol Blumenfeld dated January 2, 2007.

Action: To receive and file the report on the installation of new grease control devices in restaurants and other food service establishments, as recommended by staff.

- (j) **RECOMMENDATION TO ACCEPT THE REQUEST FOR PROPOSAL COMPLETED BY CULVER CITY POLICE FOR THE PURCHASE OF TWO BMW POLICE MOTORCYCLES AND APPROVE THE PURCHASE OF TWO BMW MOTORCYCLES FOR THE HERMOSA BEACH POLICE DEPARTMENT.** Memorandum from Police Chief Greg Savelli.

Action: To accept the Request for Proposal completed by Culver City Police for the purchase of two BMW Police motorcycles and approve the purchase of two BMW motorcycles for the Hermosa Beach Police Department, as recommended by staff.

- (k) **RECOMMENDATION TO ACCEPT THE WORK BY M3 SERVICES, INC. FOR THE FIRE STATION FRONT RENOVATION PROJECT; AUTHORIZE THE MAYOR TO SIGN THE NOTICE OF COMPLETION; AND, AUTHORIZE STAFF TO RELEASE PAYMENT TO M3 SERVICES, INC. (10% RETAINED 35 DAYS FOLLOWING FILING OF NOTICE OF COMPLETION).**

Memorandum from Public Works Director Richard Morgan dated December 20, 2006.

Action: To approve the staff recommendation to:

- (1) Accept the work by M3 Services, Inc. for the Fire Station Front Renovation Project;
- (2) Authorize the Mayor to sign the Notice of Completion; and,
- (3) Authorize staff to release payment to M3 Services, Inc. (10% retained 35 days following filing of Notice of Completion).

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

3. **CONSENT ORDINANCES** - None

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

Items 2(e) and (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 9:08, the order of the agenda went to item 7(a).

5. **PUBLIC HEARINGS**

a. **FISCAL YEAR 2007-2008 COMMUNITY DEVELOPMENT BLOCK GRANT (CDBG) ALLOCATIONS.**

1. An estimated \$86,757, to be added to the CDBG funding from previous years for the ongoing multiphase Community Center ADA retrofit and the completion of handicapped ramps in the City.
2. An estimated \$9,640 for program administration (10% of the total allocation).

Memorandum from Community Director Sol Blumenfeld dated January 2, 2007. Supplemental information from Director Blumenfeld received on January 9, 2007, recommending continuing this item to January 23, 2007.

Action: Council consensus was to approve the staff recommendation to continue to the next City Council meeting on January 23, 2006.

b. **CONSIDERATION FOR APPROVAL OF 2007 COMMERCIAL SPECIAL EVENTS.** Memorandum from Community Resources Director Lisa Lynn dated December 26, 2006.

2007 COMMERCIAL EVENTS	DATE
EVP Tour - Pro Am Beach Volleyball Tournament	June 16
Hermosa Beach Triathlon (MESP)	October 14
2007 NON PROFIT EVENTS	DATE
Great Autos of Yesteryear Car Show	May 5
Amateur Athletic Union (AAU) Youth Volleyball	July13-15, Aug 19
So Cal Foundation Beach Volleyball Tournament	July 28
Friends of the Parks - Movie in the Park	August 25
Volcom Sea Slugs Youth Surf Contest	December 8

Community Resources Director Lynn presented the staff report and responded to Council questions, noting that the Volcom Sea Slugs Youth Surf Contest had been withdrawn from the list of events.

The public hearing opened at 7:47 p.m. Coming forward to address the Council on this item were:

Ross Balling – EVP, congratulated the City on its 100-year Anniversary, praised the City staff in Community Resources and Public Works for their assistance with his event;

David Freedman – Endless Summer/Great Autos of Yesteryear Classic Car Show, said that in recognition of the City's Centennial Celebration, they would have cars from each decade from 1910-2000 and they would be happy to assist with the St. Patrick's Day Parade once again;

Gino Grajeda – AAU, described the long history of the AAU and said they were happy to be holding their 14th Hermosa Beach Youth Volleyball Tournament;

Matt Peterson – MESP Triathlon congratulated the City on its Anniversary and said it had been a pleasure to work with the Community Resources and Public Works staff.

The public hearing closed at 8:54 p.m.

Action: To acknowledge the withdrawal of the Volcom Sea Slugs event and approve all of the remaining events, as recommended by staff, allowing the requested fee waivers for non-commercial events but requiring the payment of all direct costs.

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

6. **MUNICIPAL MATTERS**

- a. **PURCHASE OF EMERGENCY COMMUNICATIONS NETWORK CODE RED INTERNET BASED NOTIFICATION SYSTEM.** Memorandum from Fire Chief Russell Tingley dated January 2, 2007.

Fire Chief Russell Tingley presented the staff report and responded to Council questions.

Coming forward to address the Council on this item was:

Bob Coe – Emergency Communications Network, said the system had been in place since 1998 and was able to deliver more (60,000 per hour) emergency messages than others; said the system was always on time, was always available, and had been successful in assisting with finding lost children, apprehending escaped criminals, notifying residents of broken water mains, etc., and delivering non-emergency messages; said a message could be limited to a certain neighborhood; said that total minutes would be restored at the start of each new contract year and when FEMA declared a state of emergency which required an unusual amount of minutes used, FEMA would reimburse the City for the cost; said there would never be a price increase during the life of the contract.

Staff was directed to bring back information regarding the chain of command after the City Manager and the Fire Chief.

Action: To approve the staff recommendation to:

- (1) Authorize the purchase of the CodeRED emergency calling system from Emergency Communications Network, Inc. in the amount of \$10,000; and
- (2) Approve the CodeRED Services Agreement and authorize the City Manager to execute the Agreement.

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

- b. **PROPOSAL TO CONDUCT A STAFFING AND DEPLOYMENT STUDY FOR THE FIRE DEPARTMENT.** Memorandum from Fire Chief Russell Tingley dated January 2, 2007.

Fire Chief Tingley presented the staff report and responded to Council questions. City Manager Burrell also responded to Council questions.

Coming forward to address the Council on this item were:

Travis Miller – Vice President, Matrix Consulting Group, with an office in Texas, said the organization was headquartered in Pennsylvania, and responded to Council questions, noting that the report would be based on the current Fire Codes;

Paul Hawkins – President, Hermosa Beach Fire Fighters Association, said the Association's biggest concern about the proposal is that the task plan does not mention an increase of full-time staff but does address seven times augmenting with reserve firefighters, who were not fully trained, thereby endangering the lives of the Hermosa residents; urged the

Council to reject the proposal or add questions to address the possibility of increasing full-time, professional firefighter staff;

Don Paben – Hermosa Beach, said he was familiar with fire service and asked why not simply contact NFPA about standards; expressed concern about the question regarding more effective use of the reserve force; said the reserves are not trained firefighters and it would be inappropriate for them to fight fires; wondered why a third party was being consulted instead of the City's own Fire Chief, who has more experience; said a consulting firm will answer only the questions they are given; and

Aaron Marks – Vice President, Hermosa Beach Fire Fighters Association, said the Association simply wanted a dialogue to have input on the questions; said he did not see the point in asking about utilizing the reserve force more effectively if it was not appropriate for them to expand their duties.

Action: To continue this item to the next City Council meeting of January 23, 2007, with changes that reflect additional concerns and questions of the Hermosa Beach Firefighters Association.

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

- c. **PARKING IN-LIEU PROGRAM ALTERNATIVE PAYMENT PROGRAM.**
Memorandum from City Manager Stephen Burrell dated January 4, 2007.
Supplemental letter from Howard Longacre received January 9, 2007.

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

Action: To receive and file the report on the Parking In-Lieu Program Alternative Payment Program, as recommended by staff.

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

At 9:00 p.m., Mayor Pro Tempore Keegan left the meeting due to illness. The order of the agenda returned to item 4, items removed from the Consent Calendar.

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

- a. **CENTENNIAL CELEBRATION – FUND RAISING STATUS REPORT.**
Memorandum from City Manager Stephen Burrell dated January 3, 2007.

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

Action: To receive and file the Centennial Celebration Fund Raising Report, as recommended by staff.

Motion Tucker, second Reviczky. The motion carried, noting the absence of Keegan.

- b. **SPECIAL MEETING: TUESDAY, JANUARY 30, 2007 AT 6:00 P.M. FOR THE PURPOSE OF HOLDING A CLOSED SESSION REGARDING THE MACPHERSON OIL CASE #BC172546.** Memorandum from City Manager Stephen Burrell dated January 4, 2007.

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

Action: To schedule a Special Meeting on Tuesday, January 30, 2007, at 6:00 p.m. for the purpose of conducting a Closed Session with regard to the Macpherson Oil Case #BC172546, with Mayor Edgerton participating from Florida by teleconferencing.

Motion Tucker, second Reviczky. The motion carried, noting the absence of Keegan.

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

- a. **REPORT FROM EMERGENCY SERVICES COMMITTEE RECOMMENDING THE ESTABLISHMENT OF AN EMERGENCY PREPAREDNESS COMMISSION.** Oral report from Mayor Pro Tem Keegan and Councilmember Reviczky.

Councilmember Reviczky said because of the volume of information on the topic and the amount of time already spent investigating, it was felt that a commission dedicated to emergency preparedness would be able to focus on this subject alone and there were undoubtedly volunteers in the community who would take on the challenge; said that the staff liaison for this five-member group would be the Fire and Police Chiefs and the City Manager;

Action: To approve the formation of an Emergency Preparedness Commission, as recommended, and direct staff to return with an ordinance setting up the commission.

Motion Reviczky, second Bobko. The motion carried, noting the absence of Keegan

9. **OTHER MATTERS - CITY COUNCIL**

- a. **Request from Councilmember Reviczky to determine what steps the City can take to ensure that utility companies repair noisy in-street utility boxes/vaults in a reasonable time frame. It has taken months for some of the companies to respond to our staff and often the fix does not last very long. In some cases, city crews have made temporary repairs, and we are still waiting for the utility company to respond.**

Councilmember Reviczky said he received at least one complaint per month from residents who say these boxes and vaults are not repaired in a timely fashion, and he was seeking a legal way to compel the utility companies to provide proper, timely maintenance.

Action: To direct the City Attorney to investigate what steps can be taken to resolve the problems regarding the utility companies' lack of performance. Motion Reviczky, second Tucker. The motion carried, noting the absence of Keegan.

b. **Request from Mayor Edgerton to meet with Time Warner regarding some loss of public access cable TV channels.**

Mayor Edgerton said that he would like to meet with Time-Warner to find out how certain public access channels can be restored.

Concern was also raised about poor quality Internet access.

Action: To direct staff to write a letter to the Mayors of Manhattan Beach and Redondo Beach to see if they and their city managers would like to have a joint meeting with Time Warner to discuss public access TV and the quality of Internet service.

Motion Mayor Edgerton, second Bobko. The motion carried, noting the absence of Keegan.

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

1. **APPROVAL OF MINUTES:**

- a. **Closed Session meeting held on November 14, 2006.**
- b. **Closed Session meeting held on November 28, 2006.**
- c. **Closed Session meeting held on December 12, 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.

a. **Existing Litigation: Government Code Section 54956.9(a)**

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

b. **Anticipated Litigation: Government Code Section 54956.9(b)**

Number of potential cases: 1

**3. PUBLIC EMPLOYEE PERFORMANCE EVALUATION
Government Code Section 54957**

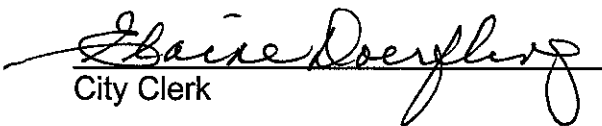
Title: CITY MANAGER

ADJOURN TO CLOSED SESSION – The Regular Meeting of the City Council of the City of Hermosa Beach adjourned on Tuesday, January 9, 2007, at the hour of 9:26 p.m. to a closed session.

RECONVENE TO OPEN SESSION – The Closed Session convened at the hour of 9:37 p.m. At the hour of 9:52 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 Tara McCollough on Tuesday, January 9, 2007, at the hour of 9:53 p.m. to the Regular Meeting of January 23, 2007, at 7:10 p.m.


City Clerk


Deputy City Clerk