

MINUTES OF THE REGULAR MEETING OF THE CITY COUNCIL of the City of Hermosa Beach, California, held on Tuesday, January 23, 2007, at the hour of 7:10 p.m.

ROLL CALL:

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

PLEDGE OF ALLEGIANCE – Maury Mohr

ANNOUNCEMENTS – Councilmember Bobko expressed thanks to Chairpersons Laura Raymond and Maureen Ferguson and the entire Centennial Committee, and to the Mayor who emceed the entire January 14 celebration, for what is universally believed to be the best fireworks show; said the Upper Pier Avenue Committee had its first meeting on January 18, with regular meetings to be held on the first Wednesday of each month, and decided to recruit five more members from the community, for a term expected to be approximately one year, in addition to the original six made up of Council and Commission members; said applications and additional information were available in the City Clerk's Office and online and the deadline for submitting applications to the Clerk's office is Monday, February 12.

Councilmember Tucker agreed that the January 14 Centennial Celebration events had the whole South Bay talking and said the celebration would continue through the year with all regular annual events having a Centennial theme; thanked the Centennial Committee and the Mayor for emceeding the festivities; said the newly renovated Historical Museum re-opened on January 14 and that residents should visit often since the exhibits are changed periodically; encouraged interested parties to apply for the Upper Pier Avenue Committee, noting the group's next meeting is Thursday, February 15, with subsequent meetings to be held on the first Wednesday of each month; announced the County's Hazardous Household Waste Roundup at Clark Field from 9 a.m. to 3 p.m. on Saturday, January 27.

Mayor Pro Tempore Keegan congratulated the City on 100 years and announced that Councilmember Reviczky was named "historical volunteer of the year" by the Historical Society for the many hours of work he donated to re-wiring the museum.

Councilmember Reviczky said the work at the Historical Society was a labor of love; agreed the Centennial fireworks show was great and said he hoped to see a similar show at the end of the summer.

Mayor Edgerton read a letter from Palos Verdes Estates Mayor John Flood congratulating the City on its Centennial; said the celebration brought the whole South Bay community together and provided enormous civic pride to the residents of Hermosa Beach; thanked Jim Gierlich for composing a song for the Centennial slide show and said it was very enjoyable putting together the slide show and watching the extraordinary fireworks show.

PRESENTATIONS

COUNTY OF LOS ANGELES PUBLIC LIBRARY 2006 LOCAL BOOKMARK CONTEST WINNERS

Elmita Brown, Hermosa Beach Librarian, thanked the Friends of the Library for the recent generous contribution of \$5,000, which is providing many enhancements for visitors to the library.

Mayor Edgerton read the certificate which was being presented to each student who won in the Children's Book Week "More Books Please" bookmark contest and also presented each student with a City pin.

Betty Ryan, President of Friends of the Library, presented a gift bag to each of the children, Maggie Hackney, Carson Hart, Shannon Savino, Zachary Mohr, Beau Staso and Alexi Papademitriou.

CLOSED SESSION REPORT FOR MEETING OF JANUARY 9, 2007: 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:

Butch Kuflak – Hermosa Beach, thanked all of the people responsible for the fantastic Centennial Celebration; said he supported item 9(b), the request by Councilmember Tucker to review the traffic impacts on Longfellow as a result of the new Skechers facility, noting that the topic was first raised in 2002 and no action had been taken;

Paul Hawkins – President, Hermosa Beach Firefighters Association, thanked the Council, City Manager and Fire Chief for including the questions submitted by the association for the Matrix study; said he felt very positive about what he hoped would be his last year as president of the association;

Jim Lissner – Hermosa Beach, pointed out that for the first time in eight months a crime report had been included in the agenda packet; discussed the Planning Commission meeting on January 16, at which restaurant and bar CUPs were reviewed;

John Burt, Hermosa Beach, said he had discussions with the Police Chief and City Manager regarding problems with Pier Plaza businesses; indicated that the Chief was monitoring the situation and there would be enforcement regarding closing doors to decrease noise and dealing with drunk and disorderly individuals on the Plaza;

Rick Johnson – Hermosa Beach, thanked the Council, staff, and committee members who provided the thoroughly enjoyable Centennial events, particularly the musical entertainment, dancing, and fireworks, which were better than those at the Rose Bowl; said he was unable to attend the State of the City address but neighbors gave rave reviews for the film and the Mayor's humor; said he was never more proud, in his 30 years of living in the City, to be a Hermosa Beach resident; and

Roger Bacon – Hermosa Beach businessman, said he was not able to stay until item 6b (Relinquishment of PCH) was heard; urged the Council to hire the engineering consultant to prepare a technical report to negotiate a fair settlement amount to be paid to the City from CalTrans for relinquishment of PCH; congratulated everyone who helped with the Centennial Celebration, saying it was second to none.

2. CONSENT CALENDAR:

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

(a) RECOMMENDATION TO APPROVE THE MINUTES OF THE REGULAR MEETING OF DECEMBER 12, 2006.

Action: To approve, as presented, the minutes of the Regular Meeting of December 12, 2006.

(b) RECOMMENDATION TO RATIFY CHECK REGISTER NOS. 46538 THROUGH 46669, INCLUSIVE, AND TO APPROVE THE CANCELLATION OF CHECK NO. 46107, 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 DECEMBER 2006 FINANCIAL REPORTS:

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

Action: To approve the staff recommendation to receive and file the December 2006 financial reports.

- (e) **RECOMMENDATION TO RECEIVE AND FILE PROJECT STATUS REPORT.** Memorandum from Public Works Director Richard Morgan dated December 31, 2006.

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

- (f) **RECOMMENDATION TO ACCEPT DONATIONS OF \$20,000 FROM ANHEUSER-BUSCH TO BE USED FOR THE CENTENNIAL CELEBRATION EVENT AND \$2,000 FROM THE WOMAN'S CLUB OF HERMOSA BEACH TO BE USED FOR POLICE CENTENNIAL BADGES.** Memorandum from Finance Director Viki Copeland dated January 16, 2007.

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:

- \$20,000 from Anheuser-Busch to be used for the Centennial Celebration event;
- \$ 2,000 from the Woman's Club of Hermosa Beach to be used for Police Centennial badges.

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

- (g) **RECOMMENDATION TO ADOPT A RESOLUTION ACKNOWLEDGING THE RECEIPT, FILING AND APPROVAL OF THE ANNUAL STATEMENT OF INVESTMENT POLICY AND DELEGATING INVESTMENT AUTHORITY TO THE CITY TREASURER FOR THE YEAR 2007.** Memorandum from City Treasurer John Workman dated January 9, 2007.

Action: To approve the staff recommendation to adopt Resolution No. 07-6515, entitled "**A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF HERMOSA BEACH, CALIFORNIA, ACKNOWLEDGING THE RECEIPT, FILING AND APPROVAL OF THE ANNUAL STATEMENT OF INVESTMENT POLICY AND DELEGATING INVESTMENT AUTHORITY TO THE CITY TREASURER FOR THE YEAR 2007.**"

- (h) **RECOMMENDATION TO APPROVE AMENDMENT TO CITY MANAGER EMPLOYMENT AGREEMENT EFFECTIVE JANUARY 1, 2006 THROUGH DECEMBER 31, 2008.** Memorandum from Mayor Edgerton and Councilmember Tucker dated January 17, 2007.

Action: To approve an amendment to City Manager employment agreement effective January 1, 2006 through December 31, 2008, as recommended by the Council subcommittee.

- (i) **RECOMMENDATION TO RECEIVE AND FILE THE ACTION MINUTES OF THE PARKS, RECREATION AND COMMUNITY RESOURCES ADVISORY COMMISSION MEETING OF DECEMBER 5, 2006.**

Action: To receive and file the action minutes of the Parks, Recreation and Community Resources Advisory Commission meeting of December 5, 2006.

- (j) **RECOMMENDATION TO APPROVE ADDENDUM TO THE PROPOSAL OF MATRIX CONSULTING GROUP TO CONDUCT A STAFFING AND DEPLOYMENT STUDY FOR THE FIRE DEPARTMENT OF FOUR (4) QUESTIONS PROVIDED BY THE HERMOSA BEACH FIREFIGHTERS' ASSOCIATION.** Memorandum from Fire Chief Russell Tingley dated January 18, 2007.

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

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

Action: To approve the addendum to the proposal of Matrix Consulting Group to conduct a staffing and deployment study for the fire department of four (4) questions provided by the Hermosa Beach Firefighters' Association. Motion Bobko, second Tucker. The motion carried by a unanimous vote.

- (k) **RECOMMENDATION TO ACCEPT THE WORK BY RUSHER AIR FOR THE POLICE DEPARTMENT HVAC UPGRADE PROJECT; AUTHORIZE THE MAYOR TO SIGN THE NOTICE OF COMPLETION; AND, AUTHORIZE STAFF TO RELEASE PAYMENT TO RUSHER AIR, INC. (10% RETAINED 35 DAYS FOLLOWING FILING OF NOTICE OF COMPLETION).** Memorandum from Public Works Director Richard Morgan dated January 17, 2007.

Action: To approve the staff recommendation to:

- (1) Accept the work by Rusher Air for the Police Department HVAC Upgrade Project
- (2) Authorize the Mayor to sign the Notice of Completion; and
- (3) Authorize staff to release payment to Rusher Air, Inc. (10% retained 35 days following filing of Notice of Completion).

- (l) **RECOMMENDATION TO RECEIVE AND FILE THE ACTION MINUTES OF THE PUBLIC WORKS COMMISSION MEETING OF OCTOBER 18, 2006.**

Action: To receive and file the action minutes of the Public Works Commission meeting of October 18, 2006.

(m) **RECOMMENDATION TO RECEIVE AND FILE THE ACTION MINUTES OF THE PLANNING COMMISSION MEETING OF JANUARY 16, 2007.**

Action: To receive and file the action minutes of the Planning Commission meeting of January 16, 2007.

(n) **RECOMMENDATION TO ADOPT RESOLUTION APPROVING FINAL MAP #63523 FOR A TWO-UNIT CONDO AT 1212 CYPRESS AVENUE.**

Memorandum from Community Development Director Sol Blumenfeld dated January 16, 2007.

Action: To approve the staff recommendation to adopt Resolution No. 07-6516, entitled "**A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF HERMOSA BEACH, CALIFORNIA, APPROVING FINAL PARCEL MAP NO. 63523, FOR THE SUBDIVISION OF A TWO-UNIT CONDOMINIUM, LOCATED AT 1212 CYPRESS AVENUE IN THE CITY OF HERMOSA BEACH, CALIFORNIA.**"

At 7:53 p.m., the order of the agenda was suspended to go to public hearing item 5 (a).

3. **CONSENT ORDINANCES** - None

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

Items 2(f) and (j) 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**

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 16, 2007.

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

The public hearing opened at 7:55 p.m. As no one came forward to address the Council on this item, the public hearing closed at 7:55 p.m.

Action: To approve the staff recommendation to adopt Resolution No. 07-6517, entitled "**A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF HERMOSA BEACH, CALIFORNIA, APPROVING THE COMMUNITY DEVELOPMENT BLOCK GRANT BUDGET FOR FISCAL YEAR 2007-2008.**"

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

6. **MUNICIPAL MATTERS**

- a. **DISPUTE RESOLUTION SERVICES.** Memorandum from City Manager Stephen Burrell dated January 27, 2007. Supplemental letters from Gordon B. Evans, Barbara Dellerson and Nanci Goodman, as well as supplemental information from City Manager Burrell, all received on January 23, 2007.

City Manager Burrell presented the staff report and responded to Council questions. City Attorney Jenkins also responded to Council questions, saying there was no legal basis for considering that Mr. Widman, as owner of South Bay Center for Dispute Resolution and a School Board Member, might have a conflict of interest.

Coming forward to address the Council on this item were:

Kent Allen – Hermosa Beach, referred to a letter he wrote to the City Council in support of Lance Widman, who diffused a potentially threatening situation for his family; said when comparing bids, the City should first consider whether the bidders are qualified, what the bids include, and what experience of this type the bidder has with other cities, and then should consider price; said Mr. Widman's bid offered the City the most for the money; praised the Centennial fireworks show and Rick Koenig for the refurbishment of the historical Museum;

Terrill Burnett – Hermosa Beach, said she had used Mr. Widman's services, was impressed with him and hoped the City will continue to refer residents to him;

Butch Kuflak – Hermosa Beach, spoke in support of Mr. Widman, stating that he had used his services and was satisfied with the results;

Barbara Dellerson – Hermosa Beach, read her letter opposing the City's retention of Mr. Widman's services;

George Schmeltzer – Hermosa Beach, spoke in support of Lance Widman; said he read all the proposals and thought it was a benefit that Mr. Widman lived in the City because he knew the local issues well; said he knew of many issues which had been successfully resolved by Mr. Widman and urged the Council to approve his contract; and

Lance Widman – Hermosa Beach, Executive Director of the South Bay Center for Dispute Resolution, said if there was a real or perceived conflict, he had someone else in his office handle the mediation; said

mediation is a process, not a single isolated event, starting with a referral from the City; said 80% of the disputes were handled with phone calls and 70% of all disputes were successfully resolved; said he looked forward to a continued positive and productive relationship with the City.

Proposed Action: To approve the contract with the South Bay Center for Dispute Resolution for the six months remaining in this fiscal year.
Motion Mayor Edgerton, second Reviczky.

Substitute Motion: To direct staff to re-bid the contract.
Motion Keegan, second Bobko. The motion failed, noting the dissenting votes of Reviczky, Tucker and Mayor Edgerton.

Final Action: To approve the contract with South Bay Center for Dispute Resolution for the remainder of the fiscal year, with feedback forms provided for completion by every person who seeks mediation services, and to provide the name of other mediators if a resident does not wish to use the services of this group, but at their own expense..
Motion Edgerton, second Reviczky. The motion carried, noting the dissenting votes of Bobko and Keegan.

Councilmember Bobko requested that the topic return as an agenda item under "Other Matters" within six months for Council consideration of issues such as providing alternates.

The meeting recessed at 9:14 p.m.
The meeting reconvened at 9:32 p.m.

- b. **PACIFIC COAST HIGHWAY RELINQUISHMENT.** Memorandum from Public Works Director Richard Morgan dated January 16, 2007. Supplemental letter from Robert C. Aronoff received January 22, 2007, and corrected staff report page from Director Morgan received on January 23, 2007.

Public Works Director Morgan presented the staff report and responded to Council questions. City Manager Burrell and City Attorney Jenkins also responded to Council questions.

Action: To pursue legislation that would permit the City to enter into an encroachment agreement with CalTrans to allow the City to maintain its commercial banner program at the 1st Street location.
Motion Reviczky, second Edgerton. The motion carried by a unanimous vote.

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

9. **OTHER MATTERS - CITY COUNCIL**

- a. **Request from Councilmember Tucker to review residential parking impacted zone as it pertains to the policy regarding the number of permits issued to businesses or office condos; hours of parking around neighborhoods restaurants and bars; and, hiring of added personal during the months of enforcement.**

Councilmember Tucker spoke to his request, and City Manager Burrell responded to Council questions.

Action: To agendize the issue for Council consideration.
Motion Tucker, second Mayor Edgerton. The motion carried by a unanimous vote.

- b. **Request from Councilmember Tucker to review the traffic impacts on Longfellow as a result of the new Skechers facility.**

City Manager Burrell responded to Council questions.

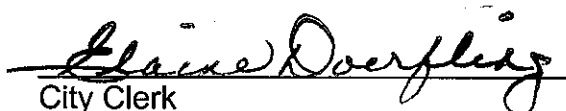
Coming forward to address the Council on this item was:

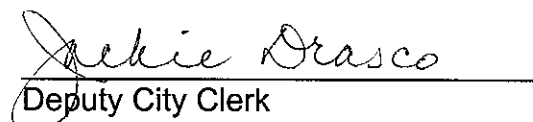
Butch Kuflak – Hermosa Beach, said this issue was first brought to the attention of the City Council in 2002 but nothing had been done; suggested several actions that might help divert the additional traffic from the new Skechers facility in Manhattan Beach from entering Hermosa Beach.

Action: To establish a subcommittee comprised of Councilmembers Keegan and Tucker to work on the issue, with direction to staff to take additional baseline traffic counts prior to the store's opening.
Motion Edgerton, second Tucker. The motion carried by a unanimous vote.

At 9:59 p.m., the order of the agenda returned to item 4, items removed from the consent calendar for separate discussion.

ADJOURNMENT - The Regular Meeting of the City Council of the City of Hermosa Beach adjourned on Tuesday, January 23, 2007, at the hour of 10:16 p.m. to an Adjourned Regular Meeting on January 30, 2007, at 6:00 p.m., for the purpose of conducting a closed session.


City Clerk


Deputy City Clerk