

MINUTES OF THE REGULAR MEETING OF THE CITY COUNCIL of the City of Hermosa Beach, California, held on Tuesday, April 24, 2007, at the hour of 7:14 p.m.

ROLL CALL:

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

PLEDGE OF ALLEGIANCE – Greg Wyatt

ANNOUNCEMENTS – Councilmember Bobko requested an update on the referendum regarding Ordinance 07-1278.

City Clerk Doerfling reported that the petition had been circulated and submitted to her office within 30 days of adoption of the ordinance, as required by State law. She said after examining the petition and determining that the number of signatures, prima facie, exceeded the minimum number of signatures required, she delivered the petition to the County for signature verification, which may take up to 30 working days. If there are sufficient signatures (at least 10% of the voters), the item will be presented at the next meeting after completion of the verification process, and the Council will have the choice of repealing the ordinance or placing the referendum on the November ballot. She noted that the ordinance was suspended when the petition was submitted and, if it qualifies with enough valid signatures, the ordinance may take effect only if a majority of votes are in favor of it at the election, which may not occur less than 88 days after the Council's order to place the issue on the ballot.

Mayor Edgerton announced a showing of the movie "An Inconvenient Truth" and a slide show with speakers trained on environmental issues, especially the effects of reducing greenhouse gases, with an admission price of \$10, to raise funds for the networking program required for the City's participation as a Cool City. He said he had spoken last Friday at the King Harbor Yacht Club the previous Friday on BIO-20, environmentally friendly bio-diesel fuel for marine vessels.

PUBLIC PARTICIPATION:

1. **ORAL AND WRITTEN COMMUNICATIONS**

- a. **Letter from Jim Lissner dated April 18, 2007 regarding parking requirements/ratios and a moratorium.**

Coming forward to address the Council on this letter were:

Jim Lissner – Hermosa Beach, requested the Council consider increasing the current parking requirement for restaurants to a higher ratio and increasing the current in-lieu fee (citing Manhattan Beach's fee of \$60,000 per space), or to put a moratorium on any new downtown restaurant projects until the increases are considered; said the City is falling further behind with parking spaces needed for restaurants and

that more restaurant patrons will be forced to park in the residential neighborhoods;

Anne Sullivan – Hermosa Beach, asked where a parking structure would be built; (Councilmember Reviczky said there were conceptual drawings to make Lot B and Lot F double-decked parking); and

Ron Newman – Hermosa Beach business owner, said every city he checked with has the same ratio as Hermosa, one space per 100 square feet, and usually a car has about four people in it and people also arrive by other means, such as bikes or cabs or by walking, which affects the parking needed; said if the fee is increased to \$60,000, businesses would have to pass on their increased overhead to customers or they would be unable to develop any reasonable project.

Coming forward to address the Council at this time on other issues were:

Ron Pizer – Hermosa Beach, submitted a written statement regarding consent calendar item 2(j) and asked that the item be pulled for separate discussion; asked if he could also submit a written statement for item 5(a) – Club 705 (City Attorney Jenkins said the public hearing for Club 705 was closed at the last meeting and no written or oral testimony may be accepted this evening for that item);

Jim Lissner – Hermosa Beach, asked that item 2(l) be pulled from the consent calendar, to discuss item 9 (Paradise Sushi) on the Planning commission minutes;

John Bowler – Hermosa Beach, asked if the management of Club 705 would be allowed to address proposed changes mentioned in the staff report (City Attorney Jenkins said their comments would be limited to answering yes or no to Council questions regarding their willingness to comply with the conditions); and

Patty Egerer – Hermosa Beach, said she had submitted an email regarding Club 705 and would like it to be considered; asked why trees near the Community Center were being removed and said advertising posters should be prohibited from placement on the building's exterior wall facing Pacific Coast Highway as they showed disrespect for this historical structure (City Manager Burrell said many of the trees suffered from beetle infestation or had simply reached the end of their normal life span, and other trees were being planted).

2. CONSENT CALENDAR:

Action: To approve the consent calendar recommendations (a) through (l) with the exception of the following items, which were removed for discussion in item 4, but are shown in order for clarity: 2(a) Tucker, (e) Reviczky, (j) Tucker, and (l) Keegan.

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

At 7:35 p.m., the order of the agenda was suspended to go to public hearing item 5(a).

(a) **RECOMMENDATION TO APPROVE THE MINUTES OF THE REGULAR MEETING OF MARCH 27, 2007.**

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

Action: To approve, as presented, the minutes of the Regular Meeting of March 27, 2007.

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

(b) **RECOMMENDATION TO RATIFY CHECK REGISTER NOS. 47485 THROUGH 47632, INCLUSIVE.**

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 MARCH 2007 FINANCIAL REPORTS:**

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

Action: To receive and file the March 2007 financial reports:

(e) **RECOMMENDATION TO ACCEPT DONATIONS OF \$540 FROM SILENT AUCTION PROCEEDS TO BE USED FOR THE CENTENNIAL CELEBRATION; \$1,600 FROM MICHELE JORDAN TO BE USED FOR A MEMORIAL BENCH FOR BENJAMIN DRAGICH; AND, \$1,600 FROM SUZANNE EVANS TO BE USED FOR A MEMORIAL BENCH FOR BETTY EVANS.** Memorandum from Finance Director Viki Copeland dated April 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:

- \$ 540 from silent auction proceeds to be used for the Centennial celebration.
- \$1,600 from Michele Jordon to be used for a memorial bench for Benjamin Dragich; and,

- \$1,600 from Suzanne Evans to be used for a memorial bench for Betty Evans.

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

- (f) **RECOMMENDATION TO RECEIVE AND FILE PROJECT STATUS REPORT.** Memorandum from Public Works Director Richard Morgan dated April 16, 2007.

Action: To receive and file the Status Report of capital improvement projects that are either under design or construction as of March 31, 2007.

- (g) **RECOMMENDATION TO ADOPT RESOLUTION APPROVING FINAL MAP #62754 FOR A TWO-UNIT CONDOMINIUM PROJECT AT 338 26TH STREET.** Memorandum from Community Development Director Sol Blumenfeld dated April 12, 2007.

Action: To approve the staff recommendation to adopt Resolution No. 06-6527, entitled "**A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF HERMOSA BEACH, CALIFORNIA, APPROVING FINAL PARCEL MAP NO. 62754, FOR THE SUBDIVISION OF A TWO-UNIT CONDOMINIUM, LOCATED AT 338 26TH STREET IN THE CITY OF HERMOSA BEACH, CALIFORNIA.**"

- (h) **RECOMMENDATION TO DIRECT STAFF TO PREPARE AN AMENDMENT TO THE MASTER FEE RESOLUTION TO ADD A FEE FOR THE PREPARATION OF ZONING INFORMATION LETTERS.** Memorandum from Community Development Director Sol Blumenfeld dated April 17, 2007.

Action: To direct staff to prepare an amendment to the master fee resolution to add a fee for the preparation of zoning information letters.

- (i) **RECOMMENDATION TO APPROVE THE CLASS SPECIFICATION FOR GEOGRAPHIC INFORMATION SYSTEMS (GIS) ANALYST.** Memorandum from Personnel Director/Risk Manager Michael Earl dated April 17, 2007.

Action: To approve the class specification for Geographic Information Systems (GIS) Analyst, as recommended by staff.

- (j) **RECOMMENDATION TO RECEIVE AND FILE THE ACTION MINUTES OF THE PARKS, RECREATION AND COMMUNITY RESOURCES ADVISORY COMMISSION MEETING OF APRIL 3, 2007.**

This item was removed from the consent calendar by Councilmember Tucker at the request of Ron Pizer for separate discussion later in the meeting.

Coming forward to address the Council on this item was:

Ron Pizer – Hermosa Beach, asked the Council to review the Commission's approval of the installation of two volleyball courts at Sixth Street and The Strand (Item 2 in the minutes) because he wondered if it was good for the City or just for the volleyball players; said he was concerned about a possible conflict of interest with a Commissioner who had a volleyball-related business;

Action: To review and reconsider the installation of these volleyball courts.
Motion Reviczky, second Tucker.

Further Action: To receive and file the action minutes of the Parks, Recreation and Community Resources Advisory Commission meeting of April 3, 2007.

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

(k) **RECOMMENDATION TO RECEIVE AND FILE THE ACTION MINUTES OF THE UPPER PIER AVENUE COMMITTEE MEETING OF APRIL 4, 2007.**

Action: To receive and file the action minutes of the Upper Pier Avenue Committee meeting of April 4, 2007.

(l) **RECOMMENDATION TO RECEIVE AND FILE THE ACTION MINUTES OF THE PLANNING COMMISSION MEETING OF APRIL 17, 2007.**

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

Action: To review and reconsider the Planning Commission's decision regarding the change of operating hours for Paradise Sushi.
Motion Reviczky, second Tucker.

Further Action: To receive and file the action minutes of the Planning Commission meeting of April 17, 2007.

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

3. **CONSENT ORDINANCES** - None

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

Items 2(a), (e), (j) and (l) 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. **APPEAL OF THE PLANNING COMMISSION MODIFICATION OF CONDITIONAL USE PERMIT FOR ON-SALE ALCOHOL IN CONJUNCTION WITH A RESTAURANT, AND REVOCATION OF THE CONDITIONAL USE PERMIT FOR LIVE ENTERTAINMENT AND OUTSIDE DINING FOR CLUB 705, 705 PIER AVENUE, HERMOSA BEACH.**

Continued from meeting of March 27 and April 10, 2007. Memorandum from Community Development Director Sol Blumenfeld dated April 19, 2007. Supplemental email from Patty Egerer and supplemental seating plan received from the business owner on April 24, 2007

Community Director Blumenfeld presented the staff report and responded to Council questions. City Manager Burrell also responded to Council questions. City Attorney Jenkins responded to Council questions, noting that the public hearing had been closed, there would be no public testimony, and any supplemental information received should be disregarded.

The Council reviewed each of the revised conditions proposed by staff and provided additional direction.

Action: To direct that the public hearing be re-opened at the next meeting of May 8 to allow public testimony, with Council's final review of the conditions of approval and adoption of a resolution.

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

The meeting recessed at 9:17 p.m.

The meeting reconvened at 9:35 p.m., with item 4, items removed from the consent calendar for separate discussion.

6. **MUNICIPAL MATTERS**

a. **WORK PROGRAM FOR LOWER PIER AVENUE SPECIFIC PLAN.**
Memorandum from Community Development Director Sol Blumenfeld dated April 17, 2007.

Community Director Blumenfeld 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 was:

Jim Lissner – Hermosa Beach, asked why the eastern border was to the center line of Hermosa Avenue and suggested the northern boundary should be 26th Street (City Manager Burrell said the intent was to create an area of manageable size to keep expenses down and to set an example to encourage additional specific plan areas in the future, noting this was a fluid process);

Action: To approve the work program and direct staff to prepare a request for proposals to solicit consultant proposals for preparation of the specific plan and completion of bid process for a related traffic study.
Motion Reviczky, second Keegan. The motion carried by a unanimous vote.

- b. **TEXT AMENDMENT IN REGARD TO TRANSIENT OCCUPANCY FOR RESIDENTIALLY ZONED PROPERTY.** Memorandum from Community Development Director Sol Blumenfeld dated March 29, 2007. Supplemental revised memorandum received April 13, 2007, from Sol Blumenfeld.

Community Director Blumenfeld 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 was:

Anne Sullivan – Hermosa Beach, said she thought this would create serious problems, particularly when a group rented a place just for weekend.

Action: To continue the item and direct staff to study the issue and report back with a work plan and sample ordinances from other cities.
Motion Reviczky, second Keegan. The motion carried, noting the dissenting vote of Tucker.

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

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

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

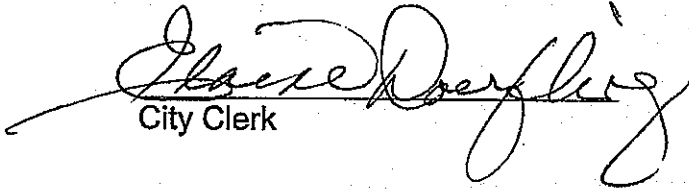
- a. **Councilmember Tucker requested to agendize discussion of a dinner sponsored by the City Council to honor past Councilmembers to be held at the Community Center, inviting all residents, and to consider using money currently designated for the Sunset Concerts.**

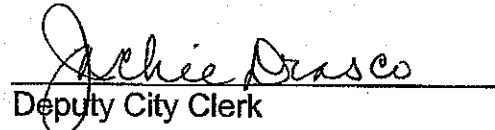
City Manager Burrell responded to Council questions.

Proposed Action: To re-agendize the 2007 Sunset Concert series to consider reassigning some of the money currently designated for the concerts to fund the proposed dinner.
Motion Keegan, second Bobko. The motion was replaced by the following substitute motion.

Substitute Action: To keep the concerts and consider the dinner separately at the next meeting.
Motion Edgerton, second Reviczky. The motion carried, noting the dissenting votes of Bobko and Keegan.

ADJOURNMENT - The Regular Meeting of the City Council of the City of Hermosa Beach adjourned on Tuesday, April 24, 2007, at the hour of 10:17 p.m. to the Regular Meeting of May 8, 2007.


City Clerk


Deputy City Clerk