

**MINUTES OF THE REGULAR MEETING OF THE CITY COUNCIL** of the City of Hermosa Beach, California, held on Tuesday, July 10, 2007, at the hour of 7:14 p.m.

**PLEDGE OF ALLEGIANCE** – Janice Brittain

**ROLL CALL:**

Present: Bobko, Edgerton, Reviczky, Tucker, Mayor Keegan

Absent: None

**ANNOUNCEMENTS** – Councilmember Tucker reminded everyone to check the City's website to order a \$100 Centennial brick to help fund the Centennial events; said the first 300 have been received and will be installed soon along Fourteenth Street; thanked everyone for their good behavior on the Fourth of July holiday.

Councilmember Edgerton congratulated Mayor Keegan, noting that he missed the mayoral change at the previous meeting because of a family vacation scheduled for the same time every year; encouraged attendance at the free summer beach concerts on July 22, July 29 and August 5; asked that the meeting be adjourned in memory of Vivian Hoffman, a 30-year resident and former Woman's Club president who instituted the pancake breakfast, saying she was a wonderful positive person who would be greatly missed.

Mayor Pro Tempore Reviczky thanked the Hermosa Beach Police Department and the Los Angeles County Sheriff's Department for assisting in making the Fourth of July holiday enjoyable and safe for everyone.

Councilmember Bobko asked Merna Marshal to come forward to give details of the upcoming Hermosa Beach Sister City Association's centennial event.

Merna Marshall said the fundraiser for paramedic training in Loreto and the student exchange program would be held at the Hermosa Beach Community Theater on Saturday, July 14, with cocktails at 5 p.m., a Sister City documentary at 6 p.m., Folklorico dancing entertainment at 7 p.m., and dinner and mariachi entertainment at 8 p.m., with tickets at \$50 per person that may be purchased at Beach Travel, online at [hb-sistercity.org](http://hb-sistercity.org), or at the door.

Mayor Keegan announced a Surf Film Festival fundraiser for the Historical Society at the Hermosa Beach Playhouse on Thursday, July 12, at 7 p.m., with tickets at \$10 per person.

**PRESENTATIONS**

**PRESENTATION BY BILL BRAND, PRESIDENT OF THE  
SOUTH BAY PARKLAND CONSERVANCY**

Bill Brand, president of the organization, gave a PowerPoint presentation, describing the incorporation of the non-profit conservancy three years ago, and requested

support for developing the AES property as parkland, either active or passive, showing drawings with proposed improvements.

With Council consensus, City Manager Burrell said he would bring a resolution of support to the next Council meeting for approval.

**CLOSED SESSION REPORT FOR MEETING OF JUNE 26, 2007:** No reportable actions.

**PUBLIC PARTICIPATION:**

**1. ORAL AND WRITTEN COMMUNICATIONS**

There were no written communications.

Coming forward to address the City Council at this time were:

Janice Brittain and Michelle Keegan – representing Leadership Hermosa, described the founding of the organization by former Councilmember Art Yoon, listed benefits to be gained by participation, and encouraged residents to join the current class to learn how to become more involved in their community; said applications for those interested were available in the City Council Chambers foyer and at City Hall;

Sienna Tucker – Hermosa Beach, invited the community to an Art Walk fundraising dinner and silent auction showcasing the work of local photographer LeRoy Grannis on Saturday, July 21, at Gallery C from 7-11 p.m., with tickets at \$25 per person;

Carla Merriman – Hermosa Beach Chamber of Commerce and Visitors' Bureau executive director, described a TV show produced by KVMD community access channel airing over the next few weeks spotlighting Hermosa Beach, and gave details on the time and channel numbers for cable and satellite dish services; and

Howard Longacre – Hermosa Beach, said the City's website should have a link on its homepage for City employment opportunities; said it was difficult to find a parking place when attending City meetings and suggested revised signage to extend the hours to 9 p.m. limiting use of the parking lot to City business; requested the removal of consent calendar items 2(b), (e), and (f) for discussion later in the meeting; commented on taxis not licensed by the City picking up fares in the downtown area; listed dangerous activities downtown such as taxis stopping in the driving lanes to pick up passengers; inebriated people jaywalking through the planted medians and the potential danger of vehicles driving onto Pier Plaza without sufficient barricades to stop them; discussed various methods and costs of street repairs.

City Manager Burrell asked the Council to consider adding two items to the agenda which came up after the agenda was posted and which required a decision prior to the next Council meeting.

**Action:** To add a request for fee waiver from the Hermosa Shorts event organizers and a request for permission to use Lot B free of charge for the July 21 Art Walk fundraiser, based on the findings that the issues arose after the posting of the agenda and required immediate action.  
Motion Keegan, second Tucker. The motion carried by a unanimous vote.

**2. CONSENT CALENDAR:**

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

At 8:07 pm., the order of the agenda was suspended to go to Public Hearing Items 5(a) and 5(b).

**(a) RECOMMENDATION TO APPROVE THE FOLLOWING MINUTES:**

- 1) Adjourned Regular meeting held on May 24, 2007; and
- 2) Adjourned Regular meeting held on June 12, 2007.

**Action:** To approve as presented the minutes of the Adjourned Regular Meetings of May 24, 2007 and June 12, 2007.

**(b) RECOMMENDATION TO RATIFY CHECK REGISTER NOS. 48336 THROUGH 48530 AND NO. 2622205, AND TO APPROVE CANCELLATION OF CERTAIN CHECKS AS RECOMMENDED BY THE CITY TREASURER.**

This item was removed from the consent calendar by Mayor Pro Tempore Reviczky at the request of Howard Longacre for separate discussion later in the meeting.

Coming forward to address the Council on this item was:

Howard Longacre – Hermosa Beach, asked if all the Councilmembers had attended the ICA seminar (City Manager Burrell said there had been no Brown Act violation).

**Action:** To ratify the check register as presented  
Motion Reviczky, second Tucker. The motion carried by a unanimous vote.

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

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

- (d) **RECOMMENDATION TO ADOPT RESOLUTION APPROVING FINAL MAP #63246 FOR A THREE-UNIT CONDOMINIUM PROJECT AT 494 ARDMORE AVENUE.** Memorandum from Acting Community Development Director Ken Robertson dated July 3, 2007.

**Action:** To approve the staff recommendation to adopt Resolution No. 07-6553, entitled **"A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF HERMOSA BEACH, CALIFORNIA, APPROVING FINAL PARCEL MAP NO. 63246, FOR THE SUBDIVISION OF A THREE-UNIT CONDOMINIUM, LOCATED AT 494 ARDMORE AVENUE IN THE CITY OF HERMOSA BEACH, CALIFORNIA."**

- (e) **RECOMMENDATION TO RECEIVE AND FILE THE ACTION MINUTES OF THE PUBLIC WORKS COMMISSION MEETING OF JUNE 20, 2007.**

This item was removed from the consent calendar by Mayor Pro Tempore Reviczky at the request of Howard Longacre for separate discussion later in the meeting.

Coming forward to address the Council on this item was:

Howard Longacre – Hermosa Beach, said these were not action minutes but instead were unapproved minutes including public comment; said his comments were not recorded accurately but he would speak to the Public Works Department about that.

**Action:** To receive and file the action minutes of the Public Works Commission meeting of June 20, 2007.

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

- (f) **RECOMMENDATION TO ACCEPT DONATIONS OF \$10,000 FROM GMR MARKETING TO BE USED FOR THE CENTENNIAL CELEBRATION; \$25,000 FROM COCA COLA BOTTLING COMPANY TO BE USED FOR THE CENTENNIAL CELEBRATION; AND \$1,840 FROM THE HERMOSA BEACH CHAMBER OF COMMERCE TO BE USED FOR THE PAST MAYOR'S DINNER TO BE HELD ON SEPTEMBER 29, 2007.** Memorandum from Finance Director Viki Copeland dated July 2, 2007. Supplemental letter received from Howard Longacre on July 10, 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.

Coming forward to address the Council on this item was:

Howard Longacre – Hermosa Beach, said the Coca Cola contract did not come back for Council review as it was supposed to before it was signed (City Manager Burrell said the contract would be on the agenda for the next meeting).

**Action:** To accept the following donations:

- 1) \$10,000 from GMR Marketing to be used for the Centennial Celebration;
- 2) \$25,000 from Coca Cola Bottling Company to be used for the Centennial Celebration; and
- 3) \$ 1,840 from the Hermosa Beach Chamber of Commerce to be used for the Past Mayor's Dinner to be held on September 29, 2007.

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

- (g) **RECOMMENDATION TO ACCEPT THE WORK BY PAVEMENT COATINGS COMPANY, OF CYPRESS, CALIFORNIA FOR CIP PROJECT NOS. 05-110 AND 04-112 CRACK SEAL/SLURRY SEALING OF AVIATION BOULEVARD AND PROSPECT AVENUE; AUTHORIZE THE MAYOR TO SIGN THE NOTICE OF COMPLETION; AND, AUTHORIZE STAFF TO RELEASE PAYMENT TO PAVEMENT COATINGS COMPANY (10% RETAINED FOR 35 DAYS FOLLOWING FILING OF NOTICE OF COMPLETION).** Memorandum from Public Works Director Richard Morgan dated July 3, 2007.

**Action:** To approve the staff recommendation to:

- 1) Accept the work by Pavement Coatings Company, of Cypress, California for CIP Project Nos. 05-110 and 04-112 Crack Seal/Slurry Sealing of Aviation Boulevard and Prospect Avenue;
- 2) Authorize the Mayor to sign the Notice of Completion; and
- 3) Authorize staff to release payment to Pavement Coatings Company (10% retained for 35 days following filing of Notice of Completion).

3. **CONSENT ORDINANCES** – None

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

Items 2(b), (e) 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.

5. **PUBLIC HEARINGS**

- a. **ADOPTION OF METROPOLITAN TRANSIT AUTHORITY (MTA) LOCAL DEVELOPMENT REPORT AND SELF CERTIFICATION RESOLUTION CERTIFYING COMPLIANCE WITH THE CONGESTION MANAGEMENT PROGRAM (CMP) PURSUANT TO GOVERNMENT CODE SECTION 65089.** Memorandum from Acting Community Development Director Ken Robertson dated June 25, 2007.

Acting Community Development Director Robertson presented the staff report and responded to Council questions.

The public hearing opened at 8:08 p.m. As no one came forward to address the Council on this item, the public hearing closed at 8:08 p.m.

**Action:** To approve the staff recommendation to adopt Resolution No. 07-6554, entitled "**A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF HERMOSA BEACH, CALIFORNIA, FINDING THE CITY TO BE IN CONFORMANCE WITH THE CONGESTION MANAGEMENT PROGRAM (CMP) AND ADOPTING THE CMP LOCAL DEVELOPMENT REPORT, IN ACCORDANCE WITH CALIFORNIA GOVERNMENT CODE SECTION 65089.**"

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

- b. **APPEAL OF DENIAL OF ENCROACHMENT PERMIT FOR SKATEBOARD RAMP AT 2035 CIRCLE DRIVE.** Memorandum from Public Works Director Richard Morgan dated June 27, 2007.

Public Works Director Morgan presented the staff report and responded to Council questions, noting that front yards required a 42-inch line of sight.

The public hearing opened at 8:14 p.m. Coming forward to address the Council on this item was:

Tony Fitzgerald – applicant, said he recognized that the ramp created noise and offered to limit its use to certain days and times, similar to construction hours; said if liability was a concern, he would indemnify the City and hold it harmless for any claims; said the ramp was temporary just for the summer; said he was willing to take care of other mitigating factors.

At 8:18 p.m., Councilmember Edgerton recused himself from this item because he had something similar at his home for his son, and left the dais and the room.

Continuing to come forward to address the Council on this item were:

Connor Cantelmo – Hermosa Beach, said the skate park is always crowded and doesn't have a half pipe; the ramp provides exercise and fun;

Harry Cantelmo - said the Fitzgeralds required everyone using the ramp to wear helmets and appropriate safety equipment so there were no safety issues and actually less chance of injury because this ramp was made of wood and placed on grass, making the surfaces much softer than at the skate park;

Kevin and Nina Sutton – Hermosa Beach, said they had thick, 10-foot high ficus trees for years with roots that were ruining their fence and lawn and, following advice to instead plant trees with less aggressive roots, they removed the ficus trees and replaced them with 6-foot high trees that would have eventually filled in; said although many neighbors had problems with the ramp, they initially did not oppose it because they

felt the kids should be allowed to have fun and their trees, once they filled in, would create a buffer; said when the ramp owner turned them in to the City because their trees were over 42' high and the City ordered the removal of their new trees, they did complain about the ramp, finding it to be a noise and view nuisance; expressed concern about the safety of their young son and new baby on the way;

Alan Cook – Hermosa Beach, said Kevin Sutton was his brother-in-law and he and his family spent a lot of time there; said until the trees were removed, his children did not realize a skate ramp had been there for months; felt it would not be an issue if the trees were there;

Jerome Stevens – Hermosa Beach, said he lived four houses away and had known both parties for a long time and that this had become a fight between neighbors; said these were good people who should be able to work something out;

Greg Newman – Hermosa Beach, said he was good friends with the Suttons and he and Kevin were both ex-skaters so they wanted the kids to have fun; said the Suttons had no issue with the ramp until they were forced to take out their trees which were as high as the ramp, and now there was the danger of a skateboard flying over in the Sutton's yard; said the problem would go away if the trees could be replanted; and

Alicia Newman – Hermosa Beach, said she and Nina Sutton were good friends, had children the same age, and both were expecting; said now that the trees are gone, the skate ramp had become a safety hazard for their small children; said planting the trees again would provide a safety barrier.

The public hearing closed at 8:29 p.m.

**Action:** To approve the staff recommendation to uphold staff's decision to deny an encroachment permit for a "half-pipe" skateboard ramp at 2035 Circle Drive.

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

At 8:40 p.m., Councilmember Edgerton returned to the dais.

## **6. MUNICIPAL MATTERS**

- a. **ADOPTION OF RESOLUTION SUBMITTING A MEASURE TO THE VOTERS ON THE NOVEMBER MUNICIPAL ELECTION BALLOT TO INCREASE THE BUSINESS LICENSE TAX ON SPECIFIC BUSINESSES.**  
(*Cont'd from meeting of 6/12/07*) Memorandum from Finance Director Viki Copeland dated June 28, 2007.

Finance Director Copeland presented the staff report and responded to Council questions.

Coming forward to address the Council on this item were:

Carla Merriman – Hermosa Beach Chamber of Commerce and Visitors' Bureau, said she was representing the business community, showed a chart comparing business license taxes in surrounding cities and said the proposed new rates would not make Hermosa competitive for attracting new businesses and could discourage current businesses; suggested eliminating the proposed reduction in the Utility User Tax and maintaining the status quo for business license taxes; said the proposed increases would provide revenue for the City but might not be the best long-range plan;

Roger Bacon – Hermosa Beach businessman, said increasing business license taxes was the wrong approach and that the City should instead be seeking ways to encourage current businesses and attract new businesses; was opposed to taxing landlords who already have to pay real estate agents to assist them in getting appropriate tenants; agreed the UUT tax should not be reduced;

Randy Fortunato – Bottle Inn, said with the proposed plan, he would incur a 200% increase in his business license tax; said he would not mind paying a smaller increase;

Robert Bacon – Hermosa Beach businessman, said when restaurants have increased costs, they simply raise the prices of their meals; said the restaurant owners cannot pay any more; said car dealerships that used to be in the City were driven out by taxes;

Michael Shribney – Pedone's Pizza, said most businesses rent their buildings and rent keeps going higher, noting he pays over \$8,000 per month; along with worker's compensation, insurance, and an ever increasing minimum wage, said the only way businesses can survive is to pass on the increased costs to their customers; said with this proposal and the City denying the longer hours which increase business revenue, it seems the goal is to drive businesses out of the City;

Mike Lacey – Comedy and Magic Club, said he did a fair amount of gross revenue but this was a big bump; said no one was trying to solve the real problem and that for years he has begged the City to hire a head hunter to bring in businesses; said parking problems were aggravated by the fact that often the downtown parking structure had many parking spaces available yet there would be a sign at the entrance stating the structure was full; said he wanted the City to receive adequate revenue as well as the businesses but raising the business license tax was not the best plan for accomplishing this goal;

Howard Longacre – Hermosa Beach, said the cost of public services for the downtown area was much greater than in other parts of the City so it would be fair to increase fees for primarily the downtown restaurants, from which the City receives little sales tax; said that the increase for businesses with high gross receipts should not be a problem for them; said he was normally opposed to raising taxes but because of public safety costs, he hoped this issue would be put on the ballot;

Tim Moore – Hermosa Beach, Club 705 Pier, said this proposed increase was hitting at the heart and soul of the community and could drive



away businesses; said a better way to increase revenue for the City would be to find ways to attract businesses; and

Ron Newman – Hermosa Beach businessman, said one of the speakers said the business license tax for restaurants should be increased because the City makes very little sales tax from restaurants and bars but property tax is received on commercial property and employees spend money in town, pay for parking and parking tickets; said that these businesses bring in more money for the City than homeowners do.

**Action:** To continue the issue to July 24 with direction to staff to submit a revised fee based on \$1.50/thousand dollars of gross receipts and to direct staff to meet with Councilmember Edgerton and Mayor Pro Tempore Reviczky to review the changes.

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

The meeting recessed at 10:07 p.m.

The meeting reconvened at 10:22 p.m.

- b. **ADOPTION OF RESOLUTION SUBMITTING A MEASURE TO THE VOTERS ON THE NOVEMBER MUNICIPAL ELECTION BALLOT TO REDUCE THE UTILITY USER TAX (UUT) ON TELEPHONE AND CABLE SERVICES AND ADOPT A MODERN ORDINANCE.** Memorandum from Finance Director Viki Copeland dated June 28, 2007.

Finance Director Copeland presented the staff report and responded to Council questions. City Attorney Jenkins also responded to Council questions.

Coming forward to address the Council on this item were:

Howard Longacre – Hermosa Beach, said ballot measures regarding the UUT have been on the ballot twice and failed both times because business people lobbied to keep it; expressed concern about the wording of this particular ballot measure since it is not made clear that the reduced rate of 5.5% applies only to the added items; and

Jim Lissner – Hermosa Beach, said he thought the UUT should be 6% for all items because it appears voters are being offered a tax decrease and they are not; said people may vote against it simply because they feel an attempt is made to deceive them.

**Proposed Action:** To leave the tax at 6% for all categories.

Motion Bobko, second Reviczky. The motion was replaced by a substitute motion.

**Proposed Action:** To approve the staff recommendation except changing the tax on the new items to 5%.

Motion Edgerton, second Tucker. The substitute motion failed, noting the dissenting votes of Bobko, Reviczky and Mayor Keegan. The previous motion was then withdrawn.

**Action:** To continue the issue of the proposed 5.5% tax rate to the meeting of July 24, 2007, with direction to staff to return with revised wording of the ballot question.

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

c. **ADOPTION OF A RESOLUTION TO PLACE ON THE BALLOT OF THE GENERAL MUNICIPAL ELECTION OF NOVEMBER 6, 2007 A MEASURE EXEMPTING PIER PLAZA PROPERTIES FROM ON-SITE PARKING REQUIREMENTS, AND OTHER PERTINENT RESOLUTIONS CONCERNING THE PLACEMENT OF MEASURES ON THE BALLOT.**

Memorandum from City Clerk Elaine Doerfling dated July 3, 2007.

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

Coming forward to address the Council on this item were:

Greg Newman – Hermosa Beach businessman, said if consideration of this ordinance was placed on the November ballot, he hoped the ballot measure would be explained clearly so voters could make their choice accurately because he felt signers of the referendum petition did not correctly understand the intent of the ordinance;

Howard Longacre – Hermosa Beach, said he did not think signers of the petition were confused; urged the Council to rescind the ordinance instead of wasting money putting it on the ballot, and instead move forward with the Specific Plan Area for the downtown; said voters would reject the ordinance because of too much alcohol in the City;

Ron Newman – Hermosa Beach businessman, said they were rebuilding their building and whatever the Council decided was fine with them; said this ordinance concerned parking issues, not alcohol;

Carla Merriman – Hermosa Beach Chamber of Commerce and Visitors' Bureau, said she agreed this ordinance was not about alcohol but about parking and, because of the way the Plaza was designed as a pedestrian mall, the concept of on-site parking was not feasible, especially on the south side of the Plaza; said the issues were not made clear to the people who signed the referendum petition because there are business other than bars and restaurants which would be affected by this ordinance; and

Jim Lissner – Hermosa Beach, clarified that the ordinance which was the subject of the referendum enabled a business to add a second story without having to provide any parking and would apply to any business on Pier Plaza, not just ones destroyed by fire or other circumstances; said he believed people signing the petition were not confused and knew the ordinance would allow a bar to add a second story.

**Proposed Action:** To approve only the second, third, and fourth resolutions in the staff recommendation and bring back the first resolution.

Motion Keegan, second Edgerton. City Clerk Doerfling replied that all the resolutions had to be adopted at the same time. The motion was withdrawn.

**Proposed Action:** To continue the item to the following meeting of July 24, 2007.

Motion Keegan, second Edgerton. The motion was replaced by a substitute motion.

**Proposed Action:** A substitute motion was made to rescind the ordinance to give the Council time to submit an alternative ordinance to address the parking issues in a different way, such as a Specific Plan Area, instead of being restricted to waiting a year to consider another ordinance if the voters rejected the ordinance suspended by the referendum.

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

**Action:** To continue the issue to the following meeting of July 24, 2007.

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

**Action:** To authorize Councilmember Edgerton to prepare the ballot argument in favor of the ordinance.

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

At 11:25 p.m., the order of the agenda went to item 7(b)

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

a. **PLAQUE FOR TREE IN GREENWOOD PARK AS REQUESTED BY ROGER BACON.** Memorandum by City Manager Burrell dated July 3, 2007.

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

Coming forward to address the Council on this item were:

**Bob Bacon** – Hermosa Beach property owner, outlined his family's civic and business activities to Hermosa Beach and their owning of property since 1949; said their family was part of the history of Hermosa Beach and, as such, he and his brother Roger were proposing that a plaque be installed, at no cost to the City, to honor their family's contributions;

**Henry Burke** – said he was speaking out of respect for Les Bacon who was an inspiration to him; said the Bacon family brought millions of dollars into the City of Hermosa Beach; said that Les Bacon cared deeply for the citizens and businesses of Hermosa Beach and should be honored; and

**Roger Bacon** – Hermosa Beach businessman, discussed the contributions of his mother and of his father, whom he considered one of the greatest men he ever knew; showed many photographs illustrating his family's

contributions to the City; and, requested that the City Council grant his request to install the proposed plaque in Greenwood Park at no cost to the City.

**Action:** To approve the installation of the plaque for a tree in Greenwood Park as presented by Roger Bacon.

Motion Edgerton, second Keegan. The motion carried, noting the dissenting vote of Mayor Pro Tempore Reviczky.

b. **REQUEST BY ORGANIZERS OF THE ART WALK FUNDRAISER ON SATURDAY, JULY 21, TO USE LOT B WITHOUT CHARGE.**

**Action:** To allow the use of Lot B, without charge, for the Art Walk fundraiser on Saturday, July 21, 2007.

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

c. **REQUEST BY ORGANIZERS OF THE HERMOSA SHORTS FILM FESTIVAL FOR FEE WAIVERS.**

Coming forward to address the Council on this were:

Tom Kearney, Greg Wyatt, Geri Reeder and Jeff Maxwell – representing Hermosa Shorts, outlined the activities of their festival on August 10-11-12, including a free beach screening; said Project Touch would benefit from their efforts.

**Action:** To waive the fees, as requested.

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

At 11:27 p.m., the order of the agenda went to item 7(a).

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

a. **APPOINTMENT TO CIVIL SERVICE BOARD TO FILL UNEXPIRED TERM DUE TO UNSCHEDULED VACANCY.** Memorandum from City Clerk Elaine Doerfling dated July 5, 2007.

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

**Action:** To appoint Doug Collins to fill an unexpired term ending July 15, 2008 on the Civil Service Board.

Motion Reviczky, second Keegan. The motion passed.

b. **APPOINT TWO ADDITIONAL MEMBERS TO THE NEWLY FORMED EMERGENCY PREPAREDNESS ADVISORY COMMISSION.** Memorandum from City Clerk Elaine Doerfling dated July 3, 2007.

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

**Action:** It was the consensus of the City Council to appoint Patty Ellis and Alan Benson to the Emergency Preparedness Advisory Commission for an initial three-year term ending May 31, 2010.

At 11:55 p.m., the order of the agenda went to item 4(a) consent calendar items removed for separate discussion.

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

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

1. **MINUTES: Approval of minutes of Closed Session meeting held on June 26, 2007.**
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.

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

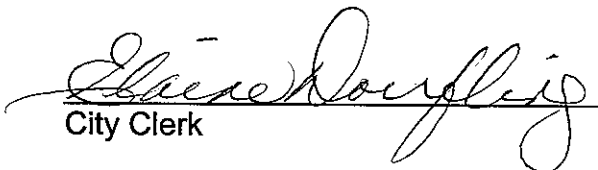
**Number of potential cases:** 1

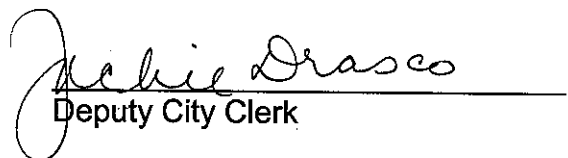
**ADJOURN TO CLOSED SESSION** – The Regular Meeting of the City Council of the City of Hermosa Beach adjourned on Tuesday, July 10, 2007, at the hour of 11:59 p.m. to a closed session.

**RECONVENE TO OPEN SESSION** – The Closed Session convened on Wednesday, July 11, 2007, at the hour of 12:02 a.m. At the hour of 12:15 a.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 Vivian Hoffman on Wednesday, July 11, 2007, at the hour of 12:16 a.m. to the Regular Meeting of Tuesday, July 24, 2007, at the hour of 7:10 p.m.

  
City Clerk

  
Deputy City Clerk