

MINUTES OF THE REGULAR MEETING OF THE CITY COUNCIL of the City of Hermosa Beach, California, held on Tuesday, September 11, 2007, at the hour of 7:18 p.m.

PLEDGE OF ALLEGIANCE – Pat Love, who asked everyone present, in light of this significant anniversary of the terrorist attacks on September 11, 2001, to keep in mind the safety of our military troops.

ROLL CALL:

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

Absent: None

PRESENTATIONS

**CERTIFICATES OF COMMENDATION
AWARDED TO
AMIRALI SHARGHI
AND
JULIUS GIBSON**

Chief Savelli introduced Hermosa Beach Detective Steve Saylor who was involved, along with these gentlemen, with solving a bank fraud crime.

Detective Saylor introduced both Amiralo Shargi, manager of the Hermosa Beach Bank of America branch, who learned of the fraud plans and served as an undercover agent for the Police Department to help prove the guilt of the suspects, and Julius Gibson, an investigator for the Bank of America, who was also instrumental in solving this case.

Mayor Keegan read and presented the commendations and expressed gratitude to the two men for their creativity and courage.

ANNOUNCEMENTS – Councilmember Bobko invited the community to the Centennial Dinner on Saturday, September 29, at the Community Center; noting that tickets were \$50 per person and could be purchased on the City's website. He announced another event, The Taste of Hermosa, at 3-6 p.m. the following day, Sunday, September 30, on Pier Plaza, featuring food from 19 Hermosa restaurants, and provided a phone number to call for further information.

Mayor Pro Tempore Reviczky suggested everyone take a look at the wonderful mural at Cantina Real, a beautiful piece of art that captures the history of the City.

Councilmember Tucker thanked the purchasers of items from the Centennial booth at the Labor Day Fiesta, saying the funds raised would support the two events on September 29 and 30, and reminded everyone that there was still time to buy a Centennial brick, noting that ordering information was available on the City's website

under Centennial Gear. He said September is National Preparedness Month and families should have a five-day supply of provisions in their homes. He described seminars he attended at the League of California Cities Conference in Sacramento the previous week, and said he would pass on information to staff; said a trade show was part of the conference with displays of innovative benches, lighting and paving methods. He encouraged attendance at the Upper Pier Avenue Advisory Committee meeting Wednesday, September 12, at 7 p.m. in the Council Chambers, noting that one of the topics would be ensuring that developers pay their fair share to help provide funding for park improvements, street repairs and public art. He announced a statewide Coastal Clean-Up Day Saturday, September 15, from 9 a.m. to noon; and said interested residents should meet at the pier.

Councilmember Edgerton asked that the meeting be adjourned in memory of Tony Redondo, a gentleman in his 90's who was prominent in the north end of town.

Mayor Pro Tempore Reviczky asked that the meeting also be adjourned in memory of John Dunbabin, a dear friend of his who recently lost his five-year battle with pancreatic cancer; said John was the kind of person who lit up a room and he would miss him very much; said in lieu of flowers, the family asked that donations be made to the Pancreatic Cancer Action Network, <http://www.pancan.org>.

Mayor Keegan said he also attended the League Conference in Sacramento; said for the first time in 28 years there would be a councilmember from a coastal city serving on the Air Quality Management Board; and announced Operation Light Exchange, an event sponsored by Southern California Edison and the South Bay Energy Savings Center for the replacement of halogen torchiere or incandescent lamps with new energy efficient fluorescent lamp fixtures at the Wal-Mart in Torrance on Saturday and Sunday, September 15 and 16 from 9 a.m. to 2 p.m.

PUBLIC PARTICIPATION:

1. ORAL AND WRITTEN COMMUNICATIONS

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

Pat Love – Hermosa Beach, presented a check for \$2,500 from the Kiwanis Club which, with the efforts of Neighborhood Watch, participated in the handprint wall; said the funds were to be used for the September 29 Centennial dinner; invited the community to attend the Hawaiian-themed installation of Mike Miller as the new Kiwanis Club president on Saturday, September 15, at 5 p.m. at the Kiwanis Club building;

Laura Raymond – Hermosa Beach, representing Friends of the Parks, urged everyone to attend the rededication of Edith Rodaway Friendship Park Saturday, September 15, at 10 a.m., with Kurt Rambis in attendance; said Friends of the Parks basketballs would be distributed to the first 100 children attending;

Janice Brittain – Hermosa Beach, announced The Great Hermosa Beach Pumpkin Patch Show on Saturday, September 22, from 10:30 a.m. to

6:30 p.m. in the Hermosa Theater Playhouse lobby with beautiful hand-blown glass pumpkins on display and for sale;

Brian Russell – Hermosa Beach, described his experience as a glass artist and events throughout the state similar to the one being held in Hermosa Beach; said 15% of the profits would benefit the Hermosa Beach Arts Foundation; and

Julian Katz – Hermosa Beach Lawn Bowling Club, invited the community to their Open House on Sunday, October 28 from 1-4 pm, to view their great facility and consider becoming a member.

- (a) **Letter from Jim Lissner dated August 5, 2007, regarding diesel generators and health.**

No one came forward to address the City Council on this letter.

Action: To receive and file the letter.

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

2. **CONSENT CALENDAR:**

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

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

- (a) **RECOMMENDATION TO APPROVE THE FOLLOWING MINUTES OF THE REGULAR MEETING OF JULY 10, 2007.**

Action: To approve, as presented, the minutes of the Regular Meeting of July 10, 2007.

- (b) **RECOMMENDATION TO RATIFY CHECK REGISTER NOS. 48950 THROUGH 49278, AND TO APPROVE CANCELLATION OF CHECK NOS. 48511, 48541, AND 48895 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 the Tentative Future Agenda Items.

- (d) **RECOMMENDATION TO RECEIVE AND FILE THE JULY 2007 FINANCIAL REPORTS:**

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

Action: To receive and file the July 2007 financial reports.

- (e) **RECOMMENDATION TO RECEIVE AND FILE THE ACTION MINUTES OF THE PARKS, RECREATION AND COMMUNITY RESOURCES ADVISORY COMMISSION MEETING OF AUGUST 7, 2007.**

Action: To receive and file the action minutes of the Parks, Recreation and Community Resources Advisory Commission meeting of August 7, 2007.

- (f) **RECOMMENDATION TO AWARD CONTRACT SERVICES AGREEMENT FOR MAINTENANCE OF THE CITY HALL ELEVATOR AND THE NORTH PIER PARKING STRUCTURE ELEVATOR IN THE AMOUNT OF \$2,184/YEAR (\$182/MONTH) TO RELIABLE ELEVATOR OF IRVINE, CALIFORNIA.** Memorandum from Public Works Director Richard Morgan dated August 27, 2007.

Action: To award the Contract Services Agreement for maintenance of the City Hall elevator and the North Pier Parking Structure elevator in the amount of \$2,184 per year (\$182 per month) to Reliable Elevator of Irvine, California, as recommended by staff.

- (g) **RECOMMENDATION TO RECEIVE AND FILE THE ACTION MINUTES OF THE PUBLIC WORKS COMMISSION MEETING OF AUGUST 15, 2007.**

Action: To receive and file the action minutes of the Public Works Commission meeting of August 15, 2007.

- (h) **RECOMMENDATION TO RECEIVE AND FILE THE ACTION MINUTES OF THE UPPER PIER AVENUE COMMITTEE MEETING AUGUST 1, 2007.**

Action: To receive and file the action minutes of the Upper Pier Avenue Committee meeting August 1, 2007.

- (i) **RECOMMENDATION TO RECEIVE AND FILE PROJECT STATUS REPORT.** Memorandum from Public Works Director Richard Morgan dated August 30, 2007.

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

- (j) **RECOMMENDATION TO ACCEPT DONATION FROM THE KIWANIS CLUB OF EXERCISE EQUIPMENT (THREE WORK-OUT STATIONS) FOR THE GREENBELT, VALUED AT \$10,727.60; AND ACCEPT DONATION**

FROM THE FRIENDS OF THE PARKS OF EXERCISE EQUIPMENT (ONE WORK-OUT STATION) FOR THE GREENBELT. Memorandum from Public Works Director Richard Morgan dated September 4, 2007.

This item was removed from the consent calendar by Mayor Pro Tempore Reviczky for separate discussion later in the meeting in order to acknowledge and thank the donors.

Coming forward to address the Council at this time was:

Laura Raymond – Hermosa Beach, said this was collaboration between the Kiwanis Club, which provided three work-out stations, and the Friends of the Parks, which picked up the fourth station.

Action: To accept the following donations:

- Exercise equipment (three work-out stations) for the Greenbelt, valued at \$10,727.60 from the Kiwanis Club; and
- Exercise equipment (one work-out station) for the Greenbelt, valued at \$2,852.39 from Friends of the Parks.

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

(k) **RECOMMENDATION TO AWARD A PROFESSIONAL SERVICES AGREEMENT TO MBF CONSULTING, INC. TO PROVIDE ENGINEERING SERVICES FOR CIP NO. 07-422 UPDATE SEWER MASTER PLAN AND PREPARATION OF MUNICIPAL SEWER MANAGEMENT PLAN IN THE AMOUNT OF \$61,000; AND, AUTHORIZE THE MAYOR TO EXECUTE AND THE CITY CLERK TO ATTEST THE PROFESSIONAL SERVICES AGREEMENT SUBJECT TO APPROVAL BY THE CITY ATTORNEY.**

Memorandum from Public Works Director Richard Morgan dated September 4, 2007. Supplemental Sanitary Sewer Management Plan Fee chart received from Director Morgan on September 11, 2007.

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

Public Works Director Morgan presented a brief staff report and responded to Council questions. City Manager Burrell also responded to Council questions.

Action: To approve the staff recommendation to:

- (1) Award a Professional Services Agreement to MBF Consulting, Inc. to provide engineering services for CIP No. 07-422 Update Sewer Master Plan and Preparation of Municipal Sewer Management Plan in the amount of \$61,000; and
- (2) Authorize the Mayor to execute and the City Clerk to attest the Professional Services Agreement subject to approval by the City Attorney.

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

- (l) **RECOMMENDATION TO RECEIVE AND FILE REPORT OF CUSTOMER SERVICE SURVEYS/COMPLAINTS.** Memorandum from City Clerk Elaine Doerfling dated September 5, 2007.

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

- (m) **RECOMMENDATION TO RECEIVE AND FILE THE ACTION MINUTES OF THE PLANNING COMMISSION MEETING OF AUGUST 21, 2007.**

Action: To receive and file the action minutes of the Planning Commission meeting of August 21, 2007.

- (n) **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 August 30, 2007.

Claimant: Reynolds, Peter
Date of Loss: 08-19-07
Date Filed: 08-23-07
Allegation: Property damage

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

- (o) **RECOMMENDATION TO ADOPT RESOLUTION APPROVING FINAL MAP #61290 FOR A 53-UNIT COMMERCIAL CONDO AT 200 PIER AVENUE.** Memorandum from Acting Community Development Director Ken Robertson dated September 5, 2007.

Action: To approve the staff recommendation to adopt Resolution No. 07-6566, entitled "**A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF HERMOSA BEACH, CALIFORNIA, APPROVING FINAL PARCEL MAP NO. 61290, FOR THE SUBDIVISION OF A 53-UNIT COMMERCIAL CONDOMINIUM, LOCATED AT 200 PIER AVENUE IN THE CITY OF HERMOSA BEACH, CALIFORNIA.**"

- (p) **RECOMMENDATION TO ACCEPT DONATIONS OF \$110 FROM THE EMPLOYEE'S COMMUNITY FUND OF THE BOEING COMPANY/ CHRISTOPHER ASHLEY TO BE USED FOR COMMUNITY RESOURCES PROGRAM MATERIALS; \$2,047.75 FROM COLLECTIONS TAKEN AT THE CENTENNIAL CONCERT HELD ON AUGUST 5, 2007, TO BE USED FOR THE 2008 SUNSET CONCERT SERIES; \$1,600 FROM ANN AND JAMES LUNDY TO BE USED FOR A BENCH IN HONOR OF PAUL ROMA HANSON II; AND \$1,000 FROM FRIENDS OF THE PARKS TO BE USED FOR IMPROVEMENTS AT KAY ETOW PARK.** Memorandum from Finance Director Viki Copeland dated August 30, 2007.

This item was removed from the consent calendar by Mayor Pro Tempore Reviczky for separate discussion later in the meeting in order to acknowledge and thank the donors.

Action: To accept the following donations:

- \$ 110.00 from the Employee's Community Fund of the Boeing Company/Christopher Ashley to be used for Community Resources program materials;
- \$2,047.75 from collections taken at the Centennial Concert held on August 5, 2007, to be used for the 2008 Sunset Concert Series;
- \$1,600.00 from Ann and James Lundy to be used for a bench in honor of Paul Roman Hanson II; and
- \$1,000.00 from Friends of the Parks to be used for improvements at Kay Etow Park.

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

At 7:46 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(j), (k) and (p) 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 8:48 p.m., the order of the agenda went to item 9(a).

5. **PUBLIC HEARINGS**

- a. **TEXT AMENDMENT TO SECTION 17.52.070 TO ALLOW FOR THE RECONSTRUCTION OF DAMAGED NONCONFORMING COMMERCIAL BUILDINGS IN RESIDENTIAL ZONES AND RESIDENTIAL USES THAT EXCEED 45 DWELLING UNITS PER ACRE.** Memorandum from Acting Community Development Director Ken Robertson dated September 4, 2007.

Acting Community Development Director Robertson presented the staff report and responded to Council questions. City Attorney Jenkins also responded to Council questions.

The public hearing opened at 7:58 p.m. As no one came forward to address the Council on this item, the public hearing closed at 7:58 p.m.

Action: To approve the staff recommendation to waive full reading and introduce Ordinance No. 07-1287, entitled "**AN ORDINANCE OF THE CITY OF HERMOSA BEACH, CALIFORNIA, AMENDING SECTION 17.52.070 OF THE ZONING ORDINANCE PERTAINING TO REBUILDING OF DAMAGED NON-CONFORMING STRUCTURES,**" with Section 17.52.070B(b) to read as follows: "There is no increase in the occupant load of the building, expansion of any nonconforming condition, or intensification of any nonconforming use;" Motion Edgerton, second Bobko. The motion carried, noting the dissenting votes of Reviczky and Mayor Keegan.

6. **MUNICIPAL MATTERS**

a. **CREATION OF TEMPORARY TAXI STANDS DURING PEAK DEMAND PERIODS.** Memorandum from Police Chief Greg Savelli.

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

Coming forward to address the Council on this item were:

Gene Dreher – Hermosa Beach, complimented the Chief on a fine presentation and for being pro-active; and

Janice Brittain – Hermosa Beach, spoke in support of the concept, especially placing taxi stands north of Pier Avenue and on the east side of Hermosa Avenue; thought it would eliminate current safety issues.

Action: To approve installation of "Taxi Only, 9pm – 3am – Thurs-Sun" signs on metered parking spaces located (1) on the west side of Hermosa Avenue extending from the existing Taxi Stand on the south to the alley on the north side of the parking structure, (2) on the east side of Hermosa Avenue from 14th Street south, five parking spaces, and (3) on the west side of Manhattan Avenue from Pier Avenue on the south, five spaces north. Motion Reviczky, second Bobko. The motion carried by a unanimous vote.

At 8:38 p.m., the order of the agenda went to item 4(a), items removed from the consent calendar for separate discussion.

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

a. **CONSOLIDATED DISPOSAL SERVICE: NOTICE OF 2.93% RATE INCREASE EFFECTIVE JANUARY 1, 2008.** Memorandum from City Manager Stephen Burrell dated September 6, 2007.

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

Action: To receive and file the notice of the Consolidated Disposal Service 2.93% rate increase effective January 1, 2008.

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

b. **REQUEST FROM BLUE 32 TO EXPAND THEIR HOURS**

City Manager Burrell added this item to the agenda and reported that Blue 32 had submitted a request for longer hours to the Police Department and, through him, to the City Council. He said Chief Savelli had responded that the Police Department would prefer the hours to remain the same and, with Council consensus, he would reply for the Council with the same response. There was no objection from the City Council.

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

9. **OTHER MATTERS - CITY COUNCIL**

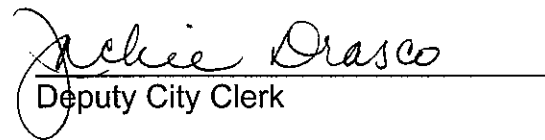
a. **Request from Councilmember Tucker that the City Council consider adopting an ordinance regulating the banner towing aircraft and direct staff to work with other cities to develop a coordinated approach.**

Action: To direct the City Manager to speak to other South Bay City Managers about a cooperative effort to restrict banner towing aircraft to a distance of 2,000 feet from the coastline and other congested areas and to an altitude of 1,000 feet, and to return at a future meeting with a report for Council consideration.

Motion Tucker, second Edgerton. The motion carried.

ADJOURNMENT - The Regular Meeting of the City Council of the City of Hermosa Beach adjourned in memory of John Dunbabin and Tony Redondo on Tuesday, September 11, 2007, at the hour of 8:57 p.m. to the Regular Meeting of Tuesday, September 25, 2007, at the hour of 7:10 p.m.


City Clerk


Deputy City Clerk