

Thursday, February 19, 2004

Honorable Mayor and Members of
The Hermosa Beach City Council

Regular meeting of
February 24, 2004

REGULATION OF ELECTRIC PERSONAL ASSISTIVE MOBILITY DEVICES ("EPAMDS")

RECOMMENDATION

Staff recommends that Council:

1. Consider whether to: 1) retain the prohibition of the operation of EPAMDS on the Strand and on commercial sidewalks in the City; 2) permit the operation of EPAMDS in all locations in the City; or 3) regulate the locations in which EPAMDS may be used in the City.
2. Adopt an ordinance reflecting the Council's determination.

BACKGROUND

City Council considered the issue of EPAMDS at its regular meeting of January 13, 2004. During that discussion, it was noted that the Parks and Recreation Commission had discussed the issue at its meeting the night before, and each member had expressed the view that EPAMDS should not be allowed on the Strand. After the Council meeting, Robert Aronoff wrote a letter to the City complaining that the issue had not been listed on the Commission's agenda, and should not under the Brown Act have been discussed or reported to the Council as a recommendation. He asked for the matter to be rescheduled before both the Commission and the City Council.

In response to that letter, the City Attorney advised that the Commissioners rescind their comments and reconsider the issue as an agendaized matter of business. In addition, he informed Mr. Aronoff that the Council would thereafter reconsider the matter as a Municipal Matter. The issue was placed on the Commission agenda for discussion at its February 3, 2004 meeting. At that meeting, the Commission considered the issue and took no action. The matter is now before you for reconsideration.

The staff report prepared in connection with your January 13 meeting is attached for your review. It is recommended that you take public testimony, deliberate and take whatever action you deem appropriate. Alternatives include adoption of the ordinance attached to this staff report reflecting your discussion of January 13, or any modification of the ordinance you determine to be appropriate.

FISCAL IMPACT

None.

Respectfully submitted,

Concur:

MICHAEL JENKINS
CITY ATTORNEY

STEPHEN BURRELL
CITY MANAGER