

May 16, 2007

City Council Meeting
May 22, 2007

Mayor and Members
of the City Council

**CERTIFICATION OF RESULTS OF SIGNATURE VERIFICATION OF
REFERENDUM PETITION AGAINST ORDINANCE NO. 07-1278**

Recommendation:

It is recommended that the City Council take action pursuant to State law to either (1) repeal the subject ordinance or (2) direct the City Clerk to prepare the appropriate resolutions to place the ordinance on the ballot for the General Municipal Election of November 6, 2007.

Background:

Attached is a Certificate of Sufficiency for a referendum petition against Ordinance No. 07-1278: AN ORDINANCE OF THE CITY OF HERMOSA BEACH, CALIFORNIA, TO AMEND THE ZONING ORDINANCE SECTION 17.44.040 TO EXEMPT PIER PLAZA BUILDING SITES FROM PROVIDING A PERCENTAGE OF PARKING SPACES ON SITE WHEN IN-LIEU PARKING FEES ARE PAID. The sufficiency of 1,392 valid signatures represents at least 10 percent of the City's registered voters (12,829), according to the County's last official report of registration on October 23, 2006, to the Secretary of State.

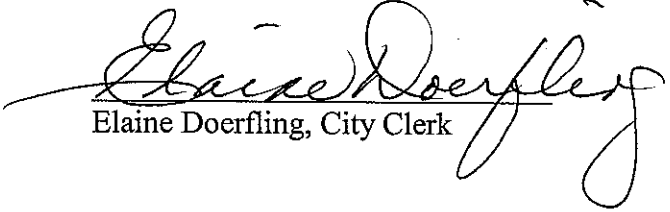
The subject ordinance was adopted by the City Council on March 13, 2007, and the petition was filed with the City Clerk on April 12, within the 30-day time frame. After examining the petition and determining that the number of signatures, prima facie, exceeded the minimum number of signatures (1283) required, the petition was accepted for filing and was delivered to the County for signature verification. The verification process was completed well within the 30 working days allowed, and the petition was returned to the City Clerk on May 7, 2007 for certification.

Elections Code Section 9237 states that if a petition protesting the adoption of an ordinance is submitted to the City Clerk within 30 days of the ordinance's adoption and is signed by not less than 10 percent of the voters of the City, the effective date of the ordinance shall be suspended .

If the petition qualifies and is certified sufficient by the City Clerk, Elections Code Section 9241 states that, if the Council does not entirely repeal the ordinance, the Council shall submit the ordinance to the voters at either the next regular municipal election (November 6, 2007) or a special election, occurring not less than 88 days after the order of the Council, and the ordinance shall take effect only if a majority of the voters voting on the ordinance vote in favor of it. An

ordinance that receives a majority vote at an election shall be considered adopted upon the declaration of election results by the Council and shall take effect 10 days later.

If the Council repeals the ordinance or submits it to the voters and a majority of the voters do not vote in favor of it, the ordinance may not be re-enacted by the Council for one year from the date of its repeal or from the declaration of the result of the election.


Elaine Doerfling, City Clerk

Noted:


Stephen R. Burrell, City Manager

1 STATE OF CALIFORNIA
2 COUNTY OF LOS ANGELES
3 CITY OF HERMOSA BEACH

4 **CERTIFICATE OF SUFFICIENCY**

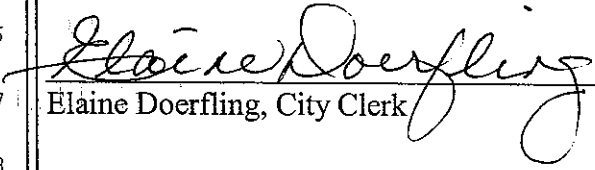
5 **Referendum Petition against Ordinance No. 07-1278, entitled "AN ORDINANCE OF THE**
6 **CITY OF HERMOSA BEACH, CALIFORNIA, TO AMEND THE ZONING**
7 **ORDINANCE SECTION 17.44.040 TO EXEMPT PIER PLAZA BUILDING SITES**
8 **FROM PROVIDING A PERCENTAGE OF PARKING SPACES ON SITE WHEN IN-**
9 **LIEU PARKING FEES ARE PAID,"** which was adopted by the Hermosa Beach City Council
10 on March 13, 2007.

11 I, ELAINE DOERFLING, CITY CLERK OF THE CITY OF HERMOSA BEACH,
12 CALIFORNIA, DO HEREBY CERTIFY THAT SAID PETITION IS SUFFICIENT, FOR THE
13 FOLLOWING REASONS:

- 14 1. The number of registered voters at the time the ordinance was adopted and petition
15 circulation began was, according to the October 23, 2006 Los Angeles County
16 Clerk's report to the Secretary of State (effective for this petition): 12,829.
- 17 2. The number of signatures needed to qualify this proposed referendum for an
18 election is at least 10% of the registered voters, or 1,283.
- 19 3. The results of the signature verification by the office of the Los Angeles County
20 Registrar-Recorder/County Clerk are as follows:

21	Number of signatures filed	1,908
22	Number of signatures verified	1,559
23	a. Number of signatures qualified	1,392
24	b. Number of signatures not qualified	167

25 THEREFORE, I HAVE HEREUNTO SET THE SEAL OF THE CITY OF HERMOSA
26 BEACH, CALIFORNIA.

27 
Elaine Doerfling, City Clerk

Dated: May 8, 2007



COUNTY OF LOS ANGELES
 REGISTRAR-RECORDER/COUNTY CLERK
 12400 IMPERIAL HWY. - P.O. BOX 1024, NORWALK, CALIFORNIA 90651-1024

CONNIE B. McCORMACK
 REGISTRAR-RECORDER/COUNTY CLERK

May 2, 2007

Ms. Elaine Doerfling, City Clerk
 City of Hermosa Beach
 1315 Valley Drive
 Hermosa Beach, CA 90254



Dear Ms. Doerfling:

We have completed the signature verification for the Referendum Against An Ordinance Passed by the City Council of the City of Hermosa Beach. The petition against Ordinance 07- 1278 was submitted on April 27, 2007.

Number of signatures filed	1,908
Number of signatures verified	1,559
Number of signatures found sufficient	1,392
Number of signatures found not sufficient	167
Not sufficient because duplicate	26

Please call Raymond Oliande, Head of the Data Entry and Signature Verification Section at (562) 462-2376 if you have any questions regarding the signature verification of this petition.

Sincerely,

Conny B. McCormack
 CONNY B. McCORMACK
 Registrar-Recorder/County Clerk

Enclosures