

**Minutes
Council/RDA Meeting
City Council/Redevelopment Agency
City of Huntington Beach**

Monday, August 21, 2006
4:00 P.M. - Room B-8
6:00 P.M. - Council Chambers
Civic Center, 2000 Main Street
Huntington Beach, California 92648

**An audiotape of the 4:00 p.m. portion of this meeting
and a videotape of the 6:00 p.m. portion of this meeting
are on file in the Office of the City Clerk.**

The 4:00 p.m. portion of the meeting was recessed by Deputy City Clerk Kelly Mandic to 4:30 p.m. in room B-8 due to a lack of quorum.

Call to Order

Mayor Sullivan called the regular meeting of the City Council/Redevelopment Agency of the City of Huntington Beach to order at 4:34 p.m. in Room B-8.

City Council/Redevelopment Agency Meeting Roll Call

Present: Bohr, Green, Coerper, Sullivan, Hardy, Hansen (arrived at 4:35 p.m.),
 and Cook.
Absent: None.

The City Clerk Announced Late Communications Pertaining to the 4:00 P.M. Portion of the Meeting

Pursuant to the Brown (Open Meetings) Act, City Clerk Joan L. Flynn announced the following Late Communications regarding a Study Session item had been received by her office following distribution of the agenda packet:

Three communications submitted by the Public Works Department, undated, titled *2006/2007 Residential Overlays, Tree Removal Petitions, and City of Huntington Beach Capital Improvement Program Fiscal Year 2006/2007.*

No Public Comments Regarding the 4:00 P.M. Portion of the Council Meeting

(City Council) Study Session Held – Overview of the City Administrator’s Preliminary Recommended Fiscal Year 2006/2007 Budget Given

City Administrator Penny Culbreth-Graft summarized the information available on the City’s website, www.surfcity-hb.org and stated a two-page summary of the budget will be available soon. She described the recommended budget total of \$319 million, which reflects a decrease of 3.1% from the prior year, and the continuing use of reserve funds

for improvement needs. She referred to the Strategic Plan, performance measurements added to the budget this year, and approximately twenty new positions added to staff. She addressed Public Safety positions, stating priorities were discussed with the Police Chief resulting in the addition of two Communications Operators and one Criminalist.

Administrator Culbreth-Graft clarified the General Fund reserve is over \$12,000,000 and a second-tier reserve has an additional 3%. She described the contents of the Capital Improvements tab in the Budget report, noting that the separate Capital Improvement Program report includes a summary sheet for every project.

Finance Director Dan Villella summarized the Budget Message, found on page i of the report. He described reasons for fluctuations in some of the individual department budgets, including increased staffing due to reorganization. He described fluctuations in Utility Users Tax, Sales Tax, parking revenue, and interest. In response to Council inquiry, he explained the status of unfunded liabilities, including actuarial liabilities and actuarial assets, and stated that from a practical standpoint, the unfunded liabilities should never reach zero. Mayor Sullivan stated that in the 1990's, the contributions to supplemental and medical retirement were less than optimal and encouraged Council not to continue on that path. Director Villella concurred with the Mayor's comments.

Public Works Director Robert F. Beardsley described the categories of the Capital Improvement Program (CIP) including forty-four individual projects. He presented a PowerPoint report titled *2006/07 CIP*, which was included in the agenda packet. Discussion ensued amongst Council and staff pertaining to roadway repairs on Goldenwest Street, Hamilton Avenue, Atlanta Avenue, Bolsa Chica Street, 17th Street alley, the bid and funding process, and the Pavement Management Program.

Mayor Sullivan thanked staff for their efforts in compiling the reports.

Motion to Recess to Closed Session – Approved

A motion was made by Coerper, second Hardy to recess to Closed Session on the following items. The motion carried by the consensus of all present, none absent.

(City Council) Closed Session - Pursuant to Government Code Section 54956.9(a) to confer with its attorney regarding pending litigation which has been initiated formally and to which the City is a party. The title of the litigation is **Dennis Ford v. City of Huntington Beach; WCAB Case Nos. LBO 333337, 333410, and 333271; Claim Nos. COHB-02-0173, 01-0053, 01-0102, and 99-0167. Subject: Dennis Ford v. City of Huntington Beach.**

(City Council) Closed Session - Pursuant to Government Code Section 54957.6 to meet with its designated representatives: Agency Negotiators: Penelope Culbreth-Graft, City Administrator; Bob Hall, Deputy City Administrator; Dan Villella, Finance Director; Renee Mayne, Chief Negotiator; and Irma Youssefieh, Human Resources Manager regarding labor relations matters - meet and confer with the following employee organizations: **MEO, FMA, HBFA, MSOA, SCLEA, and Non-Associated.** Subject: **Labor Relations - Meet and Confer.**

(City Council) Closed Session - Pursuant to Government Code Section 54956.9(a) to confer with its attorney regarding pending litigation which has been initiated formally and to which the City is a party. The titles of the litigation are **City of Huntington Beach v. POA**, USDC Case No SA01-1125JVS; and **Scottsdale Insurance Co. v. City of Huntington Beach**, USDC SA03-1154JVS. Subject: **City of Huntington Beach v. POA**; and **Scottsdale Insurance v. City of Huntington Beach [Gun Range]**.

Reconvened City Council/Redevelopment Agency Meeting - 6:15 p.m.

City Council/Redevelopment Agency Roll Call

Present: Bohr, Green, Coerper, Sullivan, Hardy, Hansen, and Cook.
Absent: None.

No Actions Taken Which Require a Reporting Pursuant to Government Code (54957.1(a) (3) (B)).

Pledge of Allegiance/Flag Salute - Led by Councilmember Hardy

Invocation - Led by Reverend Michael Slater, Greater Huntington Beach Interfaith Council

The City Clerk Announced Late Communications

Pursuant to the Brown (Open Meetings) Act, City Clerk Joan L. Flynn announced Late Communications regarding agenda items that had been received by her office following distribution of the agenda packet:

Three communications submitted by the Public Works Department, undated, titled *2006/2007 Residential Overlays, Tree Removal Petitions, and City of Huntington Beach Capital Improvement Program Fiscal Year 2006/2007.*

Communication submitted by Tom Andrusky dated August 18, 2006 and titled *Support for Item E-10 on the August 21, 2006 City Council Agenda and Request for the City Council to Establish a Web Site for the Economic Revitalization Project.*

Communication submitted by Paul Emery, Deputy City Administrator, Development Services dated August 21, 2006 and titled *PowerPoint for Item F-1, the City's Strategic Plan.*

The Following Communications Were Submitted During the Meeting:

Two flyers with information on events benefiting the Therapeutic Riding Center of Huntington Beach submitted by Carol Ann Wall, undated, titled *Bella Terra Beach Party* and *Oktoberfest.*

Presentation - Mayor Dave Sullivan presented commendations to the members of the Huntington Beach Girls Softball 14 and Under All Star Team who became the first HBGS 14 and Under All-Star Team to win the American Softball Association Southern California District Championship.

Presentation - Mayor Dave Sullivan presented a commendation to Dolores (Lori) Watson for her dedication and time spent cleaning graffiti in her neighborhood and beyond.

Presentation - Mayor Dave Sullivan called on Sherry Bullock from the Huntington Harbour Garden Club who announced the dedication of the Blue Star Memorial on August 30, 2006. Ms. Bullock thanked Public Works Director Robert F. Beardsley, Maintenance Operations Manager Jim Jones, Mayor Sullivan, and the Historical Society among others.

Mayor's Award - Mayor Dave Sullivan called on Community Services Director Jim Engle who presented the Mayor's Award to Accounting Technician II Joan Anderson. Ms. Anderson is a twenty-six-year City employee and was recognized by Director Engle for her dependability and assistance with the implementation of software in her department.

Public Comments

(The numbers following speakers' comments reflect the approximate point of time in the archived video the speaker appears, available at <http://www.surfcity-hb.org/Government/Agendas/>)

Carol Ann Wall, President of the Therapeutic Riding Center of Huntington Beach, introduced Bernie Bishoff and family. Mr. Bishoff invited the Mayor and Councilmembers to attend the 9th Oktoberfest fundraiser for the Riding Center on September 10, 2006. He also invited citizens to the event, stating a \$10 donation includes admission and a meal. Mr. Bishoff thanked staff, his family, and the Riding Center Board for their efforts. Ms. Wall thanked other local businesses for their support. (25:45)

Michael Long stated he is a resident of lower SeaCliff and voiced concerns about what he referred to as substandard driveways in his neighborhood. He explained that in the beginning of August, Parking Enforcement ticketed several cars in his neighborhood during street sweeping for obstruction of sidewalks, and asked Council to help resolve the issue. (28:59)

City Administrator Penny Culbreth-Graft asked Mr. Long to speak with the Police Chief regarding his concerns before leaving the meeting.

Joe Shaw urged Council to support Entitlement Plan Amendment No. 06-01 (The Strand - Fifth Street Redesign). He voiced his concerns pertaining to the land use/economic development portion of the Strategic Plan, specifically the closing Main Street. Mr. Shaw further described his other concerns with business permitting and the cost of doing business in the City. (32:50)

Steve Gullage, President of Huntington Beach Mobilehome Owners Association (HBMOA), stated his opinion any change to the current mobilehome conversion ordinance would be devastating to mobilehome owners. He asked Council to support the mobilehome owners in the City by defending the ordinance. (35:38)

Tim Geddes, resident of southeast Huntington Beach, spoke regarding the Strategic Plan and urged the City Council to allow the Finance Board to review the financial planning portion prior to approval. (38:42)

John McGregor stated his support for removing from the ballot the \$23 million figure pertaining to the proposed new senior center, since he believes it would cost significantly more. He also concurred with comments made by Public Speaker Steve Gullage regarding the mobilehome park conversion ordinance. (41:32)

Elmer Smith, thirty-year resident, stated he concurs with comments made by Public Speaker Steve Gullage. He voiced concerns about the mobility of each of the mobilehomes and with the lack of vacancies in the area. He invited citizens to a Mobilehome Advisory Board meeting to be held August 28, 2006 at 6:30 pm in Room B7, City Hall. Mr. Smith voiced his opposition to building a senior center in Central Park. (43:26)

(City Council) Councilmember Green Reported on Completion of the 22 Freeway

Councilmember Cathy Green reported 100 days remaining before completion of the 22 Freeway.

(City Council) City Administrator Culbreth-Graft Reported on Budget Workshop and Availability of Reports on the Website

City Administrator Penny Culbreth-Graft described the Budget Workshop held prior to the 6:00 p.m. meeting, stating that Budget and Capital Improvement Project reports are available at City's website, www.surfcity-hb.org.

(City Council) Reviewed and Accepted City Treasurer Shari L. Freidenrich's June 2006 Investment Summary Report Titled City of Huntington Beach Summary of City Investment Portfolio, Bond Proceeds, and Deferred Compensation Activity for June 2006

The City Council considered a communication from City Treasurer Shari Freidenrich transmitting the Monthly Investment Report for June 2006.

City Treasurer Freidenrich gave a PowerPoint presentation titled *Treasurer's Report*, which was included in the agenda packet.

Treasurer Freidenrich introduced Joyce Zacks, newly hired Deputy City Treasurer.

A motion was made by Coerper, second Green to review and accept the Monthly Investment Report entitled *Summary of Investment Portfolio, Bond Proceeds, and Deferred Compensation Activity for June 2006*, pursuant to Section 17.0 of the Investment Policy of the City of Huntington Beach. The motion carried by the following roll call vote:

AYES: Bohr, Green, Coerper, Sullivan, Hardy, Hansen, and Cook
NOES: None

(City Council) Public Hearing Held – Approved Entitlement Plan Amendment No. 06-01 (The Strand - Fifth Street Redesign) Amending the Site Plan Approved by the City Council on October 21, 2002 to Add On-Street Parking, Resulting in Reductions of Sidewalk Width and Potential Outdoor Dining/Outdoor Sales Space Along Portions of the Street

Mayor Sullivan announced that this was the time noticed for a public hearing to consider the following: ENTITLEMENT PLAN AMENDMENT NO. 06-01 (The Strand - Fifth Street Redesign)

Applicant: Tom Miller, CIM/ Huntington LLC, 6922 Hollywood Blvd., Suite 900, Hollywood, CA 90028

Request: To amend the previously approved site plan approved by the City Council under CUP No. 99-45 with Special Permits No. 02-06 and CDP No. 99-16 on October 21, 2002. The proposed amendments include redesigning Fifth Street to add on-street parking resulting in reductions of sidewalk width and potential outdoor dining/outdoor sales space along portions of the street.

Location: 155 Fifth Street (Fifth Street, between Pacific Coast Highway and Walnut Avenue).

Legal notice as provided to the City Clerk's Office by staff had been mailed, published and posted.

Project Planner Jane James presented a PowerPoint report titled *The Strand - Fifth Street Revisions*, which was included in the agenda Packet.

Councilmember Hansen asked if valet parking can be used if the amendment is not approved, and if the square footage of the developed space is increased by the item. Planner James described the proposed amendments to the plan, stating no increase in square footage and that if the amendment is not approved, stacking space for valet parking would be limited.

Mayor Pro Tem Coerper asked about the potential for traffic congestion on Fifth Street and voiced concerns with the appearance of Walnut Street. Planner James explained that, similar to Main Street, Fifth Street would have both automobile traffic and outdoor dining. In addition, the developer would have the ability to close the street for special events. She stated Fifth Street generates less traffic than Main Street, and access is from a different street. Acting Planning Director Scott Hess commented that the appearance of adjacent streets are being considered.

Councilmember Hardy inquired about the project's landscaping requirements and changes to traffic patterns. Planner James explained that specific locations of some of the landscaping have changed; however the total volume of landscaping is unchanged. She also described benefits of added street parking spaces, and potential minor changes to traffic patterns.

Further discussion ensued pertaining to the underground parking structure, sidewalk dimensions, alleyway access, and window frontage for restaurants on the street.

Mayor Sullivan declared the public hearing open.

Prior to announcing the public speakers, the City Clerk stated for the record no Late Communications pertaining to this public hearing.

Tom Miller, Applicant and Vice President of CIM Group, Inc., described the hotel operator as a "boutique hotel" and the requirement for valet parking. He explained parking options available to consumers, including street parking, valet, and the parking garage. Mr. Miller stated the developer's goal is to bring life to the street, and asked Council to approve the Recommended Action.

John Gibbon, Applicant and Principal of CIM Group, Inc., clarified that the only change to the plan requested is to add a few street parking spaces and reduce some sidewalk space. He stated the applicants are available to answer any Council inquiries.

There being no persons present to speak further on the matter and there being no further protests filed, either written or oral, the Mayor declared the public hearing closed.

Councilmember Hansen voiced his support for the Recommended Action, citing added flexibility for parking.

Councilmember Cook stated her support for the Recommended Action, however voiced concerns that Council is not considering the entire downtown parking situation at once. She commented on businesses on the fringes of the valet parking area, stating the amendment could affect them.

Mr. Gibbon replied to Councilmember Cook's concerns, stating all retailers and their needs will be taken into consideration by the developer.

Mayor Pro Tem Coerper asked the Applicant for clarification on parking usages. Mr. Gibbon explained at least half of the metered spaces on the street would be for customer usage from the onset. Mr. Miller clarified the developer's intent to use only two or three spaces for valet the majority of the time, using more spaces for queuing during high demand times. Mayor Pro Tem Coerper stated he supports the Recommended Action.

Councilmember Bohr also stated his support for the Recommended Action due in part to the parking options offered to the customers of the retailers and restaurants.

A motion was made by Hansen, second Coerper to approve Entitlement Plan Amendment No. 06-01 with Suggested Findings and Conditions of Approval. The motion carried by the following roll call vote:

AYES: Bohr, Green, Coerper, Sullivan, Hardy, Hansen, and Cook
NOES: None

FINDINGS AND CONDITIONS OF APPROVAL

ENTITLEMENT PLAN AMENDMENT NO. 06-01

FINDINGS FOR APPROVAL – ENTITLEMENT PLAN AMENDMENT NO. 06-01 :

1. Entitlement Plan Amendment No. 06-01 for the redesign of Fifth Street to add on-street parking will not be detrimental to the general welfare of persons working or residing in the vicinity or detrimental to the value of the property and improvements in the neighborhood. The seven additional on-street parking stalls provide more parking and valet drop-off/pick-up opportunities without affecting any adjacent property owners.
2. The entitlement plan amendment will be compatible with surrounding uses because adequate sidewalk width for some outdoor dining and/or outdoor sales will still be provided and a minimum 10 ft. wide pedestrian zone and a minimum 5 ft. wide landscape/street furniture zone will still be maintained. The on-street parking, valet drop-off/pick-up and outdoor uses are compatible with other surrounding retail, restaurant, office, and hotel uses planned for the vicinity.
3. The proposed addition of seven on-street parking stalls will comply with the provisions of the base district and other applicable provisions in Titles 20-25 of the Huntington Beach Zoning and Subdivision Ordinance. In addition, the project can still comply with minimum sidewalk widths and design criteria for outdoor uses in the Downtown Specific Plan.
4. The granting of the conditional use permit will not adversely affect the General Plan. It is consistent with the Land Use Element designation of Mixed-Use Vertical–F12–sp-d on the subject property. In addition, it is consistent with the following goals and policies of the General Plan Land Use Element:
 - a. *Goal LU 4:* Achieve and maintain high quality architecture, landscape, and public open spaces in the City.
 - b. *Policy LU 4.2.4:* Require that all development be designed to provide adequate space for access and parking.

The provision of on-street parking along with adequate space for some outdoor uses, pedestrian sidewalk, and landscaping/street furniture proposed for the site represent development that would support the needs and reflect market demand of City residents and visitors. The proposed revisions improve the project site and provide additional opportunities for parking and valet service that would attract and complement retail and restaurant uses. In addition, the proposed project would help the City to achieve its goal of creating an 18-hour Downtown, with visitors and residents remaining downtown in the evening for shopping, dining, and entertainment.

5. The Planning Commission finds that the project will not have any significant effect on the environment and is exempt from the provisions of the California Environmental Quality Act (CEQA)

CONDITIONS OF APPROVAL – ENTITLEMENT PLAN AMENDMENT NO. 06-01:

1. The technical layout site plan dated June 15, 2006 and conceptual streetscape/hardscape plan dated June 6, 2006, which provide four striped/metered parking stalls and three drop-off spaces on the west side of the street, as well as three metered stalls on the east side of Fifth Street, shall be the conceptually approved design.
2. Prior to proceeding with construction of the Fifth Street revisions the following shall be completed:
 - a. A revised grading plan shall be submitted to the Department of Public Works for review and approval. The plan shall demonstrate compliance with current ADA standards for public pedestrian facilities. **(PW)**
 - b. A revised Landscape Plan shall be submitted to the Department of Public Works for review and approval. **(PW)**
 - c. All associated plan check fees shall be paid to the Department of Public Works. **(PW)**
 - d. Street lighting locations shall be revised on the Precise Grading Plan and accompanying photometric calculations shall be submitted showing the lighting levels for the roadway and pedestrian areas prior to approval of the amended Fifth Street plans. **(PW)**
 - e. A revised signing and striping plan for Fifth Street shall be submitted to the Department of Public Works. **(PW)**
 - f. The Fire Department shall be satisfied that the roadway weight carrying capacity of 71,000 pounds/12,000 pound point load includes the parking stalls along Fifth Street. **(FD)**
 - g. Red fire lane curbing will need to be adjusted to allow for the on-street parking. **(FD)**
 - h. Continue to maintain a 24 ft. wide fire access lane. **(FD)**
3. The final designation and/or timing of on-street parking spaces and valet areas shall be determined by a revised Parking Management Plan. The plan must fully evaluate valet parking operations (peak demand, operation description, designated parking structure area, hours of operation) and provide recommendations for allocation of the parking/valet areas on Fifth Street. **(PW)**
4. All other previously approved conditions of approval for Tentative Tract Map No. 16406, Conditional Use Permit No. 99-45 with Special Permit No. 02-06, and Coastal Development Permit No. 99-16 shall remain in effect.

Consent Calendar – Item Removed for Separate Discussion

(City Council/Redevelopment Agency) Pulled by Staff to a Date Uncertain – Professional Services Agreements in the Amount of \$599,755 with Freedman, Tung and Bottomley, Inc. (FTB), and \$162,260 with Rosenow Spevacek Group, Inc. (RSG) for Preparation of the Economic Revitalization Strategic Plan for Beach Boulevard and Edinger Corridor - City Action: Motion to **1.** Approve the Professional Services Contract Between the City of Huntington Beach and Freedman, Tung and Bottomley (FTB) for Preparing Beach Boulevard Revitalization Strategy, in the amount of \$599,775 for preparation of a Corridor Revitalization Strategy and Specific Plan for Beach Boulevard (including Edinger Avenue) and authorize the Mayor and City Clerk to execute the contract; appropriate four hundred eighty thousand nine hundred and ninety-seven dollars (\$480,997) from the City's General Fund to account 10060201.69365; AND Agency Action: Motion to **1.** Approve the Professional Services Contract Between the Redevelopment Agency of the City of Huntington Beach and Rosenow Spevacek Group, Inc. (RSG) for Preparation of an Economic Revitalization Plan for the Beach Boulevard and Edinger Corridors in the amount of \$162,260, and authorize the Chairman and Agency Clerk to execute the agreement and appropriate one hundred sixty two thousand two hundred and sixty dollars (\$162,260) from undesignated Redevelopment Agency Merged Capital Funds Balance to account 30580101.69365 for the RSG contract. **2.** Appropriate \$118,778 from undesignated Redevelopment Agency Merged Capital Funds Balance to account 30580101.69365 for the FTB contract; and authorize the Director of Planning to expend the Agency funds allocated to the FTB contract. Submitted by the Director of Economic Development and Acting Director of Planning. Funding Source: A total appropriation of \$762,035: \$281,038 from Redevelopment Agency Merged Capital Funds Balance to the Redevelopment Agency Professional Services Account 30580101.69365 and \$480,997 from the General Fund to the Planning Department Professional Services Account, 10060201.69365 is being requested.

Mayor Sullivan announced this item was pulled by staff to a date uncertain.

Consent Calendar – Items Approved

A motion was made by Green, second Hardy to approve the following Consent Calendar items, as recommended: The motion carried by the following roll call vote:

AYES: Bohr, Green, Coerper, Sullivan, Hardy, Hansen, and Cook
NOES: None

(City Council) Approved the Huntington Beach Hotel/Motel Business Improvement District (BID) Annual Report for FY 2005-2006; Adopted Resolution No. 2006-48, Declaring the City's Intention to Levy an Annual Assessment Within the Huntington Beach Hotel/Motel Business Improvement District (BID) for FY 2006-2007; and, Directed the City Clerk to Schedule a Public Hearing for September 18, 2006 and Notify Each Business to be Assessed - 1) Approved the Huntington Beach Hotel/Motel Business Improvement District Annual Report for FY 2005-2006; **2)** Adopted City Council Resolution No. 2006-48, *A Resolution of the City Council of the City of Huntington Beach Declaring the City's Intention to Levy an Annual Assessment for Fiscal Year 2006-2007 Within the Huntington Beach Hotel/Motel Business Improvement District*; and, **3)** Directed the City Clerk to schedule a public

hearing to be held on September 18, 2006, and send copies of the Resolution of Intention and assessment formula to each business to be assessed. Submitted by the Director of Economic Development. Funding Source: Not applicable.

(City Council) Approved the Huntington Beach Downtown Business Improvement District (BID) Annual Report for FY 2005-2006; Adopted Resolution No. 2006-49, Declaring the City's Intention to Levy an Annual Assessment Within the Huntington Beach Downtown Business Improvement District (BID) for FY 2006-2007; and, Directed the City Clerk to Schedule a Public Hearing for September 18, 2006 and Notify Each Business to be Assessed - 1) Approved the Huntington Beach Downtown Business Improvement District Annual Report for FY 2005-2006; **2)** Adopted City Council Resolution No. 2006-49, *A Resolution of the City Council of the City of Huntington Beach Declaring the City's Intention to Levy an Annual Assessment for Fiscal Year 2006-2007 Within the Huntington Beach Downtown Business Improvement District*; and, **3)** Directed the City Clerk to schedule a public hearing to be held on September 18, 2006, and send copies of the Resolution of Intention, BID Boundary Map, and assessment formula to each business to be assessed. Submitted by the Director of Economic Development. Funding Source: Not applicable.

(City Council) Approved the Huntington Beach Auto Dealers Business Improvement District (BID) Annual Report for FY 2005-2006; Adopted Resolution No. 2006-52, Declaring the City's Intention to Levy an Annual Assessment Within the Huntington Beach Auto Dealers Association Business Improvement District (BID) for FY 2006-2007; and, Directed the City Clerk to Schedule a Public Hearing for September 18, 2006 and Notify Each Business to be Assessed - 1) Approved the Huntington Beach Auto Dealers Business Improvement District Annual Report for FY 2005-2006; **2)** Adopted City Council Resolution No. 2006-52, *A Resolution of the City Council of the City of Huntington Beach Declaring the City's Intention to Levy an Annual Assessment Within the Huntington Beach Auto Dealers Association Business Improvement District for Fiscal Year 2006-2007*; and, **3)** Directed the City Clerk to schedule a public hearing to be held on September 18, 2006, and send copies of the Resolution of Intention, BID Boundary Map, and assessment formula to each business to be assessed. Submitted by the Director of Economic Development. Funding Source: Not applicable.

(City Council) Adopted Resolution No. 2006-50 Designating Certain City Staff as Persons Authorized to Execute Financial Transactions in the Name of the City of Huntington Beach - Adopted Resolution No. 2006-50, *A Resolution of the City Council of the City of Huntington Beach Authorizing the Manual and/or Facsimile Signatures of Shari L. Freidenrich, Dan T. Villella, Joyce M. Zacks, and James Slobojan*. Submitted by the City Treasurer. Funding Source: Not applicable.

(City Council) Approved Project Plans and Specifications and Awarded Construction Contract in the Amount of \$188,188 to All American Asphalt for the Garfield Avenue Improvement Project, CC-1242 and Authorized the Mayor and City Clerk to Execute Contract in a Form Approved by the City Attorney - 1) Approved the project plans and specifications; **2)** Accepted the lowest responsive and responsible bid submitted by All American Asphalt, in the amount of \$188,188.00 for the Garfield Avenue Improvement Project, CC-1242; and, **3)** Authorized the Mayor and City Clerk to execute a construction contract in a form approved by the City Attorney. Submitted by

the Director of Public Works. Funding Source: Funds for this project are budgeted through the Gas Tax Fund, Street Improvements, Account No. 20785201.82300. The engineer's cost estimate for this construction contract was \$150,865. The total project cost, including supplementals and contingencies, will be approximately \$216,400.

(City Council) Approved Amendment No. 1 to the Professional Services Agreement Between the City of Huntington Beach and Willdan in the Amount of \$500,000 for As Needed Engineering Services - Approved and authorized the Mayor and City Clerk to execute Amendment No. 1 to Agreement between the City of Huntington Beach and Willdan for As Needed Engineering Services. Submitted by the Director of Public Works. Funding Source: Funds are available within various capital improvement projects. For special plan check or inspection services, funds may be expended from Development Services, Professional Services, Account No. 10085251.69365.

(City Council) Approved License Agreement with The Boeing Company and City of Huntington Beach Police Motorcycle Drivers Allowing Periodic Use of The Boeing Company Parking Lots for Training Purposes, and Authorized the Chief of Police to Enter into Future Agreements of a Similar Nature - **1)** Approved the license agreement with the Boeing Company allowing police motorcycle drivers' training on The Boeing Company property and authorized the Chief of Police to enter into the license agreement with The Boeing Company allowing Huntington Beach Police Department motorcycle drivers' training at The Boeing Company; **2)** Authorized the Chief of Police to enter into future agreements of a similar nature and in a form approved by the City Attorney with The Boeing Company and/or other agencies or companies. Submitted by the Chief of Police. Funding Source: Not applicable.

(City Council) Accepted Grant Award of up to \$300,000 from the County of Orange for the Supplement Law Enforcement Services Fund (SLESF); Approved the Expenditure Plan for Fiscal Year 2006-2007; Established a Business Unit and Appropriated Funds; and, Authorized the Chief of Police to Expend Funds for Front Line Patrol Equipment - **1)** Approved the spending plan for the Fiscal Year 2006-2007 SLESF grant; **2)** Accepted the grant award up to \$300,000 from the County of Orange SLESF for funding cycle year 2006/2007; **3)** Established a separate business unit for this funding; **4)** Authorized the Chief of Police to expend up to \$300,000, plus any accrued interest on technology associated with patrol related equipment as described; and **5)** Appropriated up to \$300,000, plus any accrued interest to be expended on patrol related equipment. Submitted by the Chief of Police. Funding Source: No match will be required for this grant.

(City Council) Approved the 2006 Recommended Citywide Traffic Signal Priority List - Approved the 2006 Recommended Traffic Signal Priority List. Submitted by the Director of Public Works. Funding Source: None required for the recommended action. Traffic signals are typically funded through a variety of sources including grants, Air Quality funds, and Traffic Impact Fees. The Traffic Signal Priority List is used in developing a portion of the City's annual Capital Improvement Program (CIP).

(City Council) Adopted Resolution No. 2006-51 Levying a Retirement Property Tax for Fiscal Year 2006/2007 To Pay For Pre-1978 Employee Retirement Benefits - Adopted Resolution No. 2006-51, *A Resolution of the City Council of the City of Huntington Beach Levying a Retirement Property Tax for Fiscal Year 2006/2007 to pay for Pre-1978 Employee Retirement Benefits.* Submitted by the Finance Director. Funding Source: Not applicable.

(City Council) Approved Contract Between the City of Huntington Beach and the County of Orange in the Amount of \$447,535 for Animal Care Services for Fiscal Year 2006-2007 - **1)** Approved and authorized the Mayor and City Clerk to execute the Agreement for Provision of Animal Care Services between the County of Orange and the City of Huntington Beach Fiscal Year 2006-2007; and **2)** Authorized the Chief of Police to expend up to \$447,535 for animal care services. Submitted by the Chief of Police. Funding Source: The total contract amount of \$447,535 is budgeted in the 2006-2007 Police Department General Fund budget. No additional appropriations are necessary.

(City Council) Approved the Appointments of Edwin K., Bush and Anji D. Clemens to the Personnel Commission, With a Term Effective July 1, 2006 Through June 30, 2010 - Approved the appointments of Edwin K. Bush and Anji D. Clemens to the Personnel Commission with a term effective July 1, 2006 through June 30, 2010 as recommended by the Council Liaisons to the Personnel Commission. Submitted by Council Liaisons Mayor Dave Sullivan, Mayor Pro-Tem Gil Coerper, and Council Member Keith Bohr. Funding Source: Not applicable.

(City Council) Approved the Appointments of Students Alison Baskin and Nicolette Schindler, the Reappointment of Student Stephanie Morley, and the Appointments of Susan Davidson and Robert Dettloff to the Children's Needs Task Force - **1)** Approved the appointment to students Alison Baskin and Nicolette Schindler to the Children's Needs Task Force for a term of August 1, 2006 to June 30, 2007; **2)** Approved the reappointment of student Stephanie Morley for a term of August 1, 2006 to June 20, 2007; and **3)** Approved the appointment of Susan Davidson to replace Jackie Cherewick for a term of August 1, 2006 to August 1, 2007, and Robert Dettloff to replace Rebecca Keene for a term of August 1, 2006 to August 1, 2008. Submitted by Council Liaisons Mayor Pro-Tem Gil Coerper and Council Member Cathy Green. Funding Source: Not applicable.

(City Council) Approved Project Plans and Specifications and Award Construction Contract in the Amount of \$207,065 to Garcia Juarez Construction, Inc., for the Residential Storm Drain Improvement Project, CC-1278 and Authorized the Mayor and City Clerk to Execute Contract in a Form Approved by the City Attorney - **1)** Approved the project plans and specifications for the Residential Storm Drain Improvements, CC-1278; **2)** Accepted the lowest responsive and responsible bid submitted by Garcia Juarez Construction, Inc., in the amount of \$207,065.00; **3)** Authorized the Mayor and City Clerk to execute a construction contract in a form approved by the City Attorney; and **4)** Authorized the Director of Public Works to expend up to fifteen percent (15%) in construction change orders. Submitted by the Director of Public Works. Funding Source: Funds in the amount of \$150,000 are available from the General Fund Capital Improvement Reserve (CIR), Account No. 10040314.82600. The engineer's estimate is \$150,000; however, the project cost will be approximately \$250,000. Sufficient unexpended funds are available in the CIR budget

from projects that will not be completed this fiscal year. These funds will be transferred to supplement the original funding. EPA grant funds for the project will reimburse the General Fund CIR for any amounts in excess of 150,000.

(City Council) Approved Employment Agreement for Ambulance Operator Personnel in the Huntington Beach Fire Department and Authorized the Fire Chief to Execute Agreements - 1) Approved the employment agreement form for Ambulance Operator personnel in the Huntington Beach Fire Department; and **2)** Authorized the Fire Chief to execute employment agreements, including six-month extensions of term, for Ambulance Operator personnel in the Huntington Beach Fire Department. Submitted by the Fire Chief. Funding Source: Firemed Enterprise business unit 50265403 accounts pertaining to salary and benefits.

(City Council) Approved as Amended the City of Huntington Beach Strategic Plan – Goals and Vision Statement Involving City Services, Economic Development, Engaging the Community, Financial, Infrastructure, and Land Use Development

The City Council considered a communication from the Deputy City Administrator, Development Services, transmitting the following **Statement of Issue:** During this budget year, the City Council undertook a strategic planning process to develop a consensus on their priority goals and projects for the next five years. With this request for Council action, the City Council will officially approve the Strategic Plan. **Funding Source:** Not Applicable

Councilmember Hardy presented a PowerPoint report.

Councilmember Green voiced her dissatisfaction with and the results of the Strategic Plan process, and stated she would not vote for approval.

Councilmember Hansen stated his disagreement with comments made by Councilmember Green. He voiced his satisfaction with the process, and the plan to move forward.

Councilmember Bohr concurred with Councilmember Hansen's comments and urged Council to approve the plan.

Mayor Pro Tem Coerper voiced his support for the Recommended Action and for validating a vision for the City.

Councilmember Cook commented on differing priorities for Councilmembers. She referred to a specific project: To determine the physical design/layout of the downtown, asking the description of the project be amended to strike reference to closing Main Street.

Councilmember Hansen cautioned Council against using the project lists rather than the goal level as the priority.

Mayor Pro Tem Coerper inquired about availability of the documents to the public and the timeline after approval of the plan. City Administrator Culbreth-Graft explained the documents are available on the website and on disc. She described the timeline as 90-120 days for staff to review the plan and report back for Council action.

Councilmember Cook suggested Council consider adopting the goals, but not the projects at this time.

Councilmember Hardy voiced her agreement with adopting the goals and the vision, and further Council discussion of the projects.

A motion was made by Coerper, second Hansen to approve **as amended** the City of Huntington Beach Strategic Plan **Goals and Vision Statement** as revised on June 12, 2006. The motion carried by the following roll call vote:

AYES: Bohr, Coerper, Sullivan, Hardy, Hansen, and Cook
NOES: None
ABSENT: Green (Councilmember Green was out of the room at the time of the vote)

(City Council) Adopted Ordinance No. 3746 Amending Chapter 2.76 of the Huntington Beach Municipal Code Relating to Competitive Service Regulations by Adding the Position of Ambulance Operator

A motion was made by Hardy, second Cook to after the City Clerk read by title, adopt Ordinance No. 3746, *An Ordinance of the City of Huntington Beach Amending Chapter 2.76 of the Huntington Beach Municipal Code Relating to Competitive Service Regulations*. The motion carried by the following roll call vote:

AYES: Bohr, Green, Coerper, Sullivan, Hardy, Hansen, and Cook
NOES: None

(City Council) Adopted Ordinance No. 3749 Amending Chapter 2.07.070 of the Huntington Beach Municipal Code Relating to Election Cycles

A motion was made by Hardy, second Bohr to after the City Clerk read by title, adopt Ordinance No. 3749, *An Ordinance of the City of Huntington Beach Amending the Huntington Beach Municipal Code by Amending Section 2.07.070 Relating to Election Cycles*. The motion carried by the following roll call vote:

AYES: Bohr, Green, Coerper, Sullivan, Hardy, Hansen, and Cook
NOES: None

(City Council) Adopted Ordinance No. 3741 Amending Chapter 14.48 of the Huntington Beach Municipal Code Relating to Drainage Fees

A motion was made by Coerper, second Hardy to after the City Clerk read by title, adopt Ordinance No. 3741, *An Ordinance of the City of Huntington Beach Amending Chapter 14.48 of the Huntington Beach Municipal Code Relating to Drainage Fees*. The motion carried by the following roll call vote:

AYES: Bohr, Coerper, Sullivan, Hardy, Hansen, and Cook
NOES: Green

(City Council) Submitted By Councilmember Cathy Green – Directed Staff to Draft Resolution or Ordinance Amendment to Allow Water for Specific Public Related Uses Outside of City Limits

The City Council considered a communication from Councilmember Cathy Green transmitting the following **Statement of Issue**: Section 14.16.180 of the Municipal Code states that it is unlawful for the city to sell water to consumers outside the city unless the City Council shall by resolution determine that a surplus of water exists in excess of that required by the inhabitants of the city.

14.16.180 Sale of water outside city. *It is unlawful for the City Water Department to sell water to consumers outside the city, or to allow any consumer outside the city to use any water furnished by the city system unless the City Council shall by resolution determine and declare a surplus of water exists in excess of that required by the inhabitants of the city.*

Recently, the City Council approved a request to supply temporary water to a portion of the county regional linear park on Seapointe Avenue, bordering the city limits, to establish the native California landscape for the park. The city has also been approached over the past several years to provide water for facilities outside the city limits that have no access to a potable water source. There are two specific cases that I am aware that I believe represent unusual circumstances that warrant consideration. The first case is for the future construction of public restrooms at the county regional linear park on Seapointe Avenue and the second is for public restrooms and landscaping at the Bolsa Chica Interpretive Center off Warner Avenue.

On November 21, 2005, the City Council approved the city's Urban Water Management Plan, which projected the city's water supply. This report identified that the city has an adequate water supply to meet the needs of our community through the end of 2030. While it is important that we preserve this supply, I believe that there are specific needs that serve the public interest that should be considered provided they do not jeopardize that supply. I am not proposing that the city fund either project, I only want to make sure access to our water supply for limited purposes is granted.

Councilmember Green gave an oral report.

A motion was made by Green, second Coerper to give staff direction to draft either a resolution or ordinance amendment to allow water for specific public-related uses to include restrooms at the county regional linear park on Seapointe Avenue, public restrooms and landscaping at the Bolsa Chica Interpretive Center. (Vote to follow)

Councilmember Cook inquired about water supplied to Sunset Beach. Public Works Director Beardsley described the fees paid by Sunset Beach.

Mayor Pro Tem Coerper inquired about the impact of another city obtaining water from Huntington Beach. Public Works Director Beardsley explained the relevant ordinance would determine if there is an issue. City Administrator Culbreth-Graft clarified the Recommended Action pertains only to two specific uses of water, and is not a declaration of surplus water.

Mayor Sullivan requested an amendment to the motion: to include water supplied to the building used by the State Lands to administer the restoration of the Bolsa Chica. The Maker and Second to the motion accepted the amendment.

Councilmember Bohr suggested staff research the expansion of the Northbound Pacific Coast Highway off ramp onto Warner Avenue.

Mayor Sullivan clarified that the cost of water and sewer hookups should be borne by the requester of the water; also, there is no surplus of water in the City.

Council then voted on the motion, **as amended** to give staff direction to draft either a resolution or ordinance amendment to allow water for specific public-related uses to include restrooms at the county regional linear park on Seapointe Avenue, public restrooms and landscaping at the Bolsa Chica Interpretive Center **and restrooms at the State Lands building used to administer the Bolsa Chica restoration.** The motion carried by the following roll call vote:

AYES: Bohr, Green, Coerper, Sullivan, Hardy, Hansen, and Cook
NOES: None

(City Council) Councilmember Green congratulated Eagle Scout Floyd Anderson

Councilmember Cathy Green congratulated Floyd Anderson on achieving his Eagle Scout.

(City Council) Mayor Pro Tem Coerper Commented on Opening of Indymac Bank and Memorial for Dick Le Grue

Mayor Pro Tem Gil Coerper stated he had attended the opening of Indymac Bank on Beach Boulevard. He commented on the memorial for Dick Le Grue, stating many attendees and thanked Flossie and Paul Horgan for organizing the memorial. He also acknowledged former Councilmember Connie Boardman, Mr. Le Grue's widow, for her activism with environmental issues.

(City Council) Councilmember Bohr Congratulated Eagle Scout George Pasko

Councilmember Keith Bohr congratulated George Pasko on achieving his Eagle Scout.

Adjournment – City Council/Redevelopment Agency

Mayor Sullivan adjourned the regular meetings of the City Council/Redevelopment Agency of the City of Huntington Beach at 8:42 p.m. to Tuesday, September 5, 2006, at 4:00 p.m., in Room B-8, Civic Center, 2000 Main Street, Huntington Beach, California.

City Clerk and ex-officio Clerk of the City Council of the City of Huntington Beach and Clerk of the Redevelopment Agency of the City of Huntington Beach, California

ATTEST:

City Clerk-Clerk

Mayor-Chair