

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

Monday, December 04, 2006
6:00 P.M. – Council Chambers
Civic Center, 2000 Main Street
Huntington Beach, California 92648

**A videotape of the 6:00 p.m. portion of this meeting
is on file in the Office of the City Clerk and available on the website.**

Call to Order

Mayor Sullivan called the regular meeting of the City Council/Redevelopment Agency of the City of Huntington Beach to order at 6:10 p.m. in the Council Chambers.

City Council/Redevelopment Agency Meeting Roll Call

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

Pledge of Allegiance/Flag Salute - Led by the 3rd Battalion, 1st Marine Honor Guard, Camp Pendleton and City Administrator Penny Culbreth-Graft

Invocation - Reverend Bruce Templeton, First Christian Church

Public Comments - None

(City Council) State of the City Address Delivered by Outgoing Mayor Sullivan

Mayor Sullivan highlighted improvements made in the last year including revamping of the City budget resulting in awards being received, ten percent of City funds in reserve, and full disclosure of and a program to address unfunded liabilities. He thanked Councilmembers Hardy, Hansen and Bohr for their efforts towards pursuing a five-year Strategic Plan. He noted that Council now receives monthly financial reporting, the property tax overcharge refunds are completed, and \$383 million will be spent in the period of 2004-2007 on infrastructure. He noted the purchase of a portion of the Wardlow and Lamb school sites to preserve open space in the City, and the signing of an agreement with OCTA and other cities to eliminate the Garfield-Gisler Bridge from the transportation master plan. He described funding of renovations to the Central Library and approximately \$2 million to be spent on flood prevention equipment in the City. Mayor Sullivan described completion of the Owner Participation Agreement (OPA) with Makar Properties (Pacific City), and of Phase One of the Bella Terra project. He noted the Strand project is progressing and will include a boutique hotel named Joie de Vivre, and that Coastal Commission permission for a timeshare hotel has been secured. He described results of a recent survey of citizens that reflected high satisfaction rates, doubled resources towards graffiti removal in the City, and all employee contracts negotiated. He noted continuation of the adoption of the 3/1 Marines, with \$97,000

raised by residents to date for their support, an additional ten percent of Transient Occupancy Tax (TOT) being directed to the Conference and Visitors Bureau to enhance tourism in the City, and final closure of the condominium conversion issue.

Mayor Sullivan stated he has had a great opportunity to serve over the past twelve years. He described circumstances that led to his relocation to California and thanked his wife for her support. He explained that Councilmember Debbie Cook and former Mayor Ralph Bauer convinced him to run for office after working together on Measure C. He noted accomplishments including Measure C, the fight against the tax related to employee pensions, and agendizing Public Comments near the beginning of Council meetings. He spoke about the public's trust in elected officials and the time required to prepare for Council meetings. He concluded by recognizing the dedication and service of City employees and emphasized his respect for Public Safety employees.

(City Council) Presentations Made by Mayor Sullivan

Mayor Sullivan thanked seated Councilmembers, the City Treasurer, the City Clerk, and the City Administrator for their efforts and presented them with framed prints of historical Huntington Beach. He recognized the Community Relations Officer and the Council Administrative Assistant and presented them with plants.

Councilmembers thanked Mayor Sullivan for his service, friendship, and integrity and wished him the best in his future endeavors.

(City Council) Presentations by Community Members to Mayor Sullivan

Several members of the community thanked Mayor Sullivan for his service and presented him gifts. The speakers included: Ralph Bauer, Ron McLin, Lieutenant Colonial Phillip Chandler, Commander of the 3rd Battalion 1st Marines who presented him with a plaque, Cynthia Detterman representing Senator Tom Harman presented him with a framed resolution, Shirley Dettloff, Jerry Chapman presented him with a CD depicting Bolsa Chica wildlife, Ed Kerins presented him with a proclamation from Huntington Beach Tomorrow, Bob Dettloff presented him with a gift on behalf of the Council on Aging, Bubble Girls Pam Free, Eva Kilgore, Theresa Nichols, Jenny Huntsinger, Linda Jorgenson and Sylvia presented him with gifts, Steve Gullage presented him with a plaque from the Huntington Beach Mobilehome Owners Association, Joyce Riddell on behalf of the Chamber of Commerce, Doug Traub of the Huntington Beach Conference and Visitors Bureau, and Cindy Cross who presented him with a book.

(City Council/Redevelopment Agency) Adopted Resolution No. 2006-76 Reciting the Facts of the General Municipal Election Held on November 7, 2006 and Certifying to the City Council the Canvass of Election by the Registrar of Voters

The City Council considered a communication from the City Clerk transmitting the following **Statement of Issue**: Resolution No. 2006-76 recites the facts of the General Municipal Election held in Huntington Beach on the 7th day of November 2006, declaring the results thereof and such other matters as provided by provisions of the City Charter and the Elections Code of the State of California. Funding Source: This action requires no funding. Funds for the cost of the election have been budgeted in FY 06/07, Elections Account, Business Unit No. 10010201.69300 - Professional Services.

City Clerk Flynn reported that the Registrar also transmitted the following statistics for Huntington Beach: Total number of registered voters: 123,513; Total number of ballots cast: 63,121; and Percentage of turnout of voters: 51.1%.

A motion was made by Coerper, second Bohr to adopt Resolution No. 2006-76, *A Resolution of the City Council of the City of Huntington Beach Reciting the Facts of the General Municipal Election held on November 7, 2006 Consolidated with the County of Orange Declaring the Results and Such Other Matters as Provided by Law*. The motion carried by the following roll call vote:

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

(City Council) Oath of Office Given to Elected and Re-elected Councilmembers and City Attorney

City Clerk Flynn administered the Oath of Office and delivered Certificates of Election to the following elected officials: Members of the City Council: Cathy Green, Jill Hardy, Gil Coerper, and Joe Carchio; City Attorney: Jennifer McGrath

(City Council) Conducted Election of Mayor for Ensuing Year

A motion was made by Green, second Bohr to elect Gil Coerper as Mayor for the ensuing year. The motion was approved by acclamation.

(City Council) Oath of Office Given to New Mayor Gil Coerper

City Clerk Joan L. Flynn administered the Oath of Office to incoming Mayor Gil Coerper.

(City Council) Outgoing Mayor Sullivan Presented a Gavel to New Mayor Coerper

Dave Sullivan presented a gavel to the new Mayor, Gil Coerper.

(City Council) Incoming Mayor Coerper Presented Gifts to Outgoing Mayor Sullivan

Mayor Gil Coerper presented a model Woody and a surf board wall hanging to Dave Sullivan. The City Council presented Dave Sullivan with a bronze eagle.

(City Council) New Mayor Presides and Calls for Election of Mayor Pro Tempore for Ensuing Year

A motion was made by Hardy, second Hansen to elect Debbie Cook as Mayor Pro Tempore for the ensuing year. The motion was approved by acclamation.

(City Council) Comments Made by Newly Elected Mayor Gil Coerper

Mayor Gil Coerper described his community involvement, including 39 years of service as a Police Officer, four years on the City Council, and his military experience. He thanked former Mayor Sullivan for his leadership, Planning Commissioner John Scandura and his family for their assistance with his re-election, and recognized

Sergeant Russ Reinhart, Detective Craig Mueller, Shirley and Bob Dettloff, Ralph and Charlene Bauer, and William Smallshot. Mayor Coerper thanked his extended family for their support and noted his brother Harley could not attend due to health concerns. He recognized Chief Warrant Officer David Richey who is in Iraq serving our country.

Mayor Coerper listed his goals for his term of office including Public Safety as a top priority, creation of a new gun range in the City, pursuing the new senior center in Central Park project, improved downtown maintenance, and development of the Strand, Pacific City and other projects. He described a possible military air and water show in Huntington Beach, improvements to infrastructure, accessibility for handicapped individuals to City Hall, and asked citizens to call him at 714-536-5553 with any concerns. Mayor Coerper thanked the Human Relation Task Force for their efforts.

(City Council) Comments Made by Newly Elected and Re-elected City Councilmembers and City Attorney

Mayor Coerper thanked members of his military explorer class for attending and also thanked Stan and Pat Cohen.

Councilmember Carchio thanked Dave Sullivan for his service, his family for their support, and citizens for voting for him. He outlined his goals as Councilmember, including re-evaluating fees charged to homeowners for remodeling and methods to create affordable housing for Public Safety personnel.

Councilmember Green thanked her family, her committee, and other supporters. She described an explorer program with which she is involved and commended the Community Emergency Response Team (CERT) program.

Councilmember Hardy thanked her family and other supporters. She reported on the Historic Resources Board educational programs and on the success of the Youth Board's Youth in Government Day fundraisers.

City Attorney Jennifer McGrath thanked her family and other supporters.

Mayor Coerper thanked the Sergeant-at-Arms, Gary Gosper for his service.

Recess – Reception in Room B-8

Mayor Coerper recessed the meeting to a reception in Room B-8 at 8:48 p.m.

Reconvened in the Council Chambers - 9:20 p.m.

City Council/Redevelopment Agency Meeting Roll Call

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

The City Clerk Announced No Late Communications

Pursuant to the Brown (Open Meetings) Act, City Clerk Joan L. Flynn announced no Late Communications regarding agenda items had been received by her office following distribution of the agenda packet.

The Following Communication Was Submitted During the Meeting:

Copies of 151 photos depicting graffiti damage in the City submitted by Lieutenant Ralph Ornelas, LAPD.

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/>)

Damon Huseman described how he met Mayor Coerper at a military event and commended him for his service to the City. (3:11:46)

Ralph Ornelas stated he is a Lieutenant with the Los Angeles Police Department and voiced his concerns with increased incidents of graffiti in the City. He suggested Council create greater public awareness by encouraging citizens to call and make reports to the Police Department, encourage aggressive prosecution of perpetrators, charge damages to minors' parents, and create a reward system for arrests. Lieutenant Ornelas submitted photos of recent graffiti damage and suggested the City create a 24-hour on-call graffiti removal team and more thorough educational programs. (3:12:36)

Mayor Coerper asked Lieutenant Ornelas to fill out a blue speaker card to arrange a meeting with the Mayor, the Police Chief, and the Public Works Director. Lieutenant Ornelas noted the Boys and Girls Club has been tagged with graffiti again recently.

City Attorney's Report of Litigation Filed - None

Consent Calendar – Items Approved

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

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

(City Council/Redevelopment Agency) Approved and Adopted Minutes - Approved and adopted the minutes of the City Council/Redevelopment Agency Regular Meeting of November 6, 2006 as written and on file in the Office of the City Clerk. Submitted by the City Clerk.

(City Council) Adopted Resolution Nos. 2006-71, 2006-72, 2006-73, 2006-74 and 2006-75 Authorizing Closure of Pacific Coast Highway and Local Streets for the 2007 Pacific Shoreline Marathon, the Fourth of July Celebration and Other Various Special Events - **1)** Adopted Resolution No. 2006-71, *A Resolution of the City Council of the City of Huntington Beach Authorizing the Closing of Main Street to Vehicular Traffic for Certain Special Events* and; **2)** Adopted Resolution No. 2006-72, *A Resolution of the City Council of the City of Huntington Beach Requesting Caltrans Approve the Closing of Pacific Coast Highway for the Huntington Beach Pacific Shoreline Marathon Run* and; **3)** Adopted Resolution No. 2006-73, *A Resolution of the City Council of the City of Huntington Beach for the Temporary Closure of Portions of Goldenwest Street, Garfield Avenue, Edwards Street, Ellis Avenue, Talbert Avenue, Seapoint Street, Inlet Drive, Overlook Drive, Summit Drive, Varsity Drive, and Central Park Drive for the*

Pacific Shoreline Marathon Run; and 4) Adopted Resolution No. 2006-74 A Resolution of the City Council of the City of Huntington Beach Requesting Caltrans Approve the Closing of Pacific Coast Highway for the Huntington Beach Fourth of July Parade and Fireworks; and 5) Adopted Resolution No. 2006-75, A Resolution of the City Council of the City of Huntington Beach Authorizing Street Closure for the Fourth of July. Submitted by the Director of Community Services. Funding Source: Not applicable.

(City Council) Approved Final Tract Map No. 16846 of Tentative Tract Map No. 16846 (Gothard Street Townhomes) Located at 19082 Gothard Street, Accepted Offer of Dedication, Improvements and Bonds and Approved Subdivision Agreement Between the City and Bonanni Properties and D.S. Products for the Construction of 19 Townhome Units - 1) Approved Final Tract Map No. 16846 and accepted the offer of dedication, improvements, and bonds pursuant to findings and requirements; and **2)** Approved the *Subdivision Agreement By and Between the City of Huntington Beach and Bonanni Properties and D. S. Products for Tract No. 16846*, and authorized execution by the Mayor and City Clerk. Submitted by the Acting Director of Planning. Funding Source: Not applicable.

(City Council) Approved Final Tract Map No. 16682 of Tentative Tract Map No. 16682 (Sea Breeze Villas) Located at 16811 Roosevelt Lane, Accepted Offer of Dedication, Improvements and Bonds and Approved Subdivision Agreement Between the City of Huntington Beach and 7-9-11 Downtown LLC for the Construction of 13 Townhome Units - 1) Approved Final Tract Map No. 16682 and accepted the offer of dedication, improvements, and bonds pursuant to findings and requirements; and **2)** Approved the *Subdivision Agreement By and Between the City of Huntington Beach and 7-9-11 Downtown LLC for Tract No. 16682*, and authorized execution by the Mayor and City Clerk. Submitted by the Acting Director of Planning. Funding Source: Not applicable.

(City Council) Approved Four Affordable Housing Agreements Between the City of Huntington Beach and Bonanni Properties and D.S. Products Required As Part of the City's Approval of a 19-Unit Townhome Project Located at 19082 Gothard Street - Approved the *Declaration of Conditions, Covenants and Restrictions for Property (Resale Restrictions)* By and Between the City of Huntington Beach, and Bonanni Properties and D. S. Products, and authorized the Mayor and City Clerk to sign and execute. Submitted by the Acting Director of Planning. Funding Source: Not applicable.

(City Council) Authorized Expenditure of \$5,000 for Activities Related to the City Administrator's Involvement in International City/County Management Association's (ICMA) "Preparing the Next Generation" (PNG) Initiatives Program - Authorized the City Administrator to expend an amount not to exceed \$5,000 for activities related to the ICMA Preparing the Next Generation Initiatives from the currently allocated budget. Submitted by the City Administrator. Funding Source: Funds are available in Business Unit 10030101.68500.

(City Council) City Administrator Culbreth-Graft Asked Police Chief Small to Comment on Recent Newspaper Article

Police Chief Ken Small noted he recently celebrated his tenth anniversary as a Chief of Police and clarified his accessibility to all, including the press. He stated that in a recent

newspaper article pertaining to training, his comments were misrepresented or taken out of context. He explained that evidence is not "planted," nor did he ever say that was the case. He quoted the article and clarified that neither illegal substances nor contraband are used in training exercises. Chief Small explained that new officers are trained, on occasion, with impounded vehicles using non-contraband items. He stated this was a rare occurrence, that he does not support the practice, and assured Council the practice would be terminated. He said he had spoken with the reporter and she agreed to make a correction in print. Chief Small then addressed the specific incident of complaint reported in the newspaper, clarifying that a loaded gun should never be used in a training exercise, however it had been used in this incidence. He displayed a Police policy manual; stating several Officers were not aware of the policy, and clarified he had not sustained the complaint for this reason.

Mayor Pro Tem Cook complimented the Police Chief on leading an open and transparent Police Department. Mayor Coerper asked if a request for correction should be sent in writing to the editor of the newspaper. Chief Small opined no malicious intent existed on the part of the reporter, and his belief that the mistake will be corrected.

(City Council) Adopted Ordinance No. 3756 – Amending Chapter 203 of the Huntington Beach Zoning and Subdivision Ordinance Titled Definitions

A motion was made by Green, second Cook to after the City Clerk read by title, adopt Ordinance No. 3756, *An Ordinance of the City of Huntington Beach Amending Chapter 203 of the Huntington Beach Zoning and Subdivision Ordinance Titled Definitions*. The motion carried by the following roll call vote:

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

(City Council) Adopted Ordinance No. 3757 – Amending Chapter 204 of the Huntington Beach Zoning and Subdivision Ordinance Titled Use Classifications

A motion was made by Cook, second Hardy to after the City Clerk read by title, adopt Ordinance No. 3757, *An Ordinance of the City of Huntington Beach Amending Chapter 204 of the Huntington Beach Zoning and Subdivision Ordinance Titled Use Classifications*. The motion carried by the following roll call vote:

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

(City Council) Adopted Ordinance No. 3758 – Amending Chapter 231 of the Huntington Beach Zoning and Subdivision Ordinance Titled Off-Street Parking and Loading Provisions

A motion was made by Green, second Hardy to after the City Clerk read by title, adopt Ordinance No. 3858, *An Ordinance of the City of Huntington Beach Amending Chapter 231 of the Huntington Beach Zoning and Subdivision Ordinance Titled Off-Street Parking and Loading Provisions*. The motion carried by the following roll call vote:

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

(City Council) Adopted Ordinance No. 3759 – Amending the Huntington Beach Municipal Code by Adding Chapter 5.80 Titled Shopping Cart Containment and Retrieval by Owners

Councilmember Carchio asked for clarification on complaint logs, alternate remedies, and notification to retailers. He suggested a 30-day postponement of the item. Acting Director of Planning Scott Hess described complaints received weekly, alternate methods used, and support of retailers. Mayor Pro Tem Cook commented on the staff report presented at a previous meeting and voiced her support for the ordinance. Councilmember Hansen clarified that approval of the ordinance does not preclude retailers from using cart retrieval service companies. Mayor Coerper voiced his support for the ordinance.

A motion was made by Hardy, second Green to after the City Clerk read by title, adopt Ordinance No. 3759, *An Ordinance of the City of Huntington Beach Amending the Huntington Beach Municipal Code by Adding Chapter 5.80 Titled Shopping Cart Containment and Retrieval by Owners*. The motion carried by the following roll call vote:

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

(City Council) Councilmember Green Thanked Police Chief and Officers

Councilmember Green thanked Police Chief Ken Small and his Police Officers for their professional handling of a recent hostage situation in her neighborhood.

(City Council) Councilmember Hansen Noted Attendance at Orange County Association of Realtors' Award Ceremony and Congratulated Barbara Delgleize

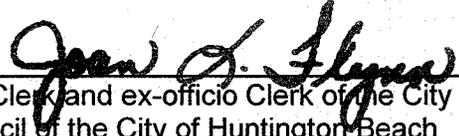
Councilmember Don Hansen noted he had attended the Orange County Association of Realtors' Award Ceremony along with Mayor Coerper and congratulated Barbara Delgleize for being awarded Realtor of the Year.

(City Council) Mayor Coerper Announced Boeing Visit, Bella Terra Tree Lighting Ceremony, Light of Love Event Downtown, United Way Orange County Connection Event, and Friends of the Library Event

Mayor Coerper announced his visit to the Huntington Beach Boeing facility with former Mayor Sullivan. He described a future increase in employees at the site due to relocations from Anaheim. He suggested other Councilmembers visit Boeing as well. He described a successful Bella Terra Tree Lighting ceremony held the previous Saturday, the Light of Love event held in the downtown area, a United Way Orange County Connection event which honored Councilmember Cathy Green with a Leadership Award, and a successful Friends of the Library event.

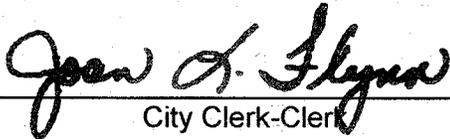
Adjournment – City Council/Redevelopment Agency

Mayor Coerper adjourned the regular meetings of the City Council/Redevelopment Agency of the City of Huntington Beach at 9:55 p.m. to Monday, December 18, 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