

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

Monday, April 2, 2007
4:00 P.M. - Room B-8
6:00 P.M. - Council Chambers
Civic Center, 2000 Main Street
Huntington Beach, California 92648

An audio recording of the 4:00 p.m. portion of this meeting and a video recording of the 6:00 p.m. portion of this meeting are available on the website. A videotape of the 6:00 p.m. portion of this meeting is on file in the Office of the City Clerk.

Call to Order

Mayor Coerper called the regular meeting of the City Council/Redevelopment Agency of the City of Huntington Beach to order at 4:30 p.m. in Room B-8.

City Council/Redevelopment Agency Meeting Roll Call

Present: Bohr, Carchio, Cook, Green (arrived at 4:33 p.m.), and Hardy.
Absent: Coerper, and Hansen.

Mayor Pro Tem Cook Announced Notices of Absence

Mayor Pro Tem Cook announced Notices of Absence received from Mayor Gil Coerper and Councilmember Don Hansen. Pursuant to City Council Resolution Number 2001-54, the City Council granted permission for Mayor Coerper and Councilmember Hansen to be absent.

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

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

PowerPoint report submitted by the Orange County Transportation Authority (OCTA) via the Public Works Department dated April 2, 2007 and titled *Renewed Measure M and Huntington Beach*.

(City Council/Redevelopment Agency) Study Session Held – A Presentation was Provided by the Orange County Transportation Authority (OCTA) on the Renewal of Measure M and the Importance to Huntington Beach

Public Works Director Robert F. Beardsley gave an overview of the topic and introduced Monte Ward, Director of Special Projects, OCTA. Director Ward gave a PowerPoint presentation titled *Renewed Measure M and Huntington Beach*, a copy of which was submitted at the meeting. He introduced Fernando Chavarria, Community Relations

Officer, OCTA who was also present to answer any questions. The PowerPoint report gave an election perspective, benefits to the City, new elements of Measure M2, early action priorities, City eligibility requirements, and bond funds awarded to date.

Mayor Pro Tem Cook inquired if funding is available for projects that link Huntington Beach to Los Angeles. OCTA Director Ward stated that the new Measure M focus is on metrolink and right-of-ways already owned by the State; however progress has recently been made in discussions between Orange and Los Angeles Counties investigating possibilities. Mayor Pro Tem Cook asked if Measure M is flexible enough to address societal changes. Director Ward explained that the program has some flexibility; however set standards must be met including either approval by voters or by an independent taxpayers' oversight committee. He clarified that the program is evaluated every ten years. Mayor Pro Tem Cook asked for clarification on programs for bike routes and the price escalators used by OCTA. Director Ward stated that bike routes may be addressed in the local Fair-Share program or the Regional Road program, if associated. He stated that OCTA would provide funding for disabled access and bikeways in the future. Director Ward also described the OCTA's price escalator as a blend of the Construction Cost Index and a cost of living index, with conservative revenue projections. Mayor Pro Tem Cook thanked him for his presentation.

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/>)

Donna Horn stated she is a realtor and resident, and supports Measure M and the Go Local study that is in process. She voiced her concerns with the 2.5 mile stretch of residences that may be impacted by the right-of-way study, and asked Council not to fund a study of that particular area. (28:05)

Shari Noriega stated she is a resident and a real estate agent and commented on the City's Late Communication process regarding the Go Local project. She stated she is not opposed to the Go Local project; however she is opposed to what she referred to as the narrow focus of the project, opining that viable alternatives are not being considered. Ms. Noriega voiced her concerns with the effects of the study on real estate agents and homeowners. She asked Council to direct staff to include citizens in the study process and to halt any further Late Communications on the project. (30:35)

Dean Zitko stated he is a resident and real estate broker and is not opposed to the Go Local study. He asked Council to consider alternative routes to the currently identified right-of-way and opined adverse economic impact on local residents and realtors. Mr. Zitko suggested the Union Pacific transportation corridor be removed from the study and suggested potential alternatives including an elevated line and use of the Santa Ana Riverbed. (32:13)

Suzanne Bideau stated she is a resident of the Pacific Ranch community and supports Measure M. She requested that the existing right-of-ways not be used as an option for expansion of the rail lines. Ms. Bideau asked for more information on the scope of the study and suggested Council remove the existing right-of-way residential area in favor of other alternatives. (33:55)

Motion to Recess to Closed Session – Approved

A motion was made by Green, second Hardy to recess to Closed Session on the following item. The motion carried by the consensus of all present, Coerper and Hansen absent.

(City Council) Closed Session - Pursuant to Government Code Section §54957.6, the City Council shall recess to Closed Session to meet with its designated labor negotiators: Penelope Culbreth-Graft, City Administrator; Bob Hall, Deputy City Administrator; Dan Vilella, Finance Director; and Renee Mayne, Chief Negotiator, regarding labor negotiations with the following employee organizations: **MEO, MEA, FMA, HBFA, SCLEA, and Non-Associated.**

Reconvened City Council/Redevelopment Agency Meeting – 6:00 p.m.

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

City Council/Redevelopment Agency Meeting Roll Call

Present: Bohr, Carchio, Cook, Green, and Hardy.
Absent: Coerper, and Hansen.

Mayor Pro Tem Cook Announced Notices of Absence

Mayor Pro Tem Cook announced Notices of Absence received from Mayor Gil Coerper and Councilmember Don Hansen. Pursuant to City Council Resolution Number 2001-54, the City Council granted permission for Mayor Coerper and Councilmember Hansen to be absent.

Pledge of Allegiance/Flag Salute – Led by Councilmember Bohr

Invocation – Led by Reverend Peggy Price, Greater Huntington Beach Interfaith Council

The City Clerk Announced Communications

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

PowerPoint report submitted by the Orange County Transportation Authority (OCTA) via the Public Works Department dated April 2, 2007 and titled *Renewed Measure M and Huntington Beach.*

Presentation – Mayor Pro Tem Cook called on Human Services Supervisor Susan Edwards who introduced Jim McLaughlin, representing the Orange County Realtor Association and Dave Osborne, General Manager of Fountain Bowl. Mr. McLaughlin presented a check for \$3,200 to the Project Self-Sufficiency Foundation to be used for educational scholarships.

The Following Communication Was Submitted During the Meeting:

Photographs depicting trash volume at neighboring homes submitted by Larry Moore, undated with various titles.

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/>)

Larry Moore stated he is a resident since 1978 and submitted to Council photographs depicting the volume of trash at neighboring homes. He opined that the charges to seniors in the City for trash pickup should be reduced because seniors accumulate less trash than family residences. (8:40)

Shari Noriega stated she is a resident and a real estate agent and voiced her concerns about notice given to the public pertaining to the Go Local program, presentations and Late Communications. She requested Council instruct staff to include citizens in discussions of Measure M projects, specifically the Go Local project and suggested alternative routes be considered. Ms. Noriega suggested Council visit Anaheim's website as a good example of information that is provided to residents pertaining to the Go Local project. (10:50)

Patrick Gordon stated he is a thirty-five-year resident and voiced his concern regarding home values and the safety of residents located near the easement for the potential rail line. He opined that his child would need to cross the easement three times to get to school, totaling 2,200 passes in a year. Mr. Gordon urged Council to remove the residential portion of the right-of-way from the Go Local study. (13:50)

Suzanne Bideau stated she is a resident and supports Measure M and public transportation. She asked that the Go Local study be expanded, and that Council eliminate options that destroy buildings and create safety concerns for residents. Ms. Bideau asked Councilmembers to walk the property to better understand her safety concerns, that alternate routes be considered and funded, and that a greater level of communication and notice be given to citizens. (16:09)

(City Council) AB 1234 Disclosure Reporting

Councilmember Green announced attendance along with Mayor Coerper, Mayor Pro Tem Cook, and Councilmembers Hansen, Bohr, and Carchio at the Pala Mesa Chamber of Commerce retreat.

Councilmember Green commented on the OCTA Measure M Study Session held earlier the same day. She described benefits to Huntington Beach, including over \$125 million in funding over 30 years, and thanked citizens who voted to renew Measure M. She explained that an early action plan would be available to the public by the end of the summer.

Councilmember Hardy reported attendance at the Bolsa Chica conference.

City Administrator Culbreth-Graft reported attendance along with the City Treasurer, the City Attorney, and the City Clerk at the Pala Mesa Chamber of Commerce retreat.

Mayor Pro Tem Cook announced attendance at a Borders Committee meeting in San Diego.

Councilmember Carchio stated attendance at a fundraiser for the Goldenwest College Foundation along with Councilmember Green.

City Administrator's Report – None

City Attorney's Report of Litigation Filed – None

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, Carchio, Cook, Green, and Hardy

NOES: None

ABSENT: Coerper, and Hansen

(City Council/Redevelopment Agency) Approved and Adopted Minutes - Approved and adopted the minutes of the City Council/Redevelopment Agency adjourned regular meeting of March 15, 2007 and the City Council/Redevelopment Agency regular meeting of March 19, 2007 as written and on file in the Office of the City Clerk. Submitted by the City Clerk.

(City Council) Approved the Sole Source Justification Document Pursuant to Administrative Regulation 229 for Seismic Braces for the City Hall Administration Building - Approved the *Sole Source Justification* document pursuant to Administrative Regulation 229. Submitted by the Director of Building and Safety. Funding Source: Not applicable.

(City Council) Received and Filed the 230 Park Impact Fee Annual Report for Fiscal Year 2005-06 to Comply with State of California Reporting Requirements on the Construction of New Floor Area for all Commercial and Industrial Development, and all Residential Development Not Covered by Quimby Fees - Received and filed the *230 Park Impact Fee Annual Report - Fiscal Year 2005-2006*. Submitted by the Community Services Director. Funding Source: Not applicable.

(City Council) Approved Amendment No. 12 to Cooperative Agreement No. C-95-975 with the Orange County Transportation Authority (OCTA) to Maintain Measure M Funding Eligibility - Approved and authorized the Mayor and City Clerk to execute Amendment No. 12 to Cooperative Agreement No. C-95-975 between Orange County Transportation Authority and the City of Huntington Beach. Submitted by the Director of Public Works. Funding Source: No funding source is required for this action. Authorized grants from the program currently total \$8.9 million over the next four years.

(City Council) Adopted Resolution No. 2007-23 Amending the City's Classification Plan to Incorporate Changes Considered by the Personnel Commission at the Regularly Scheduled Meeting held in February 2007 - Adopted Resolution No. 2007-23, A Resolution of the City Council of the City of Huntington Beach Amending the City Classification Plan by Revising the Class Specifications for the Positions of Water Equipment Operator, Helicopter Maintenance Technician and Personnel Analyst; and Establishing a New Job Specification and Setting Compensation for the Position of Liability Claims Coordinator. Submitted by the Deputy City Administrator, City Services. Funding Source: Funding for proposed compensation is included in the FY 2006-07 budget.

(City Council) Adopted Resolution No. 2007-24 Approving a Side Letter to the Memorandum of Understanding (MOU) Between the City and the Huntington Beach Police Management Association (PMA) Regarding the Medical Retirement Trust Fund Program - Adopted Resolution No. 2007-24, A Resolution of the City Council of the City of Huntington Beach Amending the Memorandum of Understanding Between the City and the Police Management Association, By Adopting the Side Letter of Agreement (Regarding Medical Retirement Trust Fund Program). Submitted by the Deputy City Administrator, City Services. Funding Source: No additional funding is required.

(City Council) Approved a Intergovernmental Service Agreement with the City of Tustin for Contract Jail Services to Book Detainees When Their Detention Facility Is Unable to Make Accommodations Due to Space and Personnel Issues, and Authorized the Mayor and City Clerk to Execute the Agreement - Approved and authorized the Mayor and City Clerk to execute the Intergovernmental Service Agreement Between the City of Huntington Beach and the City of Tustin for the Detention at Huntington Beach Police Department of Detainees Held in Custody by the Tustin Police Department. Submitted by the Chief of Police. Funding Source: There are no costs associated with this contract.

(City Council) Approved the Non-Exclusive License Agreement Between the City of Huntington Beach and the Children's Bureau of Southern California in the Amount of \$53,004, Reimbursed by Community Development Block Grant (CDBG) funds, for the Operation of the Oak View Community Center Located at 17261 Oak Lane, and Authorized the Mayor and City Clerk to Execute the Agreement - Approved the Non-Exclusive License Agreement Between the City of Huntington Beach and Children's Bureau of Southern California for the operation of the Oak View Center, and authorized the Mayor and the City Clerk to sign the agreement. Submitted by the Director of Community Services. Funding Source: City Council-approved Community Development Block Grant (CDBG) funds in the amount of \$53,004 have been designated in Account No. 85782005, Oak View Community Center for FY 06/07 for the balance of the calendar year. For FY 07/08, CDBG funds are being requested in the amount of \$53,004.

(City Council) Approved Employment Agreement Between the City of Huntington Beach and Scott M. Hess as the Director of Planning - 1. Approved the appointment of Scott M. Hess to the position of Director of Planning; and 2. Approved and authorized the City Administrator to execute the Employment Agreement between the City of Huntington Beach and Scott M. Hess for the position of Director of Planning. Submitted by the Deputy City Administrator, City Services. Funding Source: The position of Director of Planning is a budgeted position in the Fiscal Year 2006/2007. No additional funding is required.

(City Council) Awarded Contract in the Amount of \$606,920 to AAA Restoration, Inc. for the Emerald Cove Senior Apartments Capital Repair Project 2007; Authorized the Mayor and City Clerk to Execute the Construction Contract in a Form Approved by the City Attorney, and Authorized the Director of Economic Development, or the Director of Public Works, or His Designee, to Approve up to Ten Percent (10%) in Construction Change Orders - 1) Accepted the lowest responsive and responsible bid submitted by AAA Restoration, Inc., in the amount of \$606,920.00; and 2) Authorized the Mayor and City Clerk to execute a construction contract in a form approved by the City Attorney; and 3) Authorized the Director of Economic Development or the Director of Public Works, or his designee, to approve up to ten percent (10%) in construction change orders. Submitted by the Director of Economic Development. Funding Source: Funds are budgeted in the Emerald Cove Enterprise Fund Account 50380101.64520. With contingency, the full project cost will be approximately \$667,612.00.

(City Council) Approved for Introduction Ordinance No. 3767 Establishing the State Franchise Fees for Public, Education and Government (PEG) Video Service Providers

Mark Jaffey, Executive Director of Public Cable Television Authority commented on the ordinance and its impact on franchise fees. He clarified the functions of the Public Educational and Governmental (PEG) Access channels. Mayor Pro Tem Cook thanked Mr. Jaffey for his comments and Community Relations Officer Laurie Payne for her efforts with local Channel 3 programming.

A motion was made by Carchio, second Green to after the City Clerk read by title, approve Introduction of Ordinance No. 3767, *An Ordinance of the City of Huntington Beach Establishing Fees for State Franchised Video Service Providers*. The motion carried by the following roll call vote:

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

(City Council) Councilmember Green Congratulated Recipients of Public Safety Awards

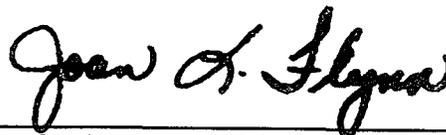
Councilmember Cathy Green congratulated the following recipients of the 2006 Public Safety Awards: Motor Officer Brian Knorr, Police Officer Ed Clair, Sergeant Aaron Smith, Police Officer Shawn Randell, Crew Leader Craig Hunter, and Information Technician Darrin Dixon.

(City Council) Councilmember Carchio Described Successful Event at International Surfing Museum and Gave Reminder of Surf City Nights

Councilmember Joe Carchio thanked Jodi McKay, Chairperson of the International Surfing Museum in Huntington Beach and described a successful event he attended the prior Sunday. He invited everyone to attend events at and support the museum. He also offered a reminder that Surf City Nights are being held on Tuesdays, and thanked the Community Services and Economic Development Departments for their efforts organizing the event.

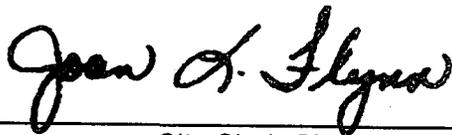
Adjournment – City Council/Redevelopment Agency

Mayor Coerper adjourned the regular meetings of the City Council/Redevelopment Agency of the City of Huntington Beach at 6:32 p.m. to Monday, April 16, 2007 at 4:00 p.m., in Room B-8, Civic Center, 2000 Main Street, Huntington Beach, California.

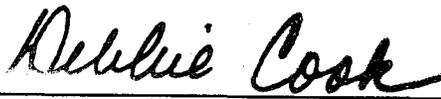


City Clerk and ex-officio Clerk of the City Council of the City of Huntington Beach and Clerk of the Redevelopment Agency of the City of Huntington Beach, California

ATTEST:



City Clerk-Clerk



Mayor-Chair