

MEETING ASSISTANCE NOTICE - AMERICANS WITH DISABILITIES ACT

In accordance with the Americans with Disabilities Act the following services are available to members of our community who require special assistance to participate in City Council and Redevelopment Agency meetings. If you require special assistance, 72-hour prior notification will enable the city to make reasonable arrangements. For American Sign Language interpreters, a reader during the meeting, and/or large print agendas, please call: **Office of the City Clerk (714) 536-5227**. To make arrangements for an assisted listening system (ALD) for the hearing impaired, please contact: the **Sergeant at Arms** at the meeting or the **City Clerk (714) 536-5227**.

AGENDA

CITY COUNCIL/REDEVELOPMENT AGENCY

CITY OF HUNTINGTON BEACH

MONDAY APRIL 18, 2005

4:30 P.M. - Room B-8
6:00 P.M. - Council Chambers
Civic Center, 2000 Main Street
Huntington Beach, California 92648

4:00 P.M. - Room B-8
The City Clerk will recess the 4:00 P.M. portion of the Meeting to 4:30 P.M. due to an anticipated lack of quorum.

Call City Council/Redevelopment Agency Meeting to Order

Roll Call Hansen, Coerper, Sullivan, Hardy, Green, Bohr, Cook

Pursuant to the Brown (Open Meetings) Act the City Clerk Announces Late Communications Received by Her Office Which Pertain to Items on the Agenda

(1) The Brown (Open Meetings) Act requires that copies of late communications submitted by City Councilmembers or City Departments are to be made available to the public at the City Council meeting. **(2)** Late communications submitted by members of the public are to be made available to the public at the City Clerk's Office the morning after the Council meeting. (Late Communications are communications regarding agenda items that have been received by the City Clerk's Office following distribution of the agenda packet.)

Public Comments Regarding 4:30 P.M. Portion of Council Meeting for Study Session and Closed Session Agenda Items

(City Council/Redevelopment Agency) Study Session No. 1 – Updates on the Public Cable Television Authority (PCTA) Franchise Renewal Process with Time Warner and Survey on Cable TV Service (140.60)

Staff and consultants from the Public Cable Television Authority will update the Council on the franchise renewal process with Time Warner and the survey of residents that was taken regarding cable TV service.

PowerPoint report titled *Report to the Public Cable Television Authority Board* and a communication submitted by Community Relations Officer Laurie Payne dated April 13, 2005 titled *Background materials for April 18, 2005 Study Session* are included in the agenda packet.

(City Council/Redevelopment Agency) Study Session No. 2 – Presentation by the Finance Department Re: Comprehensive Annual Financial Report (CAFR) for Fiscal Year 2003/2004 (310.20)

Presentation to be given by Dan T. Villella, Finance Officer transmitting the Comprehensive Annual Financial Report (CAFR) for fiscal year ended September 30, 2004.

Communication submitted by the Finance Director dated 4/5/05 titled *Study Session – Comprehensive Annual Financial Report* and PowerPoint titled *Comprehensive Annual Financial Report (CAFR) City of Huntington Beach Fiscal Year ended September 30, 2004* are included in the agenda packet.

Call Closed Session of City Council/Redevelopment Agency

Recommended Action: Motion to recess to Closed Session on the following item:

(City Council) Closed Session – Pursuant to Government Code Section 54957.6 to meet with its designated representatives: Agency Negotiators: Penelope Culbreth-Graft, City Administrator; Dan Villella, Finance Officer; and Irma Youssefieh, Human Resources Manager regarding labor relations matters – meet and confer with the following employee organizations: **PMA, FMA, MSOA, SCLEA and HBFA**. Subject: **Labor Relations – Meet & Confer**. (120.80)

The City Council and the Redevelopment Agency of the City of Huntington Beach will regularly convene in joint session for the purpose of considering the following City Council-Redevelopment Agency Agenda Items. The Huntington Beach Parking Authority, Civic Improvement Corporation, and the Huntington Beach Public Financing Authority are also agencies on which Council serves as members. On each Agenda these Agencies may have items scheduled. When an Agenda Item requires action by any of these Agencies, it will show in parenthesis preceding the item, for example (City Council-Redevelopment Agency).

6:00 P.M. - Council Chambers

Reconvene City Council/Redevelopment Agency Meeting

The City Attorney Shall Determine If Any Actions Taken By The City Council or Redevelopment Agency In Closed Session Shall Require A Reporting On Those Actions As Required By Law (Government Code §54957.1(a) (3) (B)).

Roll Call Hansen, Coerper, Sullivan, Hardy, Green, Bohr, Cook

Pledge of Allegiance/Flag Salute – To be led by the Mayor

In permitting a nonsectarian invocation, the City does not intend to proselytize or advance any faith or belief. Neither the City nor the City Council endorses any particular religious belief or form of invocation.

Invocation – To be announced by the Mayor

Hello and welcome to the Huntington Beach City Council meeting. If you would like to address the Council, please fill out the pink public comment sheet attached to the agenda. After completing the form, hand it to the Sergeant at Arms and he will give it to the City Clerk. **As a courtesy to those in attendance, I would ask that cellphones and pagers be turned off or set in their silent mode. Thank you.**

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Presentation – Senator John Campbell will make a presentation to Council Member Cathy Green for being named "Woman of the Year." (160.40)

Presentation - Mayor Jill Hardy to present a proclamation to the Huntington Beach Tree Society and the Huntington Beach Chamber of Commerce Women in Action commemorating Arbor Day 2005. (160.40)

Presentation - Angela Avery from the California Park and Recreation Society (CPRS) will present Paul Frank with Paul Frank Industries with the CPRS "Champion of the Community" Award. Mayor Jill Hardy to call on Kate Hoffman and Janeen Laudenback from the Community Services Department. (160.40)

Mayor's Award - Mayor Jill Hardy to call on Community Services Director Jim Engle to present the Mayor's Award to Driver John McGrew who works in the Senior Citizen Transportation Program. (160.40)

B. PUBLIC COMMENTS

This is the time of the meeting for the Council to receive comments from the public regarding items of interest or agenda items OTHER than Public Hearings. Generally, Council will not enter into a dialogue during this period.

Pursuant to the Brown (Open Meeting) Act, the City Council may not discuss items unless they are on our agenda. So if you are speaking on an item not on the agenda, we cannot discuss the issue with you at this meeting. However, if you wish to meet with any of us please call the Council's Secretary at 714-536-5553. Thank you for taking the time to come to the council meeting to address the Council. Councilmembers strive to treat members of the public with respect, and we ask that you also express your concerns and opinions in a civil and respectful manner.

Each speaker is allowed 3 minutes and time may not be donated to others. No action can be taken by Council/Agency on this date unless the item is agendized.

Complete the attached pink form and give to the Sergeant-At-Arms (the Police Officer located near the speaker's podium.)

C-1. Council Committee/Appointments/Liaison Reports

(This is the opportunity for Councilmembers to make announcements regarding Council committees, appointments or liaison reports.)

C-2. City Administrator's Report

C-3. City Treasurer's Report

C-3a. (City Council) Review and Accept Shari Freidenrich, City Treasurer's February 2005 Investment Summary Report Titled *City of Huntington Beach Summary of City Investment Portfolio, Bond Proceeds, and Deferred Compensation Activity* (310.20)

Communication from City Treasurer Shari Freidenrich transmitting the Monthly Investment Report for February 2005.

Recommended Action: Motion to:

Review and accept the monthly investment report. Following review of the report, by motion of Council, accept the Monthly Investment Report *Summary of Investment Portfolio, Bond Proceeds, and Deferred Compensation Activity for February 2005*, pursuant to Section 17.0 of the Investment Policy of the City of Huntington Beach.

ADMINISTRATIVE HEARING

D- 1 is an Administrative Public Hearing and is required by Huntington Beach Municipal Code Section 1.18. ONLY property owners are entitled to speak at this administrative hearing. Anyone wishing to speak is requested to complete the attached pink form and give it to the Sergeant-at-Arms located near the Speaker's Podium.

All other interested parties may speak during the regular Public Comments section of the agenda at the beginning of the meeting.

D-1 (City Council) Administrative Public Hearing to be Held Pursuant to Resolution No. 2005-14 Adopted February 22, 2005 to Hear Protests Regarding Weed Abatement – Rubbish and Refuse Abatement (520.80)

Communication from the Acting Public Works Director.

Administrative public hearing to hear objections and protests to the proposed removal of weeds, refuse and rubbish from undeveloped private properties at the owners' expense. This hearing is held pursuant to **Resolution No. 2005-14** adopted February 22, 2005.

1. Staff report
2. City Council discussion
3. Open administrative hearing
4. Following input from effected property owners **only**, close administrative hearing (The general public may speak during Public Comments)

Recommended Action: Motion to:

1. Open a public hearing for any objections and protests to the proposed removal of weeds, refuse, and rubbish;

and

2. Following the hearing, authorize the Superintendent of Streets (Director of Public Works) to proceed with the abatement of said nuisance.

PUBLIC HEARING

Anyone wishing to speak on an OPEN public hearing is requested to complete the attached pink form and give it to the Sergeant-at-Arms located near the Speaker's Podium.

D-2 (City Council) Public Hearing to Consider Approval of Zoning Text Amendment No. 03-02 (City Wide Entitlement Permit Streamlining Project - Phase II) by Amending 8 Chapters of the Huntington Beach Zoning and Subdivision Code and Amending Various Sections of the Downtown Specific Plan SP-5 – Approve Introduction of Ordinance Numbers 3705 through 3713, Inclusive (450.20)

Applicant: City of Huntington Beach.

Request: To amend 8 chapters of the Huntington Beach Zoning and Subdivision Ordinance, codify policies and clarify certain sections of existing codes and amend various sections of the Downtown Specific Plan SP 5. The proposed amendments are intended to reduce the overall number of discretionary entitlement applications by allowing the use by right or having a lower level discretionary body review the entitlement.

Location: Citywide

Environmental Status: Notice is hereby given that Item is categorically exempt from the provisions of the California Environmental Quality Act.

On File: A copy of the proposed request is on file in the City Clerk's Office, 2000 Main Street, Huntington Beach, California 92648, for inspection by the public. A copy of the staff report will be available to interested parties at the City Clerk's Office on (Thursday before meeting) April 14, 2005.

All interested persons are invited to attend said hearing and express opinions or submit evidence for or against the application as outlined above. If you challenge the City Council's action in court, you may be limited to raising only those issues you or someone else raised at the public hearing described in this notice, or in written correspondence delivered to the City at, or prior to, the public hearing. If there are any further questions please call the Planning Department at 536-5271 and refer to the above items. Direct your written communications to the City Clerk

1. Staff report
2. City Council discussion
3. Open public hearing
4. Following public input, close public hearing

Recommended Action: Motion to:

Approve Zoning Text Amendment No. 03-02 with findings for approval **and** after the City Clerk reads by title, approve for introduction the following ordinances by roll call vote:

Ordinance No. 3705 – *“AN ORDINANCE OF THE CITY OF HUNTINGTON BEACH AMENDING THE DEFINITIONS CHAPTER OF THE HUNTINGTON BEACH ZONING AND SUBDIVISION ORDINANCE CHAPTER 203;” and*

Ordinance No. 3706 – *“AN ORDINANCE OF THE CITY OF HUNTINGTON BEACH AMENDING CHAPTER 210 OF THE HUNTINGTON BEACH ZONING AND SUBDIVISION ORDINANCE RELATING TO RESIDENTIAL DISTRICTS;”*

Ordinance No. 3707 – *“AN ORDINANCE OF THE CITY OF HUNTINGTON BEACH AMENDING CHAPTER 211 OF THE HUNTINGTON BEACH ZONING AND SUBDIVISION ORDINANCE TITLED COMMERCIAL DISTRICTS;” and*

Ordinance No. 3708 – *“AN ORDINANCE OF THE CITY OF HUNTINGTON BEACH AMENDING CHAPTER 212 OF THE HUNTINGTON BEACH ZONING AND SUBDIVISION ORDINANCE TITLED INDUSTRIAL DISTRICTS;” and*

Ordinance No. 3709 – *“AN ORDINANCE OF THE CITY OF HUNTINGTON BEACH AMENDING CHAPTER 220 OF THE HUNTINGTON BEACH ZONING AND SUBDIVISION ORDINANCE TITLED OIL PRODUCTION OVERLAY DISTRICT;” and*

Ordinance No. 3710 - *“AN ORDINANCE OF THE CITY OF HUNTINGTON BEACH AMENDING CHAPTER 230 OF THE HUNTINGTON BEACH ZONING AND SUBDIVISION ORDINANCE TITLED SITE STANDARDS;” and*

Ordinance No. 3711 - *“AN ORDINANCE OF THE CITY OF HUNTINGTON BEACH AMENDING CHAPTER 233 OF THE HUNTINGTON BEACH ZONING AND SUBDIVISION ORDINANCE TITLED SIGNS;”*

Ordinance No. 3712 - *“AN ORDINANCE OF THE CITY OF HUNTINGTON BEACH AMENDING CHAPTER 241 OF THE HUNTINGTON BEACH ZONING AND SUBDIVISION ORDINANCE RELATING TO CONDITIONAL AND TEMPORARY USE PERMITS, VARIANCES; AND WAIVER OF DEVELOPMENT STANDARDS;” and*

Ordinance No. 3713 - *“AN ORDINANCE OF THE CITY OF HUNTINGTON BEACH AMENDING THE DOWNTOWN SPECIFIC PLAN REGARDING DEVELOPMENT STANDARDS.”*

E. CONSENT CALENDAR

All matters listed on the Consent Calendar are considered by the City Council and Redevelopment Agency to be routine and will be enacted by one motion in the form listed.

Recommended Action: Approve all items on the Consent Calendar by affirmative roll call vote.

E-1. (City Council/Redevelopment Agency) Minutes (120.65) - Approve and adopt the minutes of the City Council/Redevelopment Agency Regular meetings of March 21, 2005 as written and on file in the Office of the City Clerk. Submitted by the City Clerk.

E-2. (City Council) Adopt Resolution No. 2005-30 Approving Grant Application for Department of Boating and Waterways Funds for Development of a Boat Pumpout/Dump Station Facility at Huntington Harbour Public Dock (340.80) – Adopt **Resolution No. 2005-30**, *“A Resolution of the City Council of the City of Huntington Beach Requesting a Grant from the Department of Boating and Waterways for the Development of a Boat Pumpout/Dump Station Facility at the Huntington Harbor Public Dock.”* Submitted by the Community Services Director. Funding Source: Not applicable. Funding is for 100 percent of grant request.

E-3. (City Council) Approve Installation of the “Huntington Beach Butterfly” Sculpture at Norma Gibbs Park (in Participation with the Orange County Butterfly Initiative) (920.10) - Approve the installation of the “Huntington Beach Butterfly” sculpture at Norma Gibbs Park, and use of Park Acquisition & Development Fund Account #20945101.63100 for installation costs in the amount of \$500.00. Submitted by the Community Services Director. Funding Source: Park Acquisition & Development Fund Account #20945101.63100.

E-4. (City Council) Appropriate Funds for Emergency Repairs and Replacement (Due to Motor Vehicle Accident) of Landscaping and Landscape Irrigation Facilities to Blufftop Park (320.45) Appropriate \$120,000 to fund emergency reconstruction at Blufftop Park. Submitted by the Acting Public Works Director. Funding Source: Funds in the amount of

\$120,000 would be appropriated from the Undesignated General Fund balance to Park Maintenance, Contracts for Repairs and Maintenance (Account No. 10085416.64620). Risk Management will pursue reimbursement of costs from the responsible party.

E-5. (City Council) Approve Project Plans and Specifications and Award Construction Contract to GMC Engineering, Inc. for the Brookhurst Street & Adams Avenue Intersection Improvement Project; CC-1162 (600.25) – 1. Approve the project plans and specifications; and **2.** Accept the lowest responsive and responsible bid submitted by GMC Engineering, Inc., in the amount of \$430,030.75 for the Brookhurst & Adams Intersection Improvement Project, CC-1162; and **3.** Authorize the Mayor and City Clerk to execute a construction contract in substantially the same form as the attached sample contract. Submitted by the Acting Public Works Director. Funding Source: Funds in the amount of \$396,000 are available in the Orange County Transportation Authority (OCTA) Grant Fund, Brookhurst/Adams Intersection, Street Improvements, Account No. 87390002.82300. The grant portion is \$296,000. The city match is a minimum of 36% of project costs. Additional funds of \$150,000 for the balance of the project are available in the Traffic Impact Fund, Street Widening, Street Improvements, Account No. 20690001.82300.

E-6. (City Council) Approve Project Plans and Specifications and Award Construction Contract to 4-Con Engineering for the Civic Center Americans with Disabilities Act (ADA) Improvement Project; CC-1272 – Authorize Expenditure for Construction Change Orders (600.70) – 1. Approve the project plans and specifications; and **2.** Accept the lowest responsive and responsible bid submitted by 4-Con Engineering, Inc., in the amount of \$233,905 for the Civic Center ADA Improvement Project, CC-1272; and **3.** Authorize the Mayor and City Clerk to execute a construction contract in substantially the same form as the attached sample contract; and **4.** Authorize the Director of Public Works to expend up to fifteen percent (15%) in construction change orders. Submitted by the Acting Public Works Director and Economic Development Director. Funding Source: Funds in the amount of \$250,000 are available from a Community Development Block Grant (CDBG) FY 2003/04, Account No. 86687501.82200. Additional funding of \$45,000 has been approved, in accordance with the City's Citizen Participation Plan. The engineer's estimate for this project was \$200,000.

E-7. (City Council) Approve Agreement between the Orange County Sanitation District (OCSD) and the City for the Warner Avenue Relief Sewer Located between Bolsa Chica and Springdale Streets (600.25) – Approve and authorize the Mayor and City Clerk to execute the Orange County Sanitation District *Warner Avenue Relief Sewer Agreement*. Submitted by the Acting Public Works Director. Funding Source: No city funding is required for this action.

E-8. (City Council) Accept City of Santa Ana Urban Area Security Initiative (UASI) Agreement and Funding for Purchase of Command Vehicle for the City of Huntington Beach – Authorize Appropriation (340.80) – 1. Accept the *Agreement to Transfer or Purchase Equipment or Services for FY04 Urban Areas Security Initiative (USAI)* between the City of Santa Ana and the City of Huntington Beach relative to the UASI grant for funding cycle year 2004/2005 and authorize the Mayor and City Clerk to execute; and **2.** Authorize the Chief of Police and Fire Chief to expend funds to cover the purchase of a City command vehicle at a cost not to exceed \$550,000; and **3.** Approve the appropriation of \$550,000 from the unreserved, undesignated General Fund Balance, to be reimbursed by the grant from the City of

Santa Ana. Submitted by the Police Chief and Fire Chief. Funding Source: If approved, funds, estimated to be up to \$550,000, will be appropriated from the unreserved, undesignated General Fund Balance, but will be fully reimbursed by the City of Santa Ana UASI Grant. No other matching or in-kind City funds are required for this grant.

E-9. (City Council) Appropriate \$300,000 to Replace City Hall Elevator Control System (200.20) – Appropriate \$300,000 from the Undesignated General Fund balance to replace the City Hall elevator control system. Submitted by the Acting Public Works Director. Funding Source: Funds in the amount of \$300,000 would be appropriated from the Undesignated General Fund balance to Civic Center Maintenance, Capital Improvements Account No. 10085403.82000.

F. Administrative Items

F-1. (City Council) Approve City Council Position on Legislation Pending before the Federal, State, or Regional Governments as Recommended by the City Council Intergovernmental Relations Committee (IRC), Including a Request to Adopt Resolution No. 2005-29 Urging the United States Congress to Retain the Current Funding and Structure for the Community Development Block Grant (CDBG) Program (640.90)

Communication from Mayor Jill Hardy, Chair, Intergovernmental Relations Committee, on behalf of members, Councilmember Gil Coerper and Councilmember Keith Bohr transmitting the following **Statement of Issue:** Approve a City Council position on legislation pending before the Federal, State or Regional Governments as recommended by the City Council Intergovernmental Relations Committee, and authorize the Mayor to communicate the City of Huntington Beach's position to the elected members of the State or Federal Legislators, Governmental Task Force, or a regional body or to be put on a ballot for approval by the voters.

Recommended Action: Motion to:

1. Approve Resolution Number 2005-29 - "A Resolution of the City Council of the City of Huntington Beach Urging the United States congress to Retain the Current Funding and Structure for the Community Development Block Grant Program;"

and

2. SUPPORT ACA 13 (Harman) – Local Assessment – Fees (Storm Water);

and

3. OPPOSE proposed cuts in the Metropolitan Medical Response System (MMRS) program;

and

4. SUPPORT for maintaining the 4th District Court of Appeals in the City of Santa Ana;

and

5. SUPPORT for Coastline Community College District's request for the Federal Government to maintaining funding for the Perkins Vocational and Technology Education Program and the Workforce Investment Act (WIA);

and

6. Take No Action and Watch the City of Fullerton's request for OCTA to advance Measure M Centerline Project Funds to Orange county Cities for improvement to local streets and roads.

G. Ordinances**G-1. Ordinance for Adoption**

G-1a. (City Council) Adopt Ordinance No.3704 Amending Chapter 5.64 of the Huntington Beach Municipal Code Relating to Administrative Expenses for Bingo Games (570.10)- Ordinance No. 3704 – “An Ordinance of the City of Huntington Beach Amending Chapter 5.64 of the Huntington Beach Municipal Code Relating to Administrative Expenses for Bingo Games.” (Approved for introduction April 4, 2005.)

Recommended Action: After the City Clerk reads by title, adopt **Ordinance No. 3704**, by roll call vote.

H. City Council/Redevelopment Agency Items**Council Comments - (Not Agendized)**

At this time Councilmembers may report on items not specifically described on the agenda which are of interest to the community. No action or discussion may be taken except to provide staff direction to report back or to place the item on a future agenda.

Council/Agency Adjournment to *Monday, April 25, 2005, at 4:30 p.m.*, in Council Chambers, Civic Center, 2000 Main Street, Huntington Beach, California.

Council/Agency Agendas and Minutes are Available at No Charge to the Public at the City Clerk's Office, on the City's Website, Via Email, and Through Paid Subscription. Complete Agenda Packets are Available at the Central Library and Library Branches on Friday Prior to Meetings. Videotapes of Council Meetings are Available for Checkout at the Central Library at No Charge.

**JOAN L. FLYNN, CITY CLERK
City of Huntington Beach
2000 Main Street - Second Floor
Huntington Beach, California 92648**

**COMPUTER INTERNET ACCESS TO CITY COUNCIL/REDEVELOPMENT AGENCY
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