

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

Monday, March 2, 2009
4:00 PM - Room B-8
6:00 PM - Council Chambers
Civic Center, 2000 Main Street
Huntington Beach, California 92648

**An audio recording of the 4:00 PM portion of this meeting
and a video recording of the 6:00 PM portion of this meeting
is on file in the Office of the City Clerk and is archived at
www.surfcity-hb.org/government/agendas/**

4:00 PM - ROOM B-8

CALL TO ORDER

Mayor Bohr called the regular meeting of the City Council/Redevelopment Agency to order at 4:05 PM.

ROLL CALL

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

ANNOUNCEMENT OF LATE COMMUNICATION - None.

PUBLIC COMMENTS PERTAINING TO STUDY SESSION / CLOSED SESSION ITEMS (3 Minute Time Limit) - None.

STUDY SESSION - Presentation of preliminary blight analysis for shopping centers and discussion regarding bond financing and other aspects of the Redevelopment Plan.

City Administrator Fred Wilson referred to Economic Development Director Stanley Smalewitz, who introduced John N. Oshimo, President, GRC Associates, Inc. Mr. Oshimo provided a PowerPoint presentation entitled *Huntington Beach Redevelopment Plan Amendment Feasibility Study* that provided a project overview, outlined GRC's role, indicated Redevelopment Agency direction, benefits to amending the project area, requirements to adding area to a project area, and blight requirements.

Councilmember Carchio and Mr. Oshimo discussed differences and similarities between physical and economic blight.

The presentation continued with examples of blight, blight assessment, and centers exhibiting both physical and economic blight.

Councilmember Carchio and Mr. Oshimo discussed factors that classify an area as high crime.

Councilmember Carchio voiced concerns about media attention that unqualified high crime statistics prompt.

Councilmember Hardy questioned why the Beach/Atlanta center was not included as part of the presentation. Director Smalewitz explained that the center currently resides within a project area and has mechanisms in place to upgrade its condition.

The presentation continued with the amendment process, key steps and public input.

Councilmember Hansen and Director Smalewitz discussed how the 23 properties identified as exhibiting blight will be considered a merged project area and will require an environmental impact report (EIR).

Councilmember Hardy and Director Smalewitz discussed affordable housing requirements, set aside funds, and merged area properties being eligible for financial assistance from the Agency should they decide to consider a zone change. Mr. Oshima explained that new properties merging into the project area will not affect the affordability periods already established for existing properties.

Councilmember Hansen questioned whether certain redevelopment restrictions would impede business development along Beach Blvd. Director Smalewitz discussed how the Agency is able to provide greater assistance to businesses that reside within a project area.

Councilmember Coerper, Director Smalewitz and Mr. Oshimo discussed why properties offered as examples of blight within the presentation were not specifically identified, and how the study incorporated some code enforcement information.

Councilmember Dwyer and Director Smalewitz discussed the performing properties identified as 15 and 31 within the presentation, and the Agency's role in helping to find alternate tenants to replace existing, non-performing businesses. Councilmember Dwyer discussed the free market, and Director Smalewitz described the Agency's ability to provide financing that will provide a return, citing the Bella Terra as an example of a property that turned around because of Agency assistance. Councilmember Dwyer voiced concerns about using tax dollars to achieve what the free market can achieve.

Councilmember Hansen explained his intentions in discussing the lack of motivation businesses receive to upgrade their properties when the return on their investment is marginal. He also discussed investing tax dollars to recycle parcels and attain partnerships with property owners that would provide a return for both parties.

Councilmember Dwyer commented on other incentives realized through the planning process, citing the Beach/Edinger and Downtown Specific Plans that address density and parking to enhance development and improve property performance.

Councilmember Carchio stated support for moving forward, but questioned incentives that currently exist for centers now. Director Smalewitz referenced infrastructure inadequacies identified for the each/Edinger Corridor, and an upgraded hotel and retail base in the Strand project as examples of development opportunities afforded by Agency involvement.

Councilmember Carchio and Director Smalewitz discussed how substandard lots once supported eminent domain. Councilmember Carchio voiced concerns about centers with preexisting conditions, health violations, inadequate water and sewers, and code enforcement involvement.

Mayor Bohr questioned an assessed property analysis, and Director Smalewitz stated it would be addressed within the next presentation. Mayor Bohr also commented on public sentiment drastically opposed to eminent domain.

Director Smalewitz introduced Greg Soo-Hoo, Senior Principal with Keyser Marston Associates, to present a PowerPoint entitled *Tax Allocation Bond Capacity and Tax Increment Revenue Limit*. The presentation addressed reasons redevelopment agencies issue bonds, tax allocation bond capacity (time limitations, accumulative tax increment revenue caps) and tax allocation bond scenarios.

Director Smalewitz emphasized strategic plan goals accelerating the Agency's debt to the City based on current economic times.

The presentation continued with redevelopment plan limits (time limits, and total bonded and tax increment limits), tax increment revenue projected to FY 2036-37, forfeited tax increment under the \$850 million cap, amended redevelopment plan limits, and next steps.

Councilmember Hansen questioned if the Agency has the discretion to raise the revenue cap, and Consultant Soo-Hoo confirmed.

Councilmember Hardy and Director Smalewitz discussed the appropriateness of combining the proposed amendment with the shopping center study that adds properties to the merged project area, and the ability to separate the issues (shopping centers/financing) if one aspect isn't favored.

Councilmember Hardy voiced concerns about the risks involved in issuing bonds that may be negatively effected by the future state of the economy. Consultant Soo-Hoo and Director Smalewitz explained certain protections guaranteed to the City, including credit ratings and educational revenue augmentation fund (ERAF) guidelines and extensions.

Mayor Pro Tem Green questioned how the Agency will handle tenants who resist being merged into a project area. Director Smalewitz discussed educating tenants on redevelopment incentives and attracting new businesses. Consultant Soo-Hoo explained how the tax revenue projection identified within the presentation does not assume the proposed additions discussed in the previous report.

Mayor Pro Tem Green and Director Smalewitz discussed friendly condemnation and whether the lack of eminent domain authority precludes the possibility of a friendly condemnation. Discussion ensued on the political authority of exercising eminent domain, staff's decision to remove eminent domain authority, and the Agency's authority to reinstate it.

Councilmember Dwyer voiced concerns about debt at federal, state and local levels, and Director Smalewitz explained the redevelopment agency debt process that ultimately uses future tax increment to fund property improvements.

Councilmembers provided support to proceed, with the option to discuss inclusion of eminent domain authority later in the process.

RECESS TO CLOSED SESSION

A motion was made by Coerper, second Green to recess to Closed Session at 5:24 p.m. The motion carried by the following roll call vote:

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

CLOSED SESSION

1. Pursuant to Government Code Section 54957, the City Council recessed into Closed Session to discuss the following personnel matter: Appointment of Director of Finance.

2. Pursuant to Government Code Section 54956.9, the City Council recessed into Closed Session to confer with the City Attorney regarding the following lawsuit: Barbara L. Agee, et al. v. City of Huntington Beach, et al.; Orange County Superior Court Case No. 06CC00125. This suit concerns the affordability covenant for the Cape Ann subdivision located near the intersection of Main Street and Promenade.

3. Pursuant to Government Code Section 54956.9, the City Council recessed into Closed Session to confer with the City Attorney regarding the following lawsuits: City of Huntington Beach v. Hayes, et al., Superior Court Case No. 30-2008-00073768; City of Huntington Beach v. Peerenboom, Superior Court Case No. 30-2008-00219744; City of Huntington Beach v. Larralde, et al., Superior Court Case No. 31-2008-00037286; and multiple potential lawsuits.

4. Pursuant to Government Code Section 54956.9, the City Council recessed into Closed Session to confer with the City Attorney regarding the following lawsuit: Parks Legal Defense Fund, et al. v. City of Huntington Beach, et al.; Orange County Superior Court Case No. 30-2008 00051261. A public interest advocacy organization alleges the City did not comply with CEQA, City Charter Section 612 and the City's General Plan and is misusing park-in-lieu fees in approving the Senior Center, located along Golden West Avenue adjacent to the Shipley Nature Center.

5. Pursuant to Government Code Section 54957.6, the City Council recessed into Closed Session to meet with its designated labor negotiators: Paul Emery, Deputy City Administrator; Michele Carr, Director of Human Resources; Jim Engle, Director of Community Services; and Kyle Lindo, Marine Safety Division Chief, regarding labor negotiations with SCLEA.

RECONVENE CITY COUNCIL/REDEVELOPMENT AGENCY MEETING

Mayor Bohr reconvened the regular meeting of the City Council/Redevelopment Agency at 6:13 p.m.

CLOSED SESSION REPORT BY CITY ATTORNEY - None.

ROLL CALL

Present: Carchio, Dwyer, Green, Bohr, Coerper, Hardy, and Hansen

Absent: None

PLEDGE OF ALLEGIANCE - The Huntington Beach Girl Scout Association Flag Unit presented the colors and led the Flag Salute.

INVOCATION - Led by Father Christian Mondor, Sts. Simon and Jude Catholic Church, representing the Interfaith Council.

ANNOUNCEMENT OF LATE COMMUNICATION

Pursuant to the Brown "Open Meetings" Act, City Clerk Joan L. Flynn announced late communications received by her office following distribution of the agenda packet:

PowerPoint communication submitted for Agenda Item No. 9 by Police Chief, Ken Small, dated March 2, 2009, and entitled *Photo Enforced Red Light Violations*.

Communications in support/opposition to Agenda Item 9, an agreement with Redflex Traffic Systems, Inc. for an automated photo red light enforcement program: Kevin Clancey, Bob Clitherow, Martin Hill, James, Jim McKanna, Steve Stafford, Ed Sumner, Arthur F. Tait, Ann & Gary Tarkington, Sean Whittle, Ron & Anna Winship, Martha Sandoval and M. Jack Brooks.

Communication submitted for Agenda Item No. 23 by Fred A. Wilson, City Administrator and Stanley Smalewitz, Director of Economic Development, dated March 2, 2009, and entitled *CIM/The Strand Pre-payment Agenda Item*.

PowerPoint communication submitted for Agenda Item No. 24 by Director of Economic Development Stanley Smalewitz, dated March 2, 2009 and entitled *Inclusionary Housing Policies & Procedures*; a page substitution was submitted at the meeting.

COMMUNICATIONS RECEIVED DURING THE MEETING

Communication received by Connie Ngo, undated and entitled *Cape Ann Cottage Prices*.

AWARDS AND PRESENTATIONS

SPECIAL ANNOUNCEMENT: Mayor Bohr announced the month of March as Women's History Month. The month was first recognized in 1978 as "Women's History Week" in Sonoma County and was later expanded to an entire month in March 1987 when President Ronald Reagan issued the first proclamation. In that proclamation, President Reagan pronounced that we "should remember, with pride and gratitude, the achievements of women throughout American History." The City Council recognizes the contributions of women worldwide as part of the city's Human Relations Task Force Federal Heritage Month program.

PRESENTATION: Mayor Bohr introduced the members of the Centennial Celebration Subcommittee on Education to announce March as the Centennial month for Education. Third graders from Seacliff Elementary School performed songs about the history of Huntington Beach.

Mayor Bohr was joined by Chair and committee liaison Margie Bunten from Goldenwest College, Pam Daugherty from Huntington Beach Adult School, Duane Dishno, retired Superintendent from Huntington Beach City School District, Chris Grisey from Huntington Beach Girl Scouts of America, Rebekah Harvard from Orange County Council of Boy Scouts of America, Karen Hill, Girl Scout Council of Orange County for Huntington Beach, Janice Mantini from Boeing, Ed Pavloff from the Boy Scouts of America, Dr. Van Riley from the Huntington Beach Union High School District, and Diane Ryan from the Huntington Beach Adult Education School.

Margie Bunten discussed Centennial activities designated for the month of March to celebrate youth and education. She introduced Laura Sibley, part time vocal music instructor with Seacliff Elementary School, to lead 3rd grade students in their vocal performance.

PRESENTATION: Mayor Bohr called on Dale Dunn from the Huntington Beach Rotary Club to make a special presentation to the City Council members.

Dale Dunn, past president of the Huntington Beach Rotary Club introduced President Brenda Glim and past president Dr. Douglas Gahn, and discussed the Rotary Club's plans to introduce Centennial coins to the community and raise funds for the Rotary Club. Mr. Dunn distributed coins to the Council, and introduced Steve Bone, Chair of the Centennial Committee who announced that the public can obtain coins from Albertson's, or brenda@acornx.com.

PUBLIC COMMENTS (3 Minute Time Limit)

PUBLIC COMMENTS

(The number following the speaker's comments reflect the approximate point in time in the archived video the speaker appears at <http://www.surfcity-hb.org/government/agendas>)

Norm Campbell spoke in opposition to Agenda Item No. 9 - Agreement with Redflex Traffic Systems, Inc. for an automated photo red light enforcement program, voicing concerns related to program costs. (00:30:25)

Suzette Clark, Cape Ann resident, voiced concerns for not receiving personal notification of Agenda Item No. 24 - Inclusionary/Affordable Housing Program Policies and Procedures, and addressed issues related to cash out on refinancing and the home buyer qualification process. (00:32:20)

Dale Crain, Cape Ann HOA president, informed Council that notice of Agenda Item No. 24 - Inclusionary/ Affordable Housing Program Policies and Procedures, was received by Cape Ann Home Owners Association Management, stating his opinion of poor communication patterns between Cape Ann home owners and the City. He voiced concerns related to inconsistent covenant dates, and changes taking place without notice to home owners. (00:35:47)

Hanne Palmer, Cape Ann resident, voiced concerns related to Agenda Item No. 24 - Inclusionary/ Affordable Housing Program Policies and Procedures, specifically not receiving returns calls from certain Council members, the resale formula, the lack of effort to educate home owners of program restrictions, and strict buyer qualifications that make it difficult for property owners to sell. (00:38:38)

Linda Winslow, Brisas del Mar resident, voiced concerns related to Agenda Item No. 24 - Inclusionary/ Affordable Housing Program Policies and Procedures, specifically the City's notification process, discrepancies within the program, and owners being penalized when they were unaware of their properties' affordability status. (00:42:10)

Kathleen Peerenboom, Brisas del Mar resident, voiced concerns related to Agenda Item No. 24 – Inclusionary/ Affordable Housing Program Policies and Procedures. She referenced the following points to support owners' lack of knowledge that Brisas del Mar units were affordable: bidders purchased more than one unit at auction, affordability restrictions not listed on title, owners are able to rent properties without considering income restrictions, owners can pull equity from their homes, and owners have been qualified through a private lender. She urged Council to consider helping homeowners who in her opinion were misled. (00:43:08)

Steve Fought, Cape Ann resident, voiced concerns related to Agenda Item No. 24 - Inclusionary/ Affordable Housing Program Policies and Procedures. He discussed the resale price formulas, Regional Housing Needs Assessment (RHNA) goals, and recouping costs for property upgrades. (00:45:45)

Lois Caporale, 15-year resident, voiced concerns related to Agenda Item No. 24 - Inclusionary/ Affordable Housing Program Policies and Procedures. She discussed her disappointment of the information presented at the special City Council meeting of February 3, 2009 that changed her mind about purchasing a home through the City's Inclusionary Housing Program. She stated her opinion that it is the Council's responsibility to intervene on behalf of its citizens who are struggling in the program. (00:49:35)

Robert Johnson, Cape Ann resident, voiced concerns related to Agenda Item No. 24 – Inclusionary/ Affordable Housing Program Policies and Procedures, specifically resale declarations, disclosure of information, interest rates, program complexity, California contract law and uncertainty of the program's effect on existing and future owners. (00:52:15)

Glen Williams, Cape Ann resident, voiced concerns related to Agenda Item No. 24 – Inclusionary/ Affordable Housing Program Policies and Procedures, specifically the change in resale formula, Council's opinion that the program is not meant to build equity, the City making program changes without property owners' knowledge, and the difficulties being experienced by property owners who are trying to sell their homes. (00:55:35)

Yana Kennedy, Cape Ann resident, voiced concerns related to Agenda Item No. 24 – Inclusionary/ Affordable Housing Program Policies and Procedures, specifically the limited ability to rent upon showing of hardship. She discussed privacy rights related to medical record disclosure, temporary job relocation/loss, a poor real estate market, and the strict qualification process that is keeping buyers out. She urged Council to undo the wrongs and make the program right. (00:57:57)

Carol Martin, Brisas del Mar resident, voiced concerns related to Agenda Item No. 24 – Inclusionary/ Affordable Housing Program Policies and Procedures. She described the different avenues for buyer qualification and the auction process that called for buyers to submit a \$1,500 deposit. She explained how bidders could buy more than one unit, discussed how the moderate income requirements have not been enforced, and how the buyers who purchased units at market value should be removed from the program. She requested that Council establish a task force to address issues related to Brisas del Mar. (01:01:26)

Poula Terrick, Cape Ann resident, voiced concerns related to Agenda Item No. 24 – Inclusionary/ Affordable Housing Program Policies and Procedures. She discussed her down payment of \$128,000, the City's denial of her application for a small home repair loan through her Police Credit Union. (01:04:45)

Gil Flores, representative from the United States Census Bureau, introduced himself to Council and discussed his intentions to solicit partnership for the 2010 census. He directed the public's attention to www.census.gov, and was available for questions. (01:07:57)

Councilmember Dwyer and Police Chief Ken Small discussed posting census information on the City web page. Mr. Flores indicated that citizens who do not respond to census communications will receive a visit from a census representative.

Connie Ngo, Cape Ann resident, voiced concerns related to Agenda Item No. 24 - Inclusionary/ Affordable Housing Program Policies and Procedures and disagreed with certain Council Members saying she is lucky to own a Cape Ann home. She described submitting a down payment of \$145,000, and how her neighbor paid cash for her property. She also discussed how the developer described the dwelling as a single-family home, while her property tax document identifies it as a condominium. She presented a document provided by John Laing homes and her CC&Rs which she claims do not acknowledgeable affordability. (01:10:30)

Josie Nguyen, Cape Ann resident, voiced concerns related to Agenda Item No. 24 – Inclusionary/ Affordable Housing Program Policies and Procedures. She discussed how homes have been on the market for over six months, and owners cannot find qualified buyers. She urged Council to sit down and find a reasonable solution to make things easier for the next buyer. (01:15:52)

Shaun Dahl, Cape Ann resident, voiced concerns related to Agenda Item No. 24 - Inclusionary/ Affordable Housing Program Policies and Procedures and his opinion that the program was flawed from the beginning. He requested that Council repair the program so that it is fair and equitable, and addressed issues related to market rate resale upon the death of an owner and the hardship rental provision. (01:17:44)

Susan Steiner, Cape Ann resident, voiced concerns related to Agenda Item No. 24 – Inclusionary/ Affordable Housing Program Policies and Procedures. She discussed her significant investment to purchase a model home, equity sharing, and the affordable housing brochure that includes resale formula information. (01:20:32)

Mayor Bohr suggested moving Administrative Item No. 24 forward, and received no objections from the Council.

ADMINISTRATIVE ITEMS

24. (City Council) Approved and provided direction for recommendations on modifications to the Inclusionary/Affordable Housing Program Policies and Procedures as discussed at the January 20th and February 3rd, 2009 City Council meetings; and, directed staff to return with a resolution to adopt modifications and finalized Inclusionary Housing Program Policies and Procedures.

City Administrator Fred Wilson referred to Stanley Smalewitz, Director of Economic Development to introduce the item. Director Smalewitz described how action taken at the special City Council meeting of February 3 is being brought forth for tonight's consideration. Director Smalewitz also introduced Kathy Head, consultant with Keyser Marston.

Mayor Pro Tem Green questioned if the City's recent sale of a foreclosed home was kept in the affordable stock, and sold at an affordable rate. Kelly Fritzal, Deputy Economic Development Director, responded that the home has not yet sold, but the City has an interested buyer and will present a request for permission to sell the home at a meeting in the near future. Director Smalewitz followed up by stating that a total of nine (9) homes in the Cape Ann development were sold in 2008.

Consultant Head provided a PowerPoint presentation that addressed recommended policy modifications to the hardship rental provision, inheritance and posting the estimated affordable sales price.

Mayor Bohr requested that the Consultant indicate the numbered staff report item that correlates with modifications provided in the PowerPoint. Deputy Fritzal stated item #7 correlates with the hardship rental provision, #8 with inheritance, and #9 with posting the affordable sales prices monthly. The presentation continued with durable goods (#10), utilities (#11), and allowances posted on website (#12). Consultant Head continued with enforcement documents (#13), and enforcement measures (#14).

Councilmember Carchio asked if the City obtains a list of prospective buyers, and Deputy Fritzal indicated that the presentation will address the topic.

The presentation continued with modifying the gift limit (#1), and cash out refinancing (#2).

Councilmember Carchio and Director Smalewitz discussed why staff recommends that the cash out be dependent on buying another home, and how subordinating a loan weakens the City's financial position in the market. Councilmember Carchio voiced concerns about current homeowners experiencing negative impacts from modifications proposed for future homeowners.

Councilmember Hansen questioned if it is possible to allow homeowners to cash out if the bank supports it, without City subordination. Director Smalewitz discussed the Teachers' Credit union providing a loan that the City didn't have to subordinate, how banks want to be the senior decision maker, and staff's philosophy to approach things in a conservative manner.

Discussion ensued about the uncertainty of whether banks underwrite loans considering home valuation formula at the affordable or market rate value of the home. Councilmember Hansen

discussed a policy approach that would allow prudent flexibility with cash out based on lender underwriting, and subordinate at a level equal to but not exceeding 80% of the affordable price at the time of the loan. Consultant Head recommended that policy language be constructed to recognize current underwriting practices. Councilmember Hardy recognized inconsistencies within the underwriting community and recommended that current underwriting practices be identified, in addition to language that indicates "not to exceed" 80%.

Councilmember Dwyer and Director Smalewitz discussed the City's risk of losing an affordability covenant when bank loans value a property at 110% and the loan reaches foreclosure. Discussion ensued on loan subordination, and City Attorney McGrath discussed situations where the City is willing to put its interest behind the lender, but will not risk loss of a covenant to foreclosure.

The presentation continued with timing for affordable price setting, applicability of changes to policies and procedures, and market rate resale upon death of owner.

Councilmember Dwyer and Director Smalewitz discussed obtaining information from insurance brokers on a policy that would enable the City to recoup money lost to inheritance. Councilmember Dwyer requested that the information be provided when obtained.

The presentation continued with maintaining a list of interested buyers. Councilmember Carchio stated his impression that the City would maintain a prequalified list of homebuyers. Director Smalewitz explained why such a list has a short shelf life, indicating that staff does not support maintaining a list. Councilmember Hardy identified items of information she feels should be disclosed to prospective buyers, and supports maintaining a prospective buyer check list. Councilmember Hansen suggested maintaining a web-based prequalification list that purges every 30 days. Mayor Pro Tem Green stressed the importance of disclosing that the City is not responsible for prequalifying buyers, and Director Smalewitz indicated other statements that clarify information collected is non-verified and non-audited. Councilmember Hardy suggested that staff make arrangements with the Information Systems Department to post the proposed list and include the ability to refresh information and send email notification to parties who supply information.

The presentation continued with length of covenants. Councilmember Hardy voiced support for all project affordability periods remaining intact from the date of inception.

Discussion ensued, with Councilmember Hardy recommending that existing covenant periods not be restarted; Councilmember Dwyer stated he would only support an affordability period being set at the date of first purchase; Councilmember Carchio concurred with Councilmembers Hardy and Dwyer.

The presentation continued with Housing Manager Sidney Stone comparing inclusionary program elements related to inheritance, rental, asset test, capital improvements, and refinancing to those in place within the County of Monterey.

Manager Stone also provided comparable inclusionary program elements related to maximum sales price calculation, asset test, length of covenants, capital improvements, rental provisions, and refinance in place within the City of San Francisco.

A straw vote motion was made by Bohr to accept Staff Report Item No. 1 (Gift Limit) as proposed. The motion carried by the following vote:

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

A straw vote motion was made by Bohr to accept Staff Report Item No. 2 (Cash Out on Refinancing Existing Policy), modified to remove restriction of sole use as down payment of new primary residence. Underwriting community to set refinancing not to exceed 80% of the appraised value as affordable, and City to subordinate. The motion carried by the following vote:

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

A straw vote motion was made by Bohr to accept Staff Report Item No. 3 (Timing for Affordable Price Setting) as proposed. The motion carried by the following vote:

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

A straw vote motion was made by Bohr to accept Staff Report Item No. 4 (Grandfathering of Policies and Procedure Changes), modified to include a process to send notice to homeowners six months before and allow public comments to clarify policy for future staff and homeowners. Vote to follow.

Discussion ensued on how policies and procedure changes will affect present and future program participants.

Mayor Bohr asked Cape Ann homeowner Gabe Houston to approach the podium to discuss income assessment. Mr. Houston stated he purchased his unit in 2003, and discussed the changes, not adjustments that have occurred since 2003 related to the stated income program, maximum amount allowed for down payment, self-employment, number of inhabitants, and phased pricing changes (now priced by number of bedrooms, not square footage). He stated that had he known the affordability period would adjust at each purchase, he would not have considered his purchase, also stating his impression that the City made significant changes without his knowledge or consent.

Councilmember Hardy voiced concerns about changes identified by Mr. Houston that the Council was not aware of, and indicated to Director Smalewitz that it should be discussed at a future meeting. Mr. Houston clarified that the program once allowed non-relatives to qualify as inhabitants, versus the current requirement that only accepts relatives. Discussion ensued on phased pricing formulas. The motion carried by the following vote:

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

A straw vote motion was made by Bohr to accept Staff Report Item No. 5 (Market Rate Resale Upon Death of Owner), approved as stated in staff report if staff is unable to provide a means to

accomplish the purchase of an insurance instrument as outlined in Item No. 5 "proposed change." The motion carried by the following vote:

AYES: Carchio, Dwyer, Green, Bohr, Coerper, Hardy, and Hansen

NOES: None

A straw vote motion was made by Bohr to accept Staff Report Item No. 6 (Maintain List of Interested Buyers), amended to add "pre-qualified" to list that City will create, maintain, and provide. List will be subject to disclaimers and renewable every thirty days via website. The motion carried by the following vote:

AYES: Carchio, Dwyer, Green, Bohr, Coerper, Hardy, and Hansen

NOES: None

A straw vote motion was made by Bohr to accept Staff Report Item Nos. 7-14 (Hardship Rental Provision, Inheritance, Posting Affordable Sales Information on the City Website Quarterly, Purchase of Durable Goods, Utilities Allowance, Conducting Educational Workshop, Enforcement Documents, and Enforcement Measures), modifying Item No. 7 to "defined as job relocation, family illness or medical necessity" - Economic Development department to clarify process to certify these issues. The motion carried by the following vote:

AYES: Carchio, Hansen, Hardy, Dwyer, Green, Bohr, and Coerper

NOES: None

A straw vote motion was made by Bohr to add Staff Report Item No. 15 to include 30-year covenant to be in place from date of original sale of unit. The motion carried by the following vote:

AYES: Carchio, Hansen, Hardy, Dwyer, Green, Bohr, and Coerper

NOES: None

A motion was made by Hansen, second Carchio to direct staff to return with a resolution that reflects the straw votes along with appropriate procedures at a time there will be no negative impact on pending litigation. The motion carried by the following roll call vote:

AYES: Carchio, Hansen, Hardy, Dwyer, Green, Bohr, and Coerper

NOES: None

COUNCIL COMMITTEE / APPOINTMENTS / LIAISON REPORTS AND ALL AB 1234 DISCLOSURE REPORTING

Councilmember Coerper provided a status report on the 3/1 Battalion, and announced a 5-K Run scheduled for March 8, 2009 at 8:00 a.m. at Beach Blvd. and Pacific Coast Highway. The festivities will include a 5K fun run/walk and 2-man "stampede." Proceeds will benefit the Huntington Beach 3/1 Marines Foundation.

Mayor Pro Tem Green announced that first, second and third place medals will be awarded by gender and age group categories, including age groups 19 and under, 20-29, 30-39, 40-49, 50-59, and 60 plus.

Mayor Bohr reported accompanying City Administrator Wilson to Washington, D.C. on February 24 to attend meetings with Legislators to discuss grant and financial assistance opportunities.

CITY ADMINISTRATOR'S REPORT

6. Strategic Plan Update

City Administrator Fred Wilson stated that at a special City Council workshop was held on January 30, 2009, during which the City Council established five goals. He indicated that a summary of discussion points is included within the meeting minutes, and stated his intentions to agendize the Strategic Plan Update for discussion once a month. In addition, a 6-month progress report will be provided at a later date.

CONSENT CALENDAR

The Consent Calendar was conducted out of its original agenda order. Councilmember Coerper requested to pull Consent Items 14 and 15 for discussion.

10. (City Council/Redevelopment Agency) Approved and adopted minutes.

A motion was made by Coerper, second Hardy to approve and adopt the minutes of the City Council/Redevelopment Agency Regular meeting of January 20, 2009, the City Council/Redevelopment Agency Special meeting of January 30, 2009, the City Council/Redevelopment Agency Regular meeting of February 2, 2009 and the City Council/Redevelopment Agency Regular meeting of February 17, 2009, as written and on file in the Office of the City Clerk. The motion carried by the following roll call vote:

AYES:	Dwyer, Bohr, Coerper, Hardy, and Hansen
NOES:	None
ABSENT/OUT OF ROOM:	Carchio, and Green

11. (City Council) Approved and authorized the Mayor and City Clerk to execute the Agreement in the amount of \$18,500, along with escrow fees not to exceed \$2000, for acquisition of an Encyclopedia Parcel owned by Mary McQuillen, Betty McQuillen, and Patricia McQuillen located in the designated Huntington Central Park area, north side of Ellis Avenue between Edwards Street and Goldenwest Street (APN 110-184-17.)

A motion was made by Coerper, second Hardy to authorize the Mayor and City Clerk to approve the "Agreement for Acquisition and Escrow Instructions;" and, authorize the Mayor and City Clerk to execute the agreement and other related documents; and, authorize the Director of Community Services or Director of Economic Development to execute any other related escrow documents. The motion carried by the following roll call vote:

AYES:	Dwyer, Bohr, Coerper, Hardy, and Hansen
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NOES: None
ABSENT/OUT OF ROOM: Carchio, and Green

12. (City Council) Approved and authorized the City Administrator to execute the Employment Agreement between the City of Huntington Beach and Bob Wingenroth for the position of Director of Finance.

A motion was made by Carchio, second Hardy to approve the appointment of Bob Wingenroth to the position of Director of Finance; and, approve and authorize the City Administrator to execute the "Employment Agreement Between the City of Huntington Beach and Bob Wingenroth" for the position of Director of Finance. The motion carried by the following roll call vote:

AYES: Dwyer, Bohr, Coerper, Hardy, and Hansen
NOES: None
ABSENT/OUT OF ROOM: Carchio, and Green

13. (City Council) Approved project plans and specifications and awarded construction contract in the amount of \$1,545,027.75 to Pacific Coast Infrastructure/Myers, a Joint Venture, for the Sewer Lift Station #24 and Force Main Replacement, CC-1277; authorized the Mayor and City Clerk to execute contract in a form approved by the City Attorney; and, authorized the Director of Public Works to approve up to fifteen percent (15%) in construction change orders.

A motion was made by Coerper, second Hardy to approve the project plans and specifications for Lift Station #24 and Force Main Replacement, CC-1277; and, accept the lowest responsive and responsible bid submitted by Pacific Coast Infrastructure/Myers, a Joint Venture in the amount of \$1,545,027.75; and, authorize the Mayor and City Clerk to execute a construction contract in a form approved by the City Attorney; and, authorize the Director of Public Works to approve up to fifteen percent (15%) in construction change orders. The motion carried by the following roll call vote:

AYES: Dwyer, Bohr, Coerper, Hardy, and Hansen
NOES: None
ABSENT/OUT OF ROOM: Carchio, and Green

14. (City Council) Adopted Resolution No. 2009-09 providing for additional temporary partially paid military leave of absence and continuation of benefits for employees called to active duty with the armed forces through December 31, 2009.

Councilmember Coerper asked City Administrator Wilson to confirm that Council has the ability to reconsider extending the benefit term identified within the Resolution. City Administrator Wilson confirmed.

A motion was made by Coerper, second Hardy to adopt Resolution No. 2009-09, "A Resolution of the City Council of the City of Huntington Beach Providing for Additional Temporary Partially Paid Military Leave of Absence and Continuation of Benefits for City Employees Called to Active Duty with the Armed Forces." The motion carried by the following roll call vote:

AYES: Dwyer, Bohr, Coerper, Hardy, and Hansen

NOES: None
ABSENT/OUT OF ROOM: Carchio, and Green

15. (City Council) Adopted Resolution No. 2009-10 authorizing an application to the California Environmental Protection Agency's (EPA) California Integrated Waste Management Board (CIWMB) for a Rubberized Asphalt Concrete (RAC) Grant.

Councilmember Coerper and Director of Public Works Travis Hopkins clarified that the City is only eligible to apply for RAC grants for rubberized concrete through the CIWMB every two years.

A motion was made by Coerper, second Hardy to adopt Resolution No. 2009-10, "A Resolution of the City Council of the City of Huntington Beach Authorizing Application to the California Environmental Protection Agency for Rubberized Asphalt Concrete (RAC) Grant." The motion carried by the following roll call vote:

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

16. (City Council) Approved and authorized the Mayor and City Clerk to execute a five-year "Non-Exclusive License Agreement between the City of Huntington Beach and the Huntington Beach Conference and Visitors Bureau" (HBCVB) for the use of the visitors' kiosk located at Pier Plaza.

A motion was made by Coerper, second Hardy to approve and authorize the Mayor and City Clerk to execute the "Non-Exclusive License Agreement Between the City of Huntington Beach and the Huntington Beach Conference and Visitors Bureau" for use of the visitors' kiosk located at Pier Plaza. The motion carried by the following roll call vote:

AYES: Dwyer, Bohr, Coerper, Hardy, and Hansen
NOES: None
ABSENT/OUT OF ROOM: Carchio, and Green

17. (City Council) Approved and authorized the Mayor and City Clerk to execute a three-year Professional Services Contract in the amount of \$900,000 between the City of Huntington Beach and DLT&V Systems Engineering, Inc., for as-needed engineering services for water and wastewater Supervisory Control and Data Acquisition (SCADA) system.

A motion was made by Coerper, second Hardy to approve and authorize the Mayor and City Clerk to execute the "Professional Services Contract Between the City of Huntington Beach and DLT&V Systems Engineering As Needed Engineering Services for Water and Wastewater SCADA System." The motion carried by the following roll call vote:

AYES: Dwyer, Bohr, Coerper, Hardy, and Hansen
NOES: None
ABSENT/OUT OF ROOM: Carchio, and Green

18. (City Council) Approved request to increase the change order limit for the Pacific Coast Highway Lighting Modification Project, CC-1266, awarded to Steiney and Company, Inc., to sixty five percent (65%) or \$30,000, for additional conduit installation.

A motion was made by Coerper, second Hardy to authorize an increase in the construction change order limit for CC-1266 to \$30,000. The motion carried by the following roll call vote:

AYES: Dwyer, Bohr, Coerper, Hardy, and Hansen
NOES: None
ABSENT/OUT OF ROOM: Carchio, and Green

19. (City Council) Accepted Grant for Violence Against Women Program for FY 2008-2009 between the California Emergency Management Agency (Cal EMA), Law Enforcement and Victim Services Division, and the City of Huntington Beach; appropriated \$194,667 of which \$146,000 is to be reimbursed by grant funds; authorize expenditure of \$194,667 plus interest accrued to pay for the professional services contract between the City of Huntington Beach and Community Service Program, Inc. for Victim/Witness Advocate and operating costs related to the Domestic Violence Program; and, authorized the Mayor and City Clerk to execute contract.

A motion was made by Coerper, second Hardy to accept the grant between the California Emergency Management Agency and the City of Huntington Beach; and, approve the appropriation of \$194,667 of which \$146,000 is to be fully reimbursed by the grant from the California Emergency Management Agency. The remaining \$48,667 will be funded from appropriations in the Police Department's budget; and, authorize the expenditure of funds of \$194,667 plus interest to pay for the professional services contract between the City of Huntington Beach and Community Service Program, Inc. for Victim/Witness Advocate, and some operating costs related to the Domestic Violence Program; and, approve and authorize the Mayor and City Clerk to execute the professional services contract between the City of Huntington Beach and Community Service Program, Inc. for Victim/Witness Advocate. The motion carried by the following roll call vote:

AYES: Dwyer, Bohr, Coerper, Hardy, and Hansen
NOES: None
ABSENT/OUT OF ROOM: Carchio, and Green

20. (Redevelopment Agency) Approved and authorized execution and recordation of the Affordable Housing Agreement with Jamboree Housing Corporation (JHC) - Oakview, LLC. in the amount of \$1,391,642 using Agency Housing Set Aside funds for the acquisition and rehabilitation of 17442 Koledo Lane; authorized the wire transfer of funds to affect the closing of escrow.

A motion was made by Coerper, second Hardy to approve the "Affordable Housing Agreement" with JHC-Oakview, LLC for \$1,391,642 using Agency Housing Set Aside funds for the acquisition and rehabilitation of 17442 Koledo Lane; and, authorize execution and recordation of the "Affordable Housing Agreement," all attachments, and other necessary related documents by the Agency Chairperson, Executive Director, and Secretary when advised by the Agency Legal Counsel; and, authorize the wire transfer of \$1,391,642 of Agency Housing Set Aside funds to affect the closing of the acquisition escrow. The motion carried by the following roll call vote:

AYES: Dwyer, Bohr, Coerper, Hardy, and Hansen
NOES: None
ABSENT/OUT OF ROOM: Carchio, and Green

21. (City Council) Approved and authorized the Mayor and City Clerk to execute a Reimbursement Agreement with Ranco Huntington Investments, LLC in the amount of \$70,812 for California Environmental Quality Act (CEQA) documentation for the former Lamb School site.

A motion was made by Coerper, second Hardy to approve the "Reimbursement - Planning - Agreement Between the City of Huntington Beach and Ranco Huntington Investments, LLC for Costs Incurred for Former Lamb School CEQA Documentation" as prepared by the City Attorney. The motion carried by the following roll call vote:

AYES: Dwyer, Bohr, Coerper, Hardy, and Hansen
NOES: None
ABSENT/OUT OF ROOM: Carchio, and Green

22. (City Council) Approved and authorized the Mayor and City Clerk to execute a Reimbursement Agreement with Ranco Huntington Investments, LLC in the amount of \$69,278 for California Environmental Quality Act (CEQA) documentation for the former Wardlow School site.

A motion was made by Coerper, second Hardy to approve the "Reimbursement - Planning - Agreement Between the City of Huntington Beach and Ranco Huntington Investments, LLC for Costs Incurred for Former Wardlow School CEQA Documentation" as prepared by the City Attorney. The motion carried by the following roll call vote:

AYES: Dwyer, Bohr, Coerper, Hardy, and Hansen
NOES: None
ABSENT/OUT OF ROOM: Carchio, and Green

23. (City Council/Redevelopment Agency) Authorized the Executive Director to waive certain conditions precedent to the Redevelopment Agency's payment of an amount not to exceed \$950,000 under the Sixth Implementation Agreement with CIM/Huntington LLC (CIM) for the development of The Strand project; and, CIM is committing to purchase and install police/fire radio antennas within the Strand Parking Structure at a cost not to exceed \$70,000.

A motion was made by Coerper, second Hardy to authorize the Executive Director to waive certain conditions precedent to the Agency's payment of an amount not to exceed \$950,000 under the Sixth Implementation Agreement provided that the Executive Director and CIM have executed a written agreement that has been approved to form by the City Attorney, committing CIM to purchase and install police/fire radio antennas within the Strand Parking Structure at a cost not to exceed \$70,000. The motion carried by the following roll call vote:

AYES: Dwyer, Bohr, Coerper, Hardy, and Hansen
NOES: None
ABSENT/OUT OF ROOM: Carchio, and Green

PUBLIC HEARING

(The number following the speaker's comments reflect the approximate point in time in the archived video the speaker appears at <http://www.surfcity-hb.org/government/agendas>)

9. (City Council) Public Hearing held to consider an agreement between the City of Huntington Beach and Redflex Traffic Systems, Inc. for an automated photo red light enforcement program at intersections designated by the City.

Police Chief Ken Small identified Sergeant Rob Warden from the Police Department, along with unidentified representatives from Public Works and Redflex as available to answer Council questions. Chief Small proceeded to present information via PowerPoint. The slide topics included history of proposed red light traffic enforcement, requirements of California Vehicle Code Section 21455.5, reasons why the recommendation is being proposed, how the system works, processing citations, appearance, next steps, agreement with Redflex, and costs vs. revenue.

Mayor Pro Tem Green identified Goldenwest/Warner and Bushard/Banning as two intersections that recently experienced traffic collisions. Chief Small explained that approximately 20 intersections will be studied. Discussion ensued on how collision location data changes year-to-year, and that it will be possible for staff to discuss problem intersections with the vendor.

Councilmember Coerper questioned the fines and penalties breakdown (city/state/county/court portion) on page 9-61. Discussion ensued on the court costs, construction costs, penalty assessments, etc. Councilmember Coerper asked and Chief Small confirmed that the revenue source will be deposited into the General Fund.

Councilmember Coerper and Sgt. Warden discussed current statistical data that identifies the highest number of accidents, fatalities, red light violations, and number of tickets written. Sgt. Warden stated that no fatalities occurred in 2008 based on running a red light. Chief Small indicated that he could put together a report that detailed the causes of traffic-related deaths that occurred in 2008.

Councilmember Hardy, Chief Small and Traffic Manager Bob Stachelski discussed directional camera views and signal timing. Manager Stachelski stated that technology is tied into the camera's operational function, and discussed CalTrans' authority to change timing at problem intersections.

Councilmember Dwyer questioned costs for staff to consider a test to extend red light timing in both directions. Manager Stachelski suggested that costs would be minimal, but described societal costs and the decreased efficiency of the intersection. Discussion ensued on the number of accidents ending in fatality that were related to alcohol use.

Councilmember Hansen and Chief Small discussed the methodology to identify the driver of a vehicle being cited.

Councilmember Coerper, Chief Small and Wayne Bes, Regional Director for Redflex discussed

the inter-agency bid that led to a contract, and Redflex business associations with other cities and the County of Orange.

Councilmember Carchio voiced concerns with investing funds for a program that has received such criticism by residents, and whether it really has the potential to prevent drunk drivers.

Mayor Bohr and Chief Small discussed the formula used to establish the cost of the approach.

Mayor Bohr opened the public hearing. City Clerk Flynn read the following late communications into the record:

PowerPoint communication submitted for Agenda Item No. 9 by Police Chief, Ken Small, dated March 2, 2009, and entitled *Photo Enforced Red Light Violations*.

Communications in support/opposition to Agenda Item 9, an agreement with Redflex Traffic Systems, Inc. for an automated photo red light enforcement program: Kevin Clancey, Bob Clitherow, Martin Hill, James, Jim McKanna, Steve Stafford, Ed Sumner, Arthur F. Tait, Ann & Gary Tarkington, Sean Whittle, Ron & Anna Winship, Martha Sandoval and M. Jack Brooks.

Norm Westwell, President of the Ocean View School District but speaking as an individual, opposed the item and voiced concerns about the vendor picking intersections. He stated his opinion that safety can be achieved through other avenues without increasing fines, and explained how the program isn't a fit for a City that wants to position itself as a visitors' destination. (04:06:32)

Allen Baylis, Attorney, Traffic Ticket Defense, opposed the item and stated his opinion that the request is being made to generate revenue. He described the program's process as guilty until proven innocent, and voiced concerns that the Council is allowing the Police Department to override the rights of the people. (04:10:33)

Steve Stafford spoke in opposition to the item, discussed technical difficulties associated with right-turn-on-red citations and inadequate signage, and voiced concerns about financial risk based on his knowledge of financial difficulties experienced by the cities of Costa Mesa, Montebello and El Monte. (04:14:18)

Matthew Harper, Board of Trustees Member of the Huntington Beach Union High School District, urged Council to vote no on the item. He discussed his opinion that tourist destinations should not have red light cameras, and referred to cities where the program failed including Cupertino, Fresno, Paramount, Ridgecrest and Irvine. He also discussed the risk of costly litigation, and how Police personnel shouldn't be taken away from vital functions to review video-recorded violations. (04:17:06)

With no one else present to speak, the Mayor closed the public hearing.

Mayor Pro Tem Green voiced support for red light cameras based on her experiences in other cities that participate in the program, and personal relationships with people who have been involved in traffic accidents.

Councilmember Hansen described sentiments shared at community forums that support

modifying driver behavior, his personal experience receiving a red light citation in another city, and his opinion that the presence of red light cameras does adjust driver behavior over time.

A motion was made by Hansen, second Coerper to approve and authorize the Mayor and City Clerk to execute the "Agreement Between the City of Huntington Beach and Redflex Traffic Systems, Inc. for Photo Red Light Enforcement Program." Authorize the City Administrator to negotiate and execute an agreement with Redflex Traffic Systems, Inc. to survey, install, support and maintain an automated red light photo enforcement system at intersections designated by the City. Vote to follow.

Mayor Pro Tem Green and Chief Small discussed citations decreasing over time from drivers becoming familiar with signs and visible camera boxes.

Councilmember Dwyer opposed the request and voiced concerns about generating a significant amount of fine money that he suggested be donated to Mothers Against Drunk Drivers (MADD) organization.

Councilmember Carchio and Chief Small discussed the improbability of the Redflex proposal being instituted as a trial program given the significant investment required to install equipment. Discussion ensued on Council's direction for the Police Department to return with a study for Council to consider. Councilmember Carchio asked Mr. Bes with Redflex to respond to the possibility of a trial period. Mr. Bes recommended a measured approach to the program and discussed the City's ability to terminate without cause that reimburses Redflex for out-of-pocket costs that cannot be recovered.

Mayor Bohr questioned why Irvine disbanded the program. Mr. Bes was unable to respond, explaining that Irvine entered into an agreement to install equipment with another vendor. Mr. Bes also described how the program modifies motorist behavior.

Mayor Bohr voiced concerns related to cost, citations fees, and using Police personnel to monitor and maintain the program. Chief Small stated his intent to use non-sworn employees to manage the program, concurred with using a measured approach, and stated that the City has no authority to adjust citation fees as they are determined by the County.

The motion carried by the following roll call vote:

AYES: Green, Bohr, Coerper, Hardy, and Hansen
NOES: Carchio, and Dwyer

CITY ATTORNEY'S REPORT

7. City Attorney's Notice of Filed Complaint by the City of Huntington Beach reported. City of Huntington Beach v. Alicia Ocampo, Orange County Superior Court Case No. 30-2009-00239837.

Nature of Case: Traffic collision involving City vehicle. The City has paid for damages to its vehicle, and is seeking recovery of property damages from the responsible party.

City Attorney McGrath provided a verbal report.

8. City Attorney's Notice of Filed Complaint by the City of Huntington Beach reported. City of Huntington Beach v. Kathleen M. Ekovich, Estate of Nicholas Ekovich, Jenee Michelle Melgorza (aka Jenee La Verdue), Orange County Superior Court Case No. 30-2009-00239835.

Nature of Case: The action was filed to recover supplemental retirement benefits the City paid Mr. Ekovich by mistake.

City Attorney McGrath provided a verbal report.

ORDINANCES FOR INTRODUCTION

25. (City Council) Approved for Introduction Ordinance No. 3827 temporarily superseding certain City municipal and zoning code provisions relating to the required time of payment of specific development impact fees.

A motion was made by Coerper, second Hansen to after City Clerk reads by title, approve for introduction Ordinance No. 3827, "An Ordinance of the City of Huntington Beach Temporarily Superseding Certain City Municipal and Zoning Code Provisions Relating to the Required Time of Payment of Specific Development Impact Fees." The motion carried by the following roll call vote:

AYES: Carchio, Dwyer, Green, Bohr, Coerper, and Hansen
NOES: None
ABSENT/OUT OF ROOM: Hardy

ORDINANCES FOR ADOPTION

26. (City Council) Adopted Ordinance No. 3817 amending Chapter 5.08 of the Huntington Beach Municipal Code (HBMC) relating to Business License Procedures by allowing specific exemptions from the Business License Tax for Real Estate Sales Agents; and, authorized staff to refund taxes and fees paid by Real Estate Agents to the City in Tax Year 2006, 2007, and 2008. Approved for Introduction February 2, 2009.

A motion was made by Coerper, second Carchio to after the City Clerk reads by title, adopt Ordinance No. 3817, "An Ordinance of the City of Huntington Beach Amending Chapter 5.08 of the Huntington Beach Municipal Code Relating to Licensing Procedures." The motion carried by the following roll call vote:

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

27. (City Council) Adopted Ordinance No. 3823 amending Chapter 10.44 of the Huntington Beach Municipal Code (HBMC) relating to parking oversized vehicles. Approved for Introduction February 2, 2009.

A motion was made by Coerper, second Carchio to after the City Clerk reads by title, adopt Ordinance No. 3823, "An Ordinance of the City of Huntington Beach Amending Chapter 10.44

of the Huntington Beach Municipal Code Relating to Parking Oversized Vehicles." The motion carried by the following roll call vote:

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

28. (City Council) Adopted Ordinance No. 3826 amending Chapter 233 of the Huntington Beach Zoning Code (HBZSO) relating to signs. Approved for Introduction February 2, 2009.

A motion was made by Coerper, second Green to after the City Clerk reads by title, adopt Ordinance No. 3826, "An Ordinance of the City of Huntington Beach Amending Chapter 233 of the Huntington Beach Zoning and Subdivision Ordinance Relating to Signs." The motion carried by the following roll call vote:

AYES: Carchio, Green, Bohr, Coerper, Hardy, and Hansen
NOES: Dwyer

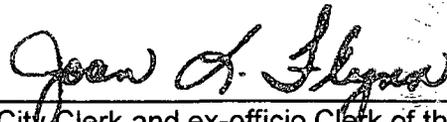
COUNCILMEMBER COMMENTS (Not Agendized)

Councilmember Dwyer discussed joining Mayor Bohr to jump out of an airplane to promote the Army at the Tandem Jump with the Golden Knights, Arizona on February 20.

Councilmember Carchio reported attending the Relay for Life Kick-Off Reception held on February 20 and encouraged public participation. He also reported attending the Olive Crest Fundraiser for abused and battered children held on February 22, thanking Diana Casey for her involvement.

Councilmember Coerper discussed bringing forth a video of Mayor Bohr and Councilmember Dwyer jumping from an airplane.

Mayor Bohr congratulated James Stephen Scukanec for earning his Eagle Scout Court of Honor.



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