

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

Tuesday, January 18, 2005
4:00 P.M. - Room B-8
6:00 P.M. - Council Chambers
Civic Center, 2000 Main Street
Huntington Beach, California 92648

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

The 3:30 p.m. portion of the meeting was recessed by Deputy City Clerk Kelly Mandic to 4:00 p.m. in Room B-8 due to an anticipated lack of quorum.

Call to Order

Mayor Hardy called the regular meetings of the City Council/Redevelopment Agency of the City of Huntington Beach to order at 4:00 p.m. in Room B-8.

City Council/Redevelopment Agency Meeting Roll Call

Present: Hansen, Coerper, Sullivan, Hardy, Green, Bohr, Cook

Absent: None

The City Clerk Announced a Late Communication

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

Communication submitted by the Public Works Department dated January 18, 2005 titled *City of Huntington Beach Department of Public Works Citywide Urban Runoff Management Plan (CURMP) January 18, 2005*, which is a PowerPoint slide report.

(City Council) Study Session #1 Held – Presentation Made by the Orange County Office on Aging on Future Trends in the Senior Population (590.10)

Councilmember Cathy Green introduced County Supervisor Jim Silva and Karen Roper, Executive Director of Housing and Community Service Department, Office on Aging.

Supervisor Silva addressed Seniors' current and future needs and how the State, County and City work together to meet those needs. He also spoke regarding the public's priorities of interest including public safety, housing, and senior issues.

Executive Director Roper presented a PowerPoint slide show titled *Huntington Beach City Council Study Session – January 18, 2005*, which was included in the agenda packet, addressing aging and homeless issues and the projected increase in older adults at the federal, state, and local levels. Ms. Roper acknowledged Senior Administrative Analyst Luann Brunson

of the Economic Development Department as a shining example of Huntington Beach's commitment to senior and housing issues.

Ms. Roper concluded her presentation by outlining the vision, the mission, and the primary functions of the Orange County Office on Aging.

(City Council) Study Session #2 Held – Presentation Made by the Public Works Department on the Citywide Urban Runoff Management Plan (CURMP) (520.10)

Paul Emery, Acting Public Works Director, introduced Dave Webb, City Engineer who noted the timeliness of this issue with the recent rains.

Geraldine Lucas, Public Works Principal Environmental Engineer presented a PowerPoint report titled *City of Huntington Beach Department of Public Works Citywide Urban Runoff Management Plan (CURMP) January 18, 2005*, which was announced earlier by the City Clerk as a Late Communication.

Engineer Webb summarized the needed system upgrades, and asked Council for direction relating to drainage fees.

Following the presentation, Councilmembers inquired about staff training, current drainage fees, re-direction of drainage, National Pollutant Discharge Elimination System (NPDES) regionalized standards, time frame between presentation and adoption of plan, public access to plan details, and potential funding assistance.

Council thanked staff and the community participants for a job well done, giving special thanks to former Mayors and Councilmembers, Shirley Dettloff and Ralph Bauer who were present in the audience.

Motion to Recess to Closed Session – Approved

A motion was made by Sullivan, second Coerper to recess to Closed Session on the following items. The motion carried by unanimous consent.

(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: **MEO, MEA, PMA, FMA, HBPOA, HBFA, MSOA, SCLEA and Non-Associated.** Subject: **Labor Relations – Meet & Confer.** (120.80)

Reconvened City Council/Redevelopment Agency Meeting – 6:13 P.M. – Council Chambers.

City Council - Redevelopment Agency Roll Call

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

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

Mayor Hardy asked City Attorney Jennifer McGrath if there were any actions taken by the City Council or Redevelopment Agency in Closed Session that required a reporting. City Attorney McGrath responded that there were no actions to report.

Pledge of Allegiance – Led by Mayor Hardy

Invocation – Led by Father Bishoy Kamel, Coptic Orthodox Church

The City Clerk Announced Late Communications

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

Communication submitted by the Public Works Department dated January 18, 2005 titled *City of Huntington Beach Department of Public Works Citywide Urban Runoff Management Plan (CURMP) January 18, 2005* which is a PowerPoint slide report.

Communication submitted by Shari L. Freidenrich, City Treasurer dated January 14, 2005 titled *January 18, 2005 City Council Meeting City Treasurer's Report – Late Item* stating that page C-3a.5 was inadvertently placed in the November City Treasurer's Investment Summary Report and should be disregarded.

Communication submitted by Jennifer McGrath, City Attorney dated January 17, 2005 titled *Late Communication Regarding January 18, 2005 Agenda Item E-2, Annual Review of the City Code of Ethics* notating an error in the Code of Ethics included in the agenda packet in paragraph "C" of the fourth policy.

Communication submitted by Paul Emery, Acting Director of Public Works dated January 14, 2005 titled *Late Communication – January 18, 2005 Council Meeting Item E-5* requesting revisions to the staff report in the Recommended Action and the Alternative Actions.

Presentation: Mayor Jill Hardy called on Ken Inouye, Treasurer, and Sherrill Hanley, board member, from the Orange County Human Relations Board of Directors. Treasurer Inouye and member Hanley presented a year-end review, reported on hate crime statistics, thanked the Huntington Beach Police Department for their support, and presented Mayor Hardy with a Certificate of Recognition. (160.40)

Presentation: Mayor Jill Hardy called on Karen Jackle, Chair of the City's Human Relations Task Force and Alan Chancellor, Vice Chair who presented three grants of \$500 each to representatives of Valley Vista High School, Marine View Middle School, and Stacey Middle School on behalf of the Huntington Beach Human Relations Task Force (HBHRTF) for the purpose of funding student field trips to the Los Angeles Museum of Tolerance. The mission of the HBHRTF is to promote tolerance and diversity in the community through education and understanding. The grants are being awarded from donations received by the HBHRTF. Chair Jackle and Vice Chair Chancellor thanked current and former Council liaisons, Community Services Senior Administrative Analyst Elaine Kuhnke, and Police Sergeant Johnson for their support. (160.40)

Presentation: Mayor Jill Hardy called on Police Officer Corwin Bales. Officer Bales presented a check for \$50,000 to the Huntington Beach Therapeutic Riding Center. The money was raised from the Guns and Hoses Annual Golf Tournament. (160.40)

Mayor's Award presented by Mayor Jill Hardy and City Clerk Joan L. Flynn to Deputy City Clerk Robin Roberts of the City Clerk's Office. City Clerk Flynn cited the many positive comments given by Ms. Roberts' supervisor and peers. (160.40)

Public Comments

Robert Dettloff, President of the Huntington Beach Council on Aging (COA), thanked Council liaisons Cathy Green and Dave Sullivan, Community Services Director Jim Engle and Superintendent of Recreation/Human Cultural Services, Janeen Laudenback for their work. He voiced his enthusiasm for working with the two newly elected Councilmembers Keith Bohr and Don Hansen in the coming year.

Steve Stafford spoke in opposition to the Consent Calendar agenda item concerning the termination of terms and rights in the 1982 Landscaping and Right-of-Way Agreement for a portion of Estate Circle, alleging that the agreement conflicts with an existing one with the high school district in that area.

Alan Gandail, affiliated with Saveourfield.org, spoke to inform Council of his organization, a grass roots group formed to save Wardlow field in Huntington Beach. He advised that the field is being considered as surplus and may soon be up for sale by the Fountain Valley School District to a private developer. Mr. Gandail spoke regarding a petition of over 500 signatures in opposition to the proposed sale and noted a scheduled hearing by the School District, and distributed two pieces of communication to Council and the City Clerk relative to this matter.

Councilmember Sullivan inquired and Mr. Gandail confirmed that the hearing is scheduled for 7 p.m. on Wednesday, January 19, 2005, at the Fountain Valley District boardroom, 17210 Oak Street, Fountain Valley.

Tom Pleickhardt, affiliated with Saveourfield.org, informed Council that Little League of Huntington Valley has contributed to support the preservation of Wardlow field mentioned by the previous speaker. Mr. Pleickhardt asked Council to support the efforts of his organization.

Don McGee, Daily Show advocate, offered post election comments and spoke in regards to federal spending choices and taxes.

(City Council) Announcement Made by Councilmember Keith Bohr of Individual Appointment of Barry Bussiere to the Finance Board (110.20)

Councilmember Bohr made the above announcement.

(City Council) Announcement Made by Councilmember Don Hansen of Individual Appointment of Frank LoGrasso to the Finance Board. Fourth of July Executive Board and Investment Advisory Board to be Appointed at the February 7, 2005 Meeting (110.20)

Councilmember Hansen made the above announcements.

(City Council) Announcement Made by Councilmember Cathy Green Regarding Central Orange County Corridor Study Open House (110.10)

The City Council considered a communication from Councilmember Cathy Green, Orange County Transportation Authority (OCTA) Board Member, to announce three open house locations on the Central Orange County Corridor Study. This study will analyze several alternative traffic congestion relief and growth accommodation projects including a potential extension of Freeway 57 south of Freeway 22, along the Santa Ana River, to Pacific Coast Highway. Details are available at <http://www.octa.net/freeway/centralcounty/intro.asp>

Councilmember Green announced the three workshops, details of which were included in the agenda packet. Acting Assistant City Administrator, Robert F. Beardsley also reported regarding the scope of this project.

(City Council) Reviewed and Accepted Shari Freidenrich, City Treasurer's November 2004 Report Titled *City of Huntington Beach Summary of City Investment Portfolio, Bond Proceeds, and Deferred Compensation Activity* (310.20)

The City Council considered a communication from City Treasurer Shari Freidenrich transmitting the Monthly Investment Report for November 2004.

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

A motion was made by Coerper, second Sullivan to review and accept the Monthly Investment Report *Summary of City Investment Portfolio, Bond Proceeds, and Deferred Compensation Activity for November 2004*, pursuant to Section 17.0 of the Investment Policy of the City of Huntington Beach. The motion carried by the following roll call vote:

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

Consent Calendar – Item Removed for Deferment to the February 7, 2005 Meeting

Mayor Hardy announced that the following item will be deferred to the February 7, 2005 meeting. City Attorney Jennifer McGrath stated that a revised resolution will be forthcoming:

(City Council) Deferred to February 7, 2005 Meeting to Consider Adoption of a Resolution and for the City Clerk to Record Presentation of the City's Code of Ethics to Council, the City Administrator, Chairpersons and City Department Directors for their Annual Review and Distribution (110.40) – Direct the City Clerk to record in the official minutes that the Code of Ethics was presented to the City Council, the City Administrator, Chairpersons, and City Department Directors for their review and distribution as required. Submitted by Mayor Jill Hardy. Funding Source: Not applicable.

Consent Calendar – Items Approved

On motion by Sullivan, second Green Council approved the following Consent Calendar items, as recommended. The motion carried by the following roll call vote:

AYES: Hansen, Coerper, Sullivan, (Hardy abstained on terminating terms and rights in 1982 Landscaping and Right-of-Way Agreement due to a potential conflict of interest), Green, Bohr, (Cook - No on Resolution of Intention No. 2005-7)

NOES: None

ABSENT: None

(City Council/Redevelopment Agency) Minutes (120.65) - Approved and adopted the minutes of the City Council/Redevelopment Agency Regular Meetings of December 20, 2004 and January 3, 2005 as written and on file in the Office of the City Clerk. Submitted by the City Clerk.

(City Council) Adopted Resolution No. 2005-4 Regarding Military Leave Compensation and Benefits for Employees Called to Active Duty (700.20) – Adopted **Resolution No. 2005-4** – “A Resolution 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.” Submitted by the Acting Administrative Services Director. Funding Source: Pay and benefits are currently funded in the existing budget.

(City Council) Approved Sole Source Procurement from Allstar Fire Equipment for Firefighter Turnout Protective Clothing Worn on Emergency Responses (600.10) – Approved sole source procurement from Allstar Fire Equipment for the purchase of Firefighter turnouts. Submitted by the Fire Chief Director. Funding Source: Funds are budgeted in the Homeland Security Grant business unit 76765301.83600.

(City Council) Approved as Amended Written Notice to the Huntington Beach Company and the Current Owner or Any Person(s) Deemed Appropriate to be Notified by the City Engineer Terminating the Terms and Rights Granted by the Huntington Beach Company to the City in the 1982 Landscaping and Right-of-Way Agreement for a Portion of Estate Circle (Formerly Veladare Circle) (600.05) – Instructed the City Attorney to give written notice to the Huntington Beach Company and the current owner or any person(s) deemed appropriate to be notified by the City Engineer terminating the terms and rights granted by the Huntington Beach Company to the City of Huntington Beach in the 1982 Landscaping and Right-of-Way Agreement, as amended by Document Number 93-0670-669. Submitted by the Public Works Director and **amended** per Late Communication announced earlier by City Clerk Flynn and reiterated by Councilmember Dave Sullivan. Funding Source: Not applicable.

(City Council) Approved the Release of Securities for Tract No. 14135 Located w/s of Seapoint Street, n/o Pacific Coast Highway – Approved the Notice of Acceptance of Public Improvements (Developer, Oceancrest Partners, L.P.) (420.60) – **1.** Accepted the improvements constructed and dedicated for public use with Tract No. 14135; and **2.** Accepted Guarantee and Warranty Bond No. SU5012148, the security furnished for guarantee and warranty of improvements, and instructed the City Clerk to file the bond with the City Treasurer; and **3.** Released the Faithful Performance/Labor and Material Bond No. 11119331723 and Monument Bond No. 11119331715 pursuant to California Government Code Section No. 66499.7(a); and **4.**

Instructed the City Clerk to notify the developer, Oceancrest Partners, L.P., of this action and the City Treasurer to notify the Surety, **The American Insurance Company**, of this action; and **5.** Instructed the City Clerk to record the "Acceptance of Public Improvements" with the Orange County Recorder. Submitted by the Public Works Director. Funding Source: Not Applicable.

(City Council) Adopted Resolution No. 2005-5 Concerning the Status of the Circulation Element for the City of Huntington Beach for Conformance with the Master Plan of Arterial Highways – Combined Transportation Funding Programs (CTFP) – Orange County Transportation Authority (OCTA) (440.50) - Adopted Resolution No. 2005-5 - "A Resolution of the City Council of the City of Huntington Beach Designating the Circulation Element for the City of Huntington Beach." Submitted by the Public Works Director. Funding Source: No funding is required for this action.

(City Council) Adopted Resolution No. 2005-6 Approving the Submittal of Eleven Street Improvement Projects to the Orange County Transportation Authority (OCTA) for Street Rehabilitation under the Combined Transportation Funding Programs (CTFP) (800.45) - Adopted Resolution No. 2005-6 "A Resolution of the City Council of the City of Huntington Beach Approving the Submittal of Eleven Improvement Projects to the Orange County Transportation Authority for Street Rehabilitation Funding under the Combined Transportation Funding Program." Submitted by the Public Works Director. Funding Source: None required. (The resolution sets forth the following: **1. Bolsa Chica Street** (Oahu Drive to Warner Avenue); **2. Goldenwest Street** (McFadden Avenue to Laurelhurst Drive); **3. Goldenwest Street** (Laurelhurst Drive to Warner Avenue); **4. Bolsa Chica Street** (Rancho Road to McFadden Avenue); **5. Adams Avenue** (City limit to Sutton Lane); **6. Bolsa Chica Street** (McFadden Avenue to Oahu Drive); **7. Adams Avenue** (Sutton Lane to Magnolia Street); **8. Atlanta Avenue** (Huntington Street to Delaware Street); **9. Brookhurst Street and Pacific Coast Highway Intersection**; **10. Beach Boulevard and Talbert Avenue Intersection**; and **11. Beach Boulevard and Heil Avenue Intersection.**)

(City Council) Adopted Resolution of Intention No. 2005-7 Declaring to Grant a Water Pipeline Franchise to Southern California Water Company (600.45) – Adopted Resolution No. 2005-7 – "A Resolution of the City Council of the City of Huntington Beach Declaring its Intention to Grant a Water Pipeline Franchise to Southern California Water Company." Submitted by the City Attorney and the Public Works Director. Funding Source: None.

(City Council) Approved City Council Position on Legislation Pending before the Elected Members of the State Legislature to Support and Sponsor AB 14 (Harman) Common Interest Developments – Condo Conversions (640.90)

The City Council considered a 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**: City Council support for or opposition to legislation currently pending before the elected members of the Federal or State Legislatures, a State or regional body or to be put on a ballot for approval by the voters; and authorization for the Mayor to communicate the City position on same.

Mayor Jill Hardy gave an oral report regarding Assembly Bill 14 (Harman) Common Interest Developments – Condo Conversions.

A motion was made by Coerper, second Bohr to **Support and Sponsor AB 14 (Harman) Common Interest Developments – Condo Conversions**, and authorize the Mayor to send letters to the legislators reflecting that position and to address the State Legislature on behalf of this bill as needed. The motion carried by the following roll call vote:

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

(City Council) Councilmember Cathy Green Thanked Citizens for Condolences (120.85)

Councilmember Green thanked the citizens of Huntington Beach for their phone calls and notes of condolence on the recent passing of her mother.

Mayor Hardy recessed the meeting at 6:58 p.m. 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: **MEO, MEA, PMA, FMA, HBPOA, HBFA, MSOA, SCLEA and Non-Associated**. Subject: **Labor Relations – Meet & Confer**. (120.80)

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

Adjournment – City Council/Redevelopment Agency

Mayor Hardy adjourned the regular meetings of the City Council/Redevelopment Agency of the City of Huntington Beach at 7:27 p.m. to a **Special Meeting** (Closed Session) on Friday, January 28, 2005, 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