

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

Monday, March 5, 2007
4:00 P.M. - Room B-8
6:00 P.M. - Council Chambers
Civic Center, 2000 Main Street
Huntington Beach, California 92648

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

Call to Order

Mayor Coerper called the regular meeting of the City Council/Redevelopment Agency of the City of Huntington Beach to order at 4:04 p.m. in Room B-8.

City Council/Redevelopment Agency Meeting Roll Call

Present: Bohr, Carchio, Cook, Coerper, Green, Hansen (arrived 4:07 p.m.), and Hardy.
Absent: None.

Late Communications

Pursuant to the Brown (Open Meetings) Act, Assistant City Clerk Robin Lugar announced the following Late Communications regarding the Study Session items that were received by the Clerk's office following distribution of the agenda packet:

PowerPoint submitted by Associate Planner Ricky Ramos dated March 5, 2007 and titled *Introduction to Form Based Codes*.

PowerPoint submitted by Deputy City Administrator Paul Emery, undated and titled *Review and Assessment of Entitlement/Development Processing Activities*.

Mayor Coerper announced City Clerk Joan L. Flynn's Request for Permission to be Absent.

(City Council/Redevelopment Agency) Study Session #1 Held – Ellen Greenberg With the Firm Freedman, Tung, and Bottomley Provided an Introduction to Form Based Codes Including Its Definition, Origin, Purpose, as Well as Examples

Acting Director of Planning Scott Hess introduced Consultant Ellen Greenberg. Ms. Greenberg gave a PowerPoint report, which was announced by the Assistant City Clerk as a Late Communication. She described the origin of form based codes and

clarified that her presentation is not specific to Huntington Beach. She opined that form based codes address the dissatisfaction some have held with the results of conventional zoning. Ms. Greenberg described dimensions of "good city design", stating that form based codes are a subject of increased interest and continual refinement.

Councilmember Green asked the consultant to comment on integrating form based codes in communities that are already built up. Ms. Greenberg described a back-and-forth process to eventually develop a customized plan. Mayor Coerper thanked Ms. Greenberg for her presentation. City Administrator Penny Culbreth-Graft recognized members of the Planning Commission who were present at the meeting.

(City Council/Redevelopment Agency) Study Session #2 Held – Reviewed and Assessed Entitlement/Development Processing Activities – City Staff Provided Background on the Study Process and Introduced Paul Zucker of Zucker Systems to Review His Findings and Recommendations on Improving Entitlement/Development Processing in the City of Huntington Beach

Deputy City Administrator Paul Emery introduced Consultant Paul Zucker. Mr. Zucker gave a PowerPoint report, which was announced by the Assistant City Clerk as a Late Communication. He described the objectives of the evaluation, methodology, and specific activities of the study. He clarified that the results of the Planning fee comparison study would be available soon. Mr. Zucker described the City's areas of strength, improvements made during the course of the study, and stated the report includes 107 recommendations for improvement. He highlighted four key opportunities for improvement in the areas of inter-departmental coordination, application and permit timelines, one-stop permitting, and technology.

Deputy City Administrator Paul Emery clarified that the study's recommendations require further discussion with departments, with a follow-up report to return to Council in approximately 60 days. Councilmember Bohr commented on the benefits of the improvements, the Planning review timelines, and suggested a "project advocate" to assist each project through the approval process. He recommended that Planning staff attempt to gain a better perspective of the challenges faced by developers.

Councilmember Carchio emphasized the significant cost approval delays cause developers, and suggested that the review timelines be improved as soon as possible.

Councilmember Green voiced her disappointment with the study. She stated concern that the study did not contain any specifics on fee comparisons and that proposed solutions to problems are inadequate. Mr. Zucker responded, stating that the standards were measured and recommendations were made about what the standards should be. He emphasized one recommendation, the use of consultants to supplement staff.

Councilmember Hansen concurred with Councilmember Green's comments, stating he had expected more information in the report. He requested the follow-up report include additional information on how to meet goals.

Councilmember Bohr commented on plan reviews for conditional use permits, voicing his opinion that higher fees are worth quicker service; however he is in favor of a special fee for expedited service. Mayor Coerper commented on Council direction and asked the consultant to provide specific costs and recommendations for creating a one-stop permitting system in City Hall.

Motion to Recess to Closed Session – Approved

A motion was made by Green, second Hardy to recess to Closed Session on the following items. The motion carried by the consensus of all present, none absent.

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

(City Council) Closed Session - Pursuant to Government Code Section §54956.9, the City Council shall recess into Closed Session to confer with the City Attorney regarding whether to authorize the filing of a lawsuit against the County of Orange regarding the release of methane gas at the former County landfill located under Edison Community Park.

Reconvened City Council/Redevelopment Agency Meeting – 6:05 p.m.

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

City Council/Redevelopment Agency Meeting Roll Call

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

Mayor Coerper announced City Clerk Joan L. Flynn requested permission to be absent from the meeting pursuant to Charter Section 310 (a). He announced that City Attorney Jennifer McGrath requested permission to be absent from the Adjourned Regular meeting of March 15, 2007 pursuant to Charter Section 309 (d).

Pledge of Allegiance and Flag Salute – A special flag presentation was made by the Huntington Beach Girl Scout Association Flag Unit.

Invocation – Led by Mayor Coerper

Presentation – Mayor Gil Coerper called on Troop Advisor Gail Cosulich from the Huntington Beach Girl Scout Association Flag Unit who received a proclamation in honor of the 95th year of Girl Scouting.

Presentation – Mayor Gil Coerper called on Gisela Campagne and the Huntington Beach Youth Board who assisted in presenting a commendation to John Oborny from the Albertson's Seaciff Center for his fundraising help, which benefited the Huntington Beach Youth Board. Ms. Campagne described numerous instances when John Oborny assisted the organization and the City in fundraising efforts. Youth Board Chairperson Amelia Huss thanked Mr. Oborny and invited participation in Youth in Government Day, April 19, 2007. Mr. Oborny stated he is a 28-year resident and appreciates the opportunity to serve.

Presentation – Mayor Gil Coerper called on Public Works Director Robert Beardsley who recognized two outstanding employees in the Public Works Department. Principal Environmental Engineer Geraldine Lucas recently received the American Society of Civil Engineers Region 9 (California Region) "Outstanding Civil Engineer in the Public Sector" Award. Debbie DeBow was instrumental in the cost-saving design and construction innovations of the Overmyer Reservoir Project, which won an "Outstanding Local Government Engineering Project Award" from the Orange County Engineering Council.

Presentation – Mayor Gil Coerper called on Community Services Director Jim Engle who assisted in recognizing volunteer Mary Lou Shattuck and Public Works staff members Randy Brown, Terry Tintle, Robert Bonillas, Bob Brackenridge, Geoff Peterson, and Cas Turlo for their dedicated efforts to put snowflakes on the Pier and Downtown as part of the Light a Light of Love celebration.

Presentation – Mayor Gil Coerper called upon Huntington Beach Human Relations Task Force Chair Alan Chancellor who presented a proclamation recognizing March as Women's History Month to resident Kecia Van Mechelen.

The Assistant City Clerk Announced Late Communications

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

PowerPoint submitted by Associate Planner Ricky Ramos dated March 5, 2007 and titled *Introduction to Form Based Codes*.

PowerPoint submitted by Deputy City Administrator Paul Emery, undated and titled *Review and Assessment of Entitlement/Development Processing Activities*.

Communication submitted by City Attorney Jennifer McGrath dated March 5, 2007 and titled *Late Communication, City Council Meeting of March 5, 2007, Agenda Item Number D-1*, which includes the PowerPoint presentation for the hearing pertaining to the moratorium on wireless facilities.

Communication submitted by Real Estate and Housing Manager Steve Holtz dated March 5, 2007 and titled *Late Communication – E7 (Notice of Trustee Sale)*, which amends the Recommended Action.

Communication submitted by City Administrator Penny Culbreth-Graft, DPA, dated March 5, 2007 and titled *Late Communication H-2a Item – Related Material*.

The Following Communications Were Submitted During the Meeting:

Communication submitted by Alan Flaschner dated March 5, 2006, untitled, pertaining to OCTA transportation options.

Communication submitted by Joanne Rasmussen dated March 5, 2007 and titled *The Monorail Society - Monorails of North America*.

Communication submitted by Dave Webb, Deputy Director of Public Works dated March 6, 2007 and titled *Next Steps, Tentative Schedule* pertaining to the OCTA Go Local program.

Public Comments

(The numbers following speakers' comments reflect the approximate point of time in the archived video the speaker appears, available at <http://www.surfcity-hb.org/Government/Agendas/>)

Connie Pedenko announced the first installment of Surf City Nights would take place on Tuesday, March 6, 2007 starting at 5 p.m. She described events planned for the evening, invited all to attend, and presented the Mayor with a T-shirt. (36:18)

Alan Flaschner commended Councilmember Green for supporting the OCTA program designed to bring more tourists into the City. He suggested natural gas-powered vehicles be used and additional destination stops between Disneyland and the beach. Mr. Flaschner also submitted a communication with his comments. (37:47)

Susan Flaschner asked Council not to support the OCTA proposed light rail, stating concern with increased danger to children, challenges for emergency vehicles, traffic congestion, noise pollution, air pollution, and a decrease in home values. She suggested Council consider an alternate plan to increase bus transit on Beach Boulevard. (40:02)

Wendy Mello stated she is a resident since 1963 and described a fire at her neighbor's house. She commended the Fire Department on their rapid response and on sending an adequate number of vehicles to mitigate damage to the neighborhood. (42:23)

Shari Noriega stated she speaks on behalf of many residents regarding the OCTA Go Local project. She voiced concern with the proposed route and what she referred to as a lack of effort demonstrated by City officials to notify the public about the project. Ms. Noriega stated she has obtained thirty pages of signatures of residents who oppose the project. She asked the City Council to agendaize the project for the next meeting, to instruct Public Works staff to broaden the scope of work, that a committee be formed to allow homeowner participation, and that Late Communications not be submitted pertaining to the project in the future. (43:53)

Jerry Horn voiced his support for improved mass transit; however he stated he is opposed to the currently proposed Go Local program. He asked that the proposed route not be included in the study. Mr. Horn rebutted comments made at a recent OCTA meeting pertaining to the number of Huntington Beach residents who voted in support of Measure M, stating that no information had been given on the Go Local program. (46:37)

Jim Barker, 16-year resident, spoke of his friend Al Caresso, who he stated passed on February 21st at the age of 95. Mr. Barker described Mr. Caresso as a resident of the Los Amigos Mobilehome Park since 1964, president of the Los Amigos Community Emergency Response Team (CERT), thanked him for his friendship, and recognized him for his achievements. (48:58)

Kelly Kades voiced her concern with a transit route proposed by the OCTA Go Local program, stating it may result in destruction of property, pollution, noise, and increased crime. She asked that a citizen committee be involved with development of the program,

and stated concern with what she referred to as a lack of notice to residents. Ms. Kades urged Council to listen to the concerns of citizens. (51:10)

Joanne Rasmussen commented on perceived negative attributes of trains and positive attributes of monorails. She voiced her concern pertaining to the environment and asked Council to research monorails as an option. Ms. Rasmussen submitted a communication that includes information on monorails. (53:15)

Catherine Volpe stated she is a resident of SeaCliff since 2000 and has enjoyed the peaceful environment. She voiced her concern with the potential expansion of the train route, suggesting adequate disclosure to residents. Ms. Volpe stated that her business brings in people from all over the world who have enjoyed Huntington Beach and who have not asked to visit Disneyland. (55:46)

Larry Goudge stated he is a realtor and a resident since the 1960s. He opined that the method in which the Go Local project has been developed has created distrust within the community. Mr. Goudge suggested a citizen group be formed to study the issue, and volunteered to serve. He voiced concerns with potential negative effects on property values for those in the 2.5 mile zone, and asked Council to act immediately to remove the residential area from the proposed project. (59:06)

Laurie Larson voiced concern with the inclusion of the proposed route in the Go Local study, stating her opinion that communication with citizens has been poor. She urged Council to work with citizens on the matter and asked for revisions to the scope of the project, suggesting Beach Boulevard or the Santa Ana River Trail as alternative routes. (1:02:23)

Steven Ballaban stated he is a new resident and did not receive disclosure of a train right-of-way behind his home. He described his personal history of public service and asked Council to spend the time necessary to research the issue in detail. (1:05:46)

Patrick Gordon stated he is a 35-year resident and lives near the transit right-of-way referred to by previous speakers. He stated he has always been aware of the existence of the right-of-way; however voiced his opposition to a rail system running any further South into Huntington Beach than Center Avenue at Bella Terra. Mr. Gordon voiced his concerns with safety and with the potential decrease in home values and asked Council to place its focus on resident satisfaction rather than tourist satisfaction. (1:09:44)

Suzanne Bideau stated she is a resident of Pacific Ranch community and asked the individuals that were present in the Council Chambers due to concerns about the Go Local program to stand. She requested that Council offer more notification to residents and opportunities for residents to become involved in the discussion. Ms. Bideau voiced her concern with safety and environmental effects should the program be pursued. (1:12:52)

Kathy De Peri stated she is a resident of Lake Street and voiced her opposition to the proposed Go Local project. (1:15:40)

Jim Banks opined that the right-of-way is a fallacy since many developments have been built over and close to the area. He voiced opposition to the Go Local project based on

cost, potential damage to property value, and space needs. Mr. Banks suggested Beach Boulevard as an alternative route for increased transit, and urged citizen involvement in the process. (1:16:24)

Hannelore Palmer spoke in opposition to the proposed route for the Go Local program. She voiced her opinion not enough space is available for a train, questioned the need to bring more people to the City, and asked that citizens have opportunities for involvement in the process. (1:18:56)

(City Council) Councilmember Green Reported on OCTA Go Local Study

Councilmember Green announced that the OCTA Board voted unanimously to fund the Go Local study. She commented on her own inquiries into the program, stating all discussions pertaining to the program were held at public meetings. She clarified that she had requested that when the item was agendaized, that it be categorized as a presentation rather than as a Consent Calendar item. She asked the City Administrator and City Attorney to comment.

City Administrator Penny Culbreth-Graft clarified that the purpose of the related items on previous agendas was to discover if a study was desired by Council. She stated both related items were agendaized and noticed as required by law, and all Council meetings are televised or audio taped and available on the website. City Administrator Culbreth-Graft stated that since the grant was approved, a section was added to the City's website to inform citizens. She clarified the grant was approved by OCTA as recently as last week, and no new material is available. She asked the Public Works Director to comment on the timeline related to the proposal.

Public Works Director Robert F. Beardsley gave an overview of the Go Local project. Deputy Public Works Director Dave Webb presented a tentative schedule pertaining to the study.

City Attorney Jennifer McGrath clarified that the City did meet requirements of the Brown Act pertaining to public notice of the OCTA study and the City's established procedure for Late Communications. She explained that the State Civil Code does not trigger a real estate disclosure at this point.

(City Council) AB 1234 Disclosure Reporting

Mayor Pro Tem Cook announced she had attended the Climate Change Task Force meeting in Sacramento.

(City Council) City Administrator's Report – None

City Attorney's Report of Litigation Filed – Notice of Filed Cross-Complaint

City Attorney Jennifer McGrath announced a Cross-Complaint filed on February 26, 2007 in the Initial Complaint of Bohm, et al. versus City of Huntington Beach, Orange County Superior Court Case No. 05CC10207.

(City Council) Adopted Urgency Ordinance No. 3766, Conducted a Public Hearing and Approved Establishing a Temporary Moratorium on the Installation of Wireless Telecommunication Facilities Including Those in the Public Right-of-Way, Extended Interim Ordinance No. 3748 Through March 18, 2008, Adopted Specific Findings Regarding the Detriment to the Public Health, Welfare and Safety and Declaring the Urgency Thereof to Take Effect Immediately

Mayor Coerper announced that this was the time noticed for a public hearing to consider the following **Statement of Issue**: Should the City adopt an extension to Interim Ordinance No. 3748, including interim regulations that will allow providers to apply for permits for wireless communications facilities throughout the City including the public right-of-way?

Legal notice as provided to the City Clerk's Office by staff had been published and posted.

Senior Deputy City Attorney Leonie Mulvihill presented a PowerPoint report titled *Moratorium on Wireless Facilities*, which was announced earlier as a Late Communication.

Mayor Coerper declared the public hearing open.

The Assistant City Clerk restated for the record the following Late Communication which pertains to this public hearing:

Communication submitted by City Attorney Jennifer McGrath dated March 5, 2007 and titled *Late Communication, City Council Meeting of March 5, 2007, Agenda Item Number D-1*, which includes the PowerPoint presentation for the hearing pertaining to the moratorium on wireless facilities.

Leslie Daigle, representing Verizon Wireless, stated that no other city in California charges a fee for a wireless communication franchise and opined that such a fee is not authorized by law. She reiterated for the record that Verizon Wireless is opposed to the fee. (1:35:54)

There being no persons present to speak further on the matter and there being no further protests filed, either written or oral, the Mayor declared the public hearing closed.

A motion was made by Hardy, second Cook to, after the City Clerk read by title, approve and adopt Urgency Ordinance No. 3766, *An Interim Ordinance of the City Council of the City of Huntington Beach Establishing a Temporary Moratorium on the Installation of Wireless Telecommunication Facilities Including Those in the Public Right-of-Way and Declaring the Urgency Thereof, To Take Effect Immediately* and adopt specific findings regarding the detriment to the public health, welfare and safety and extending Interim Ordinance No. 3748 for one year. The motion carried by the following roll call vote:

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

Consent Calendar – Items Approved

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

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

(City Council/Redevelopment Agency) Approved and Adopted Minutes - Approved and adopted the minutes of the City Council/Redevelopment Agency regular meeting of February 20, 2007 as written and on file in the Office of the City Clerk. Submitted by the City Clerk.

(City Council) Adopted Resolution No. 2007-17 Approving a Side Letter to the Memorandum of Understanding (MOU) Between the City and the Huntington Beach Police Officers' Association (HBPOA) Regarding the Medical Retirement Trust Fund Program - Adopted Resolution No. 2007-17, *A Resolution of the City Council of the City of Huntington Beach Amending the Memorandum of Understanding Between the City and the Police Officers' Association, By Adopting the Side Letter of Agreement (Regarding Medical Retirement Trust Fund Program.)* Submitted by the Deputy City Administrator, City Services. Funding Source: No additional funding is required.

(City Council) Adopted Resolution No. 2007-18 Approving a Side Letter to the Memorandum of Understanding (MOU) Between the City and the Huntington Beach Police Officers' Association (HBPOA) Regarding the 960 Program (Temporary Part-Time Employment of Retired Huntington Beach Police Officers for 960 Hours or Less per Fiscal Year) - Adopted Resolution No. 2007-18, *A Resolution of the City Council of the City of Huntington Beach Amending the Memorandum of Understanding Between the City and the Police Officers' Association, By Adopting the Side Letter of Agreement (Regarding the 960 Program.)* Submitted by the Deputy City Administrator, City Services. Funding Source: No additional funding is required.

(City Council) Adopted Resolution No. 2007-19 Providing for Additional Temporary Partially Paid Military Leave of Absence and Continuation of Benefits for Employees Called to Active Duty With the Armed Forces - Adopted Resolution No. 2007-19, *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.* Submitted by the Deputy City Administrator, City Services. Funding Source: Pay and benefits are currently funded in the existing budget.

(City Council) Approved the Appropriation of \$60,000 From the Undesignated, Unappropriated Fund Balance of the General Fund and Transfer to the Fire Department's Fire Prevention Oil Well Maintenance Account for the Repair of Civic Center Oil Well CC #1 - Approved and authorized the appropriation of \$60,000 from the undesignated, unappropriated fund balance of the General Fund and transferred to the Fire Department's FY 2006/07 Fire Prevention Oil Well Maintenance account (10065201.67500). Submitted by the Fire Chief. Funding Source: An appropriation of \$60,000 from the undesignated, unappropriated fund balance of the General Fund to the Fire Department Fire Prevention business unit account (10065201.67500) is recommended. The Fiscal Impact Statement is included in the agenda packet.

(City Council) Approved the Design Review Board (DRB) Appointments of Lauren Barr (At-Large member), James Mallewick (Alternate At-Large member), and David Moore (Alternate At-Large member) for a First Term to Expire December 31, 2010 -

Approved the appointments of Lauren Barr (At-Large member), James Mallewick (Alternate At-Large member), and David Moore (Alternate At-Large member) for a first term to expire December 31, 2010, as recommended by Council liaisons Bohr and Carchio. Submitted by the Acting Director of Planning. Funding Source: Not applicable.

(Redevelopment Agency) As Amended by Late Communication, Authorized the Executive Director to Expend up to \$420,000 in a Trustee Sale Scheduled for March 8, 2007 for the Acquisition of a Low- and Moderate-Income Unit Located at 18862 Breezy Lane, Within the Cape Ann Inclusionary Housing Program -

Authorized the Executive Director, or her designee, to expend up to \$420,000 in order to preserve and maintain 18862 Breezy Lane, within the community's supply of low- and moderate-income housing, pursuant to Section 33334.2 of the Redevelopment Agency Resolution No. 174. Such expenditure may be made in order to buy the unit at the foreclosure sale in an amount in excess of the mortgage lender's credit bid, negotiating with the mortgage lender to take over the first trust deed, or reinstate the loan and then agree to a work-out with the homeowner. Submitted by the Deputy Executive Director and the Redevelopment Agency Counsel. Funding Source: Housing Set Aside Fund 30680301.81100.

(City Council) Approved for Introduction Ordinance No. 3765 Amending Chapter 17.10 of the Huntington Beach Municipal Code Relating to Nuisance/Graffiti and Adopted Resolution No. 2007-16 Establishing a Reward for Information Leading to the Conviction of a Person who Applies Graffiti Within the City of Huntington Beach

A motion was made by Bohr, second Green to 1. After the City Clerk read by title, approve Introduction of Ordinance No. 3765, *An Ordinance of the City of Huntington Beach Amending Chapter 17.10 of the Huntington Beach Municipal Code Relating to Nuisance/Graffiti*; And 2. Adopt Resolution No. 2007-16, *A Resolution of the City Council of the City of Huntington Beach Establishing a Reward for Information Leading to Conviction Relating to Graffiti*. The motion carried by the following roll call vote:

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

(City Council) Submitted By Mayor Coerper – Established the Santa Ana River Trail and Parkway Committee with City Council liaisons Cathy Green, Keith Bohr, and Gil Coerper

The City Council considered a communication from Mayor Coerper transmitting the following **Statement of Issue**: At the February 5, 2007, City Council Meeting, Council approved the Santa Ana River Blue Ribbon Committee Report, which provided an historical perspective on the Santa Ana River, as well as delineated projects within Huntington Beach that needed to be completed as part of the overall Santa Ana River Trail and Parkway Project. This is a joint effort with the City and other agencies within Orange, Riverside, and San Bernardino Counties.

Now that the Blue Ribbon Committee has completed its work, I am recommending the formation of a Santa Ana River Trail and Parkway Committee to continue the task of working with other public agencies to complete the acquisition and development projects that run from the beginning of the Santa Ana River through San Bernardino, Riverside, and Orange Counties to the ocean.

Mayor Coerper gave an oral report.

A motion was made by Hardy, second Green to establish the Santa Ana River Trail and Parkway Committee with City Council liaisons Cathy Green, Keith Bohr, and Gil Coerper. The motion carried by the following roll call vote:

AYES: Bohr, Carchio, Coerper, Green, Hansen, and Hardy
NOES: None
ABSENT: Cook (Mayor Pro Tem Cook was out of the room at the time of the vote)

(City Council) Submitted By Mayor Coerper – Approved Waiving of \$6661 in Fees for the 2006 Friends of Huntington Youth Shelter (FHYS) Light A Light of Love Holiday Program and Co-sponsor the Future Light A Light of Love Events with the FHYS

The City Council considered a communication from Mayor Coerper transmitting the following **Statement of Issue**: Since 1998, the Friends of Huntington Youth Shelter (FHYS) have worked with the City to decorate the Municipal Pier and part of Main Street during the holiday season with decorative snowflake lights. The original proposal was for the Friends group to purchase the lights and the Public Works Department to install, maintain, and take down the fixtures at no cost.

In 2002, due to the fiscal constraints of the City, FHYS paid half of the lighting-related costs totaling \$2,283. In 2003, the City waived all of the lighting-related costs, and the Friends paid for activities related to the lighting ceremony. In 2004, the Friends were going through restructuring due to the temporary closure of the Youth Shelter, but still wanted to maintain this holiday tradition for the City. During that year, checks from donors totaling \$2,350 were deposited into a City revenue account to offset the cost, which was a total of \$3,685. The total city cost for 2005 was \$3,980. This included all costs relating to the holiday lights, lighting ceremony and parade. The City Council waived these City-related fees.

Because of the Friends of Huntington Youth Shelter, the City has holiday decorations and a holiday event in the downtown and on the pier. As these are the only holiday decorations that the City displays and, since they decorate the City's most famous landmark, the Municipal Pier, as well as part of Main Street, I strongly believe that the City should officially recognize this holiday lighting program as a joint partnership between the City and the FHYS. As a City co-sponsored program, the FHYS would donate the lights, make repairs and/or replace the snowflakes as needed, replace light bulbs annually, store the fixtures, and deliver them to the pier. In addition, they would organize the parade and holiday lighting ceremony. The City would install the snowflakes on City light poles, switch the lights on for the lighting ceremony, and assist with the rolling barricade for the holiday parade. This partnership would further promote the City's goal of becoming a destination attraction by creating an event and holiday environment that attracts visitors to the downtown and pier.

Mayor Coerper gave an oral report.

Mayor Pro Tem Cook suggested Council develop a method to consider these types of requests, that consideration take place during the budget process, and that a second-tier fee be developed for non-profit organizations. She opined that consistency is important.

Mayor Coerper asked the Community Services Director to comment. Director Engle explained that the Recommended Action would formalize the City's relationship with FHYS on an ongoing basis, similar to partnerships held with other groups such as the Fourth of July Board, Sister City, and the Community Band.

Mayor Pro Tem Cook asked staff to provide Council with a list of active City partnerships. City Administrator Penny Culbreth-Graft explained that a future report would highlight that information.

Councilmember Hardy stated her preference that this request be considered during the budget process and suggested it be delayed until that time.

Councilmember Green described the snowflakes as the only holiday decorations the City has, and voiced her full support for the partnership.

Councilmember Carchio suggested funding from the Downtown Business Improvement District and the Conference and Visitors' Bureau, stating that those organizations benefit the most from the snowflake display. He opined that the decorations are needed, the FHYS offers a great service to the community, and suggested local businesses support their efforts financially.

Councilmember Hansen stated his support for the Recommended Action and asked Council to revisit the application process for non profits who want to apply for sponsorship by the City prior to next budget process.

Councilmember Bohr asked for clarification on the fees. Director Engle clarified that the majority of the fees result from overtime expenses for Public Works staff to install the snowflakes. Councilmember Bohr stated his support for the Recommended Action.

A motion was made by Green, second Bohr to 1. Approve the waiving of \$6,661 in fees for the Friends of Huntington Youth Shelter for the City's 2006 holiday lights, lighting ceremony, and parade downtown, and 2. Co-sponsor the Light a Light of Love event with the FHYS, with each party providing at their cost the services outlined above, for an annual holiday lights program. Said program to be approved and permitted annually through the City's Specific Events Committee to insure both parties are in agreement as to the parameters of the program. The motion carried by the following roll call vote:

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

(City Council) Submitted By Mayor Coerper – Authorized as Amended Posting a \$2000 Reward for Information Leading to the Arrest and Conviction of Vandalism to the Sign at the Senior Center Proposed Site at Central Park

The City Council considered a communication from Mayor Coerper transmitting the following **Statement of Issue**: The City Council directed staff to place a sign at the site of the ballot-approved Senior Center location. The sign was installed and remained in place until Thursday, February 22. The support poles were broken and the sign was removed and left lying on the ground. The sign was replaced by Public Works staff on Friday. By Saturday morning, the poles and sign had been removed completely.

While the sign is constructed in-house, it is costly to the taxpayers to reconstruct and replace the sign. As with any vandalism, destruction of public property costs the taxpayers money. Staff is now preparing a replacement sign.

In order to discourage further vandalism, I am proposing that the City post a reward of \$1,000 for information leading to the vandalism of the sign.

Mayor Coerper gave an oral report.

A motion was made by Coerper, second Bohr to authorize the posting of a \$1,000 reward from the unappropriated fund balance to be awarded to anyone who provides information leading to the arrest and conviction of vandalism to the sign at the Senior Center proposed site at Central Park. (Motion was subsequently amended, vote to follow)

Mayor Pro Tem Cook asked the City Attorney to comment on the Recommended Action. City Attorney Jennifer McGrath stated no concerns regarding content-based regulations; however she suggested generalizing the scope of damage that is addressed. She suggested the reward be offered in the instance of vandalism to ANY City sign on public property.

Mayor Coerper stated his concurrence with the City Attorney's suggested amendment.

Councilmember Hansen inquired about the difference between this proposed ordinance and the existing graffiti ordinance, and the cost to fabricate the sign. City Attorney McGrath described the differences, including reward amount. Public Works Director Robert F. Beardsley explained that the first sign cost over \$2000. Councilmember Hansen stated his preference to pursue offenders under the current graffiti and vandalism code rather than creating new regulations.

Councilmember Hardy urged citizens to report damage regardless of any reward. She voiced concern with stickers on street signs that obscure street names.

Councilmember Bohr stated his support for the Recommended Action.

Mayor Pro Tem Cook asked if offenders may be prosecuted for the cost of the sign as well. City Attorney McGrath clarified that the District Attorney prosecutes vandalism, stating that the current ordinance addresses recovery of the cost of the sign; however the civil citation process typically recovers only minimal costs.

Councilmember Green suggested the reward amount be raised to \$2,000. Mayor Coerper accepted this amendment to the motion.

Councilmember Hansen opined that the cost to the City is excessive.

Councilmember Hardy asked for clarification on juvenile diversions and convictions and voiced her opposition to the amended motion. City Attorney McGrath described the difference between the public right-of-way and public property.

Councilmember Carchio opined the amount of the reward does not compel individuals to report damage, however he supports the motion.

Councilmember Bohr stated he would be willing to provide the additional \$1000 reward for vandalism to the proposed Senior Center sign.

The Mayor restated the motion, to approve the Recommended Action **as amended to increase the reward amount to \$2,000**. The motion carried by the following roll call vote:

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

(City Council) Submitted By Councilmember Carchio – Directed Staff to Prepare Options and Issues Associated With a Program that Will Waive Permit Fees for the Remodeling of Homes

The City Council considered a communication from Councilmember Carchio transmitting the following **Statement of Issue**: Studies have indicated that it is positive for everyone when the homes in a community are improved or expanded. It is also clear that due to the cost of homes it is less expensive to improve one's existing home rather than moving up to a more expensive home.

To help our community, I am proposing that the City investigate waiving permit fees for a defined period of time. This will send a positive message to our community and encourage improvements in our residential areas that will positively affect our City as a whole. This type of program is not new and a number of communities have utilized this approach with positive outcomes.

Councilmember Carchio gave an oral report.

Mayor Pro Tem Cook opined efficient homes are more desirable to the City than bigger homes. She asked for clarification on which fees Council should consider waiving, and concern for future City revenues.

Councilmember Hardy clarified that the fees imposed only cover the cost to the City, stating the question is whether the person using the service pays the fees, or if all City residents pay the fees for that person. She opined that tax revenue recovery would take approximately 64 years.

Councilmember Bohr voiced his support for the Recommended Action, stating there is value to studying the issue.

Mayor Coerper stated concurrence with Councilmember Bohr's comments.

Councilmember Carchio described the Recommended Action as a benefit to local residents available for a limited time period.

A motion was made by Carchio, second Green to direct staff to prepare options and issues associated with a program that will waive permit fees for remodeling homes. The program shall define the fees to be waived, the duration of the program, and the estimated loss in revenue. Further, staff shall study the programs that have been utilized by other cities such as Anaheim and Costa Mesa. The motion carried by the following roll call vote:

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

(City Council) Councilmember Hansen Described International Folk Dance Ensemble He Attended with Councilmember Green

Councilmember Don Hansen stated he and Councilmember Green had attended the International Folk Dance Ensemble event presented by Brigham Young University and enjoyed the event greatly.

(City Council) Councilmember Green Announced Success of Kite Festival and Memorial for the Late Pat Cohen

Councilmember Cathy Green thanked Dave Shenkman for his efforts in organizing a successful Kite Festival at the Pier the prior weekend. She spoke in remembrance of the late Pat Cohen, stating she had attended her memorial service.

(City Council) Mayor Pro Tem Cook Announced Air Quality Management District (AQMD) Lawn Mower Replacement Program

Mayor Pro Tem Debbie Cook announced that the AQMD lawn mower replacement program would take place on March 20, 2007. The program replaces gas mowers for electric mowers, further information can be obtained by calling 888-425-6247 or visiting the website, aqmd.gov.

(City Council) Councilmember Carchio Stated his Attendance at Pat Cohen's Funeral and Offered Condolences

Councilmember Joe Carchio stated he had attended the funeral for the late Pat Cohen and offered his condolences to the family.

(City Council) Mayor Coerper Stated his Attendance at Pat Cohen's Funeral, Described Deployment Ceremony at the Los Alamitos Military Base, Eagle Scout Court of Honor Ceremony, and Announced Surf City Nights

Mayor Gil Coerper stated he had attended the funeral for the late Pat Cohen. He described the Deployment Ceremony held at the Los Alamitos Military Base, stating the

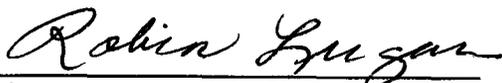
1st Battalion-160th Infantry Regiment is en route to Iraq. He stated he attended the Eagle Scout Court of Honor for David Anthony Johnson. Mayor Coerper announced Surf City Nights would begin on Tuesday, March 6th from 6-9 pm with many activities planned. He announced further information can be obtained by calling 714-536-5542 or by visiting the City's website.

(City Council) Mayor Coerper Announced Sunshine Week and Thanked Citizens for Their Involvement

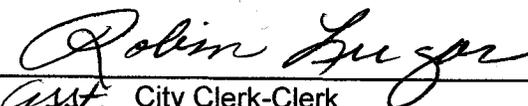
Mayor Gil Coerper announced that March 11-17, 2007 is Sunshine Week, which is recognized across the nation as a week to focus on open government. He thanked citizens for their involvement and stated City Council's support of Sunshine Week.

Adjournment – City Council/Redevelopment Agency

Mayor Coerper adjourned the regular meetings of the City Council/Redevelopment Agency of the City of Huntington Beach at 8:52 p.m. to an Adjourned Regular Meeting Thursday, March 15, 2007 at 9:30 a.m., at Broadway Arms, 201 W. Broadway, Anaheim, CA 92805, (Northeast corner of Broadway and Clementine Streets) for an off-site Mixed-Use Projects Tour.


asst. Robin Lujan
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:


asst. City Clerk-Clerk


Mayor-Chair