

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

Monday, September 15, 2008
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/**

CALL TO ORDER

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

ROLL CALL

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

LATE COMMUNICATION

Pursuant to the Brown (Open Meetings) Act, City Clerk Joan L. Flynn announced no late communication related to the Study Session portion of the meeting.

1. Presentation made by the Finance Department Regarding the Local Tax Implication of the Employment Relationship between a Real Estate Broker and Sales Agent. The Presentation Outlined the Municipal Code, Statutory Law, California Association of Realtors Position and the Departmental Recommendation on this Issue.

Interim City Administrator Paul Emery called on City Finance Director Dan Villella to introduce the Study Session topic. Director Villella then introduced Fiscal Services Manager Jim Slobojan, who presented a PowerPoint entitled, "Report on Business License Tax and Real Estate Professionals" and discussed issues related to whether Huntington Beach should assess business licenses on real estate agents/brokers, identified relative sections of the Huntington Beach Municipal Code (HBMC), California Business and Professions Code (Section 16000), State and Federal legislation, the California Association of Realtors' Agent-Broker Contract, definition of independent contractor from the California Employment Development Department, DE-231, a listing of independent contractors (job classifications) within the city of Huntington Beach which must apply for business licenses, Association of Realtors opinion, and options to modify proposed language within the HBMC.

Questions were directed by Council to Manager Slobojan regarding recreational class teachers through the Community Services Department and their need for business licenses and the retroactive billing of individuals who did not have licenses. Discussion centered around

the process of business license application/requirements. Manager Slobojan explained that staff recommends that real estate agents be required to apply for a business license and no changes be made to the HBMC.

Manager Slobojan indicated he reviewed 25 other agencies to ascertain how they structured their business license program. Councilmember Hansen, who was initially responsible for bringing the issue forward, discussed the agent's inability to complete a transaction without the broker, and this makes it clear for him the need to review the policy and the customer service elements of collecting arrear business licenses. He suggested that future items such as letters going out to trades, which request back payments, be elevated to the City Council for review before they are sent. He believes it is the broker, not the agent who should be responsible for the business license.

Discussion ensued regarding the auditing process for City contractors. Councilmember Coerper questioned revenue generated by business license and Manager Slobojan indicated that \$2.3 million in business license was projected for this year. Councilmember Coerper voiced concerns with the retroactive billing of business licenses. The City Attorney confirmed the agent/broker transaction/commission process and explained Schedule C of the 1099 form which triggers the need for a business license.

PUBLIC COMMENTS PERTAINING TO STUDY SESSION / CLOSED SESSION ITEMS (3 Minute Time Limit)

Tom Jacobson, Attorney for the Orange County Association of Realtors, provided a PowerPoint presentation entitled "Definition of Real Estate Agent," that addressed the Association's position on the current guidelines of the HBMC, provided the Business and Professions Code definition of real estate agent, cited information relative to independent contractors found in Section 2750.5 of the California Labor Code, case information supporting/identifying when an agent is not an independent contractor, when an agent is an employee, and when an agent acts on behalf of the broker, and prohibition against license requirements relating to employment relationship (Section 16300). He concluded his presentation by requesting an extension to the 90-day moratorium while the issue is studied.

Discussion ensued on the minimum income threshold for business license and possibly of charging physical facilities versus each employee in the location.

Council recommended that the item be returned with amended HBMC language. They indicated their direction that fees be collected on a go-forward basis and refunds be issued to real estate agents who have already paid back charges. They also recommended that a letter be sent to the Realtors' Association indicating a date which prolongs the moratorium.

RECESS TO CLOSED SESSION - 5:00 PM

A motion was made by Hansen, second Carchio to recess to Closed Session. The motion carried by the following roll call vote:

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

CLOSED SESSION

2. Pursuant to Government Code Section 54956.8, the City Council recessed to Closed Session to give instructions concerning price and terms of payment to the City's Negotiator, Deputy City Administrator Bob Hall, regarding negotiations with the Huntington Beach City School District for the purchase or exchange of up to 10.12 acres of real property located at 20451 Cramer Lane in Huntington Beach and the purchase, sale or exchange of APN 114-150-94 in the City of Huntington Beach.

3. Pursuant to Government Code Section 54957.6, the City Council recessed to Closed Session to meet with its designated labor negotiators: Paul Emery, Interim City Administrator; Bob Hall, Deputy City Administrator; Michele Carr, Director of Human Resources; Dan Villella, Finance Director; and Duane Olson, Fire Chief, regarding labor negotiations with FMA.

4. Pursuant to Government Code Section 54956.9, the City Council shall recess into Closed Session to confer with the City Attorney regarding the following potential lawsuit: Whether the City Attorney should be directed to file a lawsuit.

5. Pursuant to Government Code Section 54957.6, the City Council recessed to Closed Session to confer with the City Attorney regarding the following potential lawsuit: In the Matter of Notice No. V12-0008 issued by the California Department of Transportation (Cal Trans) on June 15, 2007. Cal Trans has notified the City that the Huntington Beach Auto Mall sign located on City property adjacent to State Route 405 is in violation of the Outdoor Advertising Act. The Council will consider whether to appeal the determination to the Office of Administrative Hearings.

RECONVENED CITY COUNCIL/REDEVELOPMENT AGENCY MEETING - 6:00 P.M.

Mayor Cook reconvened the regular meeting of the City Council/Redevelopment Agency of the City of Huntington Beach at 6:02 PM in the Council Chambers.

CLOSED SESSION REPORT BY CITY ATTORNEY

City Attorney Jennifer McGrath Reported No Action Taken During Closed Session Which Required A Reporting Pursuant to Government Code §54957.1(a) (3) (B).

ROLL CALL

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

PLEDGE OF ALLEGIANCE - Led by Mayor Pro Tem Keith Bohr.

INVOCATION - Led by Father Christian Mondor, Sts. Simon and Jude Catholic Church.

ANNOUNCEMENT OF LATE COMMUNICATION

Pursuant to the Brown (Open Meetings) Act, City Clerk Joan L. Flynn announced the following late communication was received by the City Clerk's Office following distribution of the agenda packet:

Communication received by Stanley Smalewitz, Director of Economic Development, requesting to: Add Recommended Action to Public Hearing Item No. 10 (Conduct a Public Hearing and Adopt a Resolution for the Downtown Huntington Beach Business Improvement District 2008-2009).

AWARDS AND PRESENTATIONS

6. Mayor's Award - Mayor Cook called on Economic Development Director Stanley Smalewitz to present the Mayor's Award to Senior Administrative Analyst Carol Runzel.

Director Smalewitz discussed Ms. Runzels' 20-year history of employment with the City of Huntington Beach, her accomplishments and contributions in earning Redevelopment Association awards of excellence, and her hard work on projects such as the Plaza Almeria, Hyatt Hotel, Waterfront Hilton Hotel, Pacific City, the Strand and the Bella Terra projects. He also discussed her assistance in establishing three Community Facilities Districts and her work in the southeast area of Huntington Beach. He described Ms. Runzel as a valuable resource to the City, and brought attention to her close family. Ms. Runzel thanked Director Smalewitz, the Mayor and City Council, described her personal motto of "take a chance on me," and her dedication and commitment to the City to do a good job.

SPECIAL PRESENTATION/REPORT BY HUNTINGTON BEACH TREE SOCIETY

Mayor Cook called on Jean Nagy and Kevin Osborne to provide a Tree Assessment report in Huntington Central Park.

Jean Nagy, President of the Huntington Beach Tree Society, introduced Kevin Osborne to provide a Central Park Tree Assessment Report. She discussed how Mr. Osborne, a resident of Durham, North Carolina, spent three months to research potential tree hazards inside Huntington Central Park and described his educational and professional credentials. She explained how Mr. Osborne approached the City about research opportunities, the Tree Society's offer to study trees in Central Park, and Mr. Osborne's successful grant award that helped pay for his expenses during his stay in Huntington Beach. Ms. Nagy publicly thanked Mr. Osborne, and recommended that the City plant a tree in his honor.

Mr. Osborne thanked the Council and described his efforts to develop a database of trees in Huntington Central Park. Each tree was numbered and assessed for potential problems in order to aid the City's tree maintenance department. He described a form that will help City associates document activity, identify problems, etc., which can then be compiled and exported into the City's GIS system and generate maps for tree location, species and potential hazard rating, along with a final report.

PUBLIC COMMENTS (3 Minute Time Limit)

James McIntosh, student at Goldenwest College, expressed concerns to Council about the extreme conditions of Bartlett Park, requesting that the City consider placing trash cans and picnic tables in the park to help clean it up and provide seating.

Ron McLin, member of the Downtown Business Improvement District (BID), voiced concerns to Council about the City budget for Surf City Nights. He requested that the Economic Development Department consider supplementing costs for an Assistant to run the event,

describing how events in other cities are similarly handled. Mr. McLin discussed the event's financial strain on the BID's budget, and how financial assistance is also being requested to pay for bollards downtown.

Allen Baylis, resident of Huntington Beach, spoke to Council regarding the public nudity ordinance and discussed comments made during the past year regarding events or people who support a "naturist" environment. He also discussed a pending lawsuit against the State of California Parks and Recreation Department for closing a "clothing optional" section of San Onofre Beach, and urged Council to pay more attention to the opinions of their constituents.

Tim Geddes, resident of Southeast Huntington Beach, discussed the importance of City residents becoming familiar with the respective candidates for City Council. He announced that League of Women Voters will sponsor a candidate forum on Thursday, September 18 at 7:00 p.m. in the Council Chambers at the Huntington Beach Civic Center.

Felice Cooper MacCauley spoke to Council about the disposition of Alice's Restaurant in Huntington Central Park. She described her fascination with the facility, and how she became informed of the City's plans to consider other uses. She requested that a new facility be handicap accessible and voiced concerns about the possibility of a new venue allowing alcohol sales that may bring undesirables into the Park. She asked that the City to help Alice rehabilitate and keep the existing restaurant.

Kathryn Kama, Garden Grove resident and frequent visitor to the City, expressed her concerns about the disposition of Alice's Restaurant in Huntington Central Park and a possible change of venue that would allow alcohol sales. She suggested a public forum be held on the disposition of the facility.

Mayor Cook informed the speaker that the item has not been agendaized, and that Council has taken no definitive action on any proposal for the property.

Susanna Griffin, Huntington Beach resident since 1961, spoke to the Council regarding unwanted advertising on private property. She described receiving municipal code information from the City Attorney, her review of information, and her recommendation that the City consider rewriting certain sections of the Huntington Beach Municipal Code to relieve the problem. She discussed her opinion that the City endorses door-to-door solicitation, and described how private property residents must deal with trash being dispersed on their property. She also discussed First Amendment rights.

City Attorney McGrath recommended that Ms. Griffin contact her office and set up a meeting.

Dave Sullivan, resident and former member of the City Council, voiced concerns regarding the excessive amount of bars in downtown Huntington Beach. He discussed his 12 years on Council opposing such business activity, and described how irresponsible bar owners fail to address issues involving overcrowding and intoxicated fights on the streets downtown. He voiced concerns for the strain placed on the Police Department, and discussed how the area is not suitable for families after 10:00 p.m. He suggested that the City form an ad hoc task force composed of representatives from Police, Fire, downtown business owners and City residents to evaluate problems and suggest solutions to Council. He also volunteered his time to serve if a task force is formed.

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

Mayor Pro Tem Bohr submitted a report that is on file in the City Clerk's Office.

CITY ADMINISTRATOR'S REPORT

Interim City Administrator Paul Emery addressed concerns voiced by a public speaker regarding the existing condition of Bartlett Park, informing the public that the City has allocated funds in the FY 08/09 Budget to mitigate conditions and evaluate future uses in the park. He also addressed concerns heard by speakers about the disposition of Alice's Restaurant in Huntington Central Park, informing the public that the City is in the process of receiving proposals for use at the site.

On behalf of the City Council, Mayor Cook thanked Mr. Emery for his term as Interim City Administrator.

CITY TREASURER'S REPORT

7. (City Council) Reviewed and Accepted Shari L. Freidenrich, City Treasurer's July 2008 Investment Summary Report of City Investment Portfolio, Bond Proceeds, Deferred Compensation, and Retiree Medical Trust Activity for July 2008.

City Treasurer Shari Freidenrich provided PowerPoint presentation.

A motion was made by Coerper, second Green to review and accept the Monthly Investment Report. Following review of the report by motion of Council, accept the Monthly Investment Report for July 2008, 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, Hardy, Bohr, Cook, Coerper, Green, and Carchio
NOES: None

PUBLIC HEARING

8. (City Council) Public Hearing Held - Adopted Resolution No. 2008-59 Approving an Annual Assessment Within the Huntington Beach Auto Dealers Business Improvement District (BID) for Fiscal Year 2008-2009, and Appropriated \$28,783 to Match the BID Proposed Budget.

Economic Development Director Stanley Smalewitz introduced Doris Powell, Project Manager Assistant, who provided a PowerPoint presentation on the Auto Dealers Business Improvement District (BID) 2008-2009 Renewal that described the formation of HB Auto Dealers BID, its goal to pay for and construct an electronic readerboard on the 405 Freeway, provided a list of BID members, discussed the proposed 2008-2009 BID budget and goals, the BID renewal, public hearing and written protest process, and staff's recommended action.

Councilmember Coerper asked staff to explain the BID's request for an additional \$28,000. Ms. Powell explained that the BID's request involves appropriating existing, not additional funds within their own budget.

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

A motion was made by Green, second Carchio to Adopt City Council Resolution No. 2008-59, "A Resolution of the City Council of the City of Huntington Beach Approving an Annual Assessment Within the Huntington Beach Auto Dealers Association Business Improvement District for Fiscal Year 2008-2009;" and, Appropriate an additional \$28,783 in the Auto Dealers BID account 70180101 to match the BID proposed budget. The motion carried by the following roll call vote:

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

9. (City Council) Public Hearing Held - Adopted Resolution No. 2008-57 Approving an Annual Assessment Within the Huntington Beach Hotel/Motel Business Improvement District (BID) for Fiscal Year 2008-2009.

Director Smalewitz introduced Simone Slifman, Project Manager, who provided a PowerPoint presentation regarding the Huntington Beach Hotel/Motel Business Improvement District (BID) that described the BID's formation, provided a list of member hotels/motels, discussed the proposed 2008-2009 budget and goals, the BID renewal, public hearing and written protest process, and staff's recommended action.

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

A motion was made by Coerper, second Carchio to Adopt City Council Resolution No. 2008-57, "A Resolution of the City Council of the City of Huntington Beach Approving an Annual Assessment Within the Huntington Beach Hotel/Motel Business Improvement District for Fiscal Year 2008-2009." The motion carried by the following roll call vote:

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

10. (City Council) Public Hearing Held - Adopted Resolution No. 2008-58 Approving an Annual Assessment Within the Huntington Beach Downtown Business Improvement District (BID) for Fiscal Year 2008-2009.

Councilmember Carchio recused himself from further action on the item due to a potential conflict of interest.

Director Smalewitz again introduced Simone Slifman, Project Manager, who provided a PowerPoint presentation regarding the Huntington Beach Downtown Business Improvement District (BID) that described the BID's formation, 2008-2009 assessments, provided a boundary map, discussed the proposed 2008-2009 budget and goals, the BID renewal, public hearing and written protest process, and staff's recommended action. Attention was paid to an Alternate Map "B" submitted by late communication that would be substituted for an incorrect location map published within local newspapers and sent to property owners.

Councilmember Green requested clarification between Maps A and B depicting Zones 1 and 2,

and asked which map included the Worthy house, requesting that clean-up efforts take place on that property. She also expressed concerns over loss of redevelopment funds due to the State budget.

Councilmember Coerper requested clarification on amount of funds needed from both the Redevelopment Agency and/or the City to fund the Surf City Nights event. Director Smalewitz stated the approximate deficit for operating the event annually is \$78,000, and described how costs are broken down within the Downtown BID budget. He identified a request made by Downtown BID for financial assistance, but explained that tonight's request only involves approving the annual assessment determined by the Downtown BID.

Councilmember Hardy requested staff clarify differences in submitted Maps A and B.

Councilmember Hansen voiced concerns about locking in an assessment when the Downtown BID is requesting supplemental funds to support the Surf City Nights event. Director Smalewitz explained that the BID's request for financial assistance on the Surf City Nights events should be considered separately from the decision that is before Council tonight. Discussion ensued on statutory requirements and budget alternatives that would guide activity.

Councilmember Green questioned if trucks could act as barriers to eliminate the need for bollards identified in the BID budget at \$22,000. Councilmember Coerper asked if the Police Chief would oppose using trucks as barriers instead of bollards. Police Chief Ken Small responded that the department would support any type of effective barrier as long as it was deemed safe. Mayor Cook said that the Economic Development Committee would discuss the bollard issue at their next meeting.

Mayor Cook opened the public hearing.

City Clerk Flynn read into the record a late communication received by Stanley Smalewitz, Director of Economic Development, requesting to: Add Recommended Action to Public Hearing Item No. 10 (Conduct a Public Hearing and Adopt a Resolution for the Downtown Huntington Beach Business Improvement District 2008-2009). She also read instructions on how to submit a written protest on the item.

Steve Daniel, Downtown BID President, spoke to Council about the BID's September 11, 2008 communication requesting that Economic Development increase their budget by \$72,000 to supplement the Surf City Nights event. He discussed how the event provides benefits to some, but not all businesses in the downtown, BID's efforts to make the event self-sufficient, and the need for financial assistance to pay for operational and administrative costs (i.e., bollards and half of the executive director's salary). He also discussed moving the Worthy Antique Business identified in Zone 1 to Zone 2, describing their business status and recommending a refund of BID assessment due to the construction they experienced during the past year.

Mayor Pro Tem Bohr and President Daniel discussed how Zones 1 and 2 were established, and how benefits are assigned to businesses located with each Zone by the BID. Discussion ensued on rehabilitating the Worthy property. Councilmember Hardy and President Daniel discussed the BID's request for financial assistance.

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

A motion was made by Cook, second Hardy to Adopt City Council Resolution No. 2008-58, "A Resolution of the City Council of the City of Huntington Beach Approving an Annual Assessment Within the Huntington Beach Downtown Business Improvement District for Fiscal Year 2008-2009" to fund improvements within the Huntington Beach Downtown Business Improvement District, **as amended to replace Map A with Map B submitted by late communication.** The motion carried by the following roll call vote:

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

CONSENT CALENDAR

11. (City Council/Redevelopment Agency) Approved Minutes

A motion was made by Coerper, second Hansen to Approve and Adopt the Minutes of the City Council/Redevelopment Agency Regular Meeting of September 2, 2008 as Written and on File in the Office of the City Clerk. The motion carried by the following roll call vote:

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

12. (City Council/Redevelopment Agency) Received and Filed the City Clerk's Quarterly Report Listing of Professional Service Contracts Filed in the City Clerk's Office Between April 1, 2008 and June 30, 2008.

A motion was made by Coerper, second Hansen to Receive and File the "List of Professional Service Contracts Approved by Department Heads Pursuant to Huntington Beach Municipal Code Chapter 3.03 and Submitted to the Office of the City Clerk during the period of April 1, 2008 through June 30, 2008." The motion carried by the following roll call vote:

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

13. (City Council) Adopted Resolution No. 2008-55 to Make Application for Grant Funds from the State of California Used Oil Block Grant Program, Managed Through the California Integrated Waste Management Board, for the Establishment of a Used Oil Collection Center; and, Authorized the Fire Chief to Execute All Ancillary Documents on Behalf of the City Without Further Approval of the City Council.

A motion was made by Coerper, second Hansen to Adopt Resolution No. 2008-55, "A Resolution of the City Council of the City of Huntington Beach to Make Application for Grant Funds for the Establishment of a Used Oil Collection Center;" and Authorize the Fire Chief to execute all ancillary documents on behalf of the City, without further approval of the City Council. The motion carried by the following roll call vote:

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

NOES: None

14. (City Council) Approved and Authorized the Mayor and City Clerk to Execute Amendment No. 1 to the Professional Services Contract with DLT&V Systems Engineering and Controls, Inc. in an Amount Not to Exceed \$27,815, for a Total Contract Amount of \$322,080, for the Water Utility Supervisory Control and Data Acquisition (SCADA) System Upgrade.

A motion was made by Coerper, second Hansen to Approve and authorize the Mayor and City Clerk to execute "Amendment No. 1 to Agreement Between the City of Huntington Beach and DLT&V Systems Engineering, Inc." The motion carried by the following roll call vote:

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

NOES: None

15. (City Council) Adopted Resolution No. 2008-56 Accepting California Department of Water Resources Proposition 50 Water Use Efficiency Grant Funds to Develop a Water Use Efficient Master Plan to Improve Water Use Conservation in the City.

A motion was made by Coerper, second Hansen to Adopt Resolution No. 2008-56, "A Resolution of the City Council of the City of Huntington Beach to Accept California Department of Water Resources Proposition 50 Water Use Efficiency Grant Funds" and, Authorize the Director of Public Works to execute the grant agreement with the Department of Water Resources on behalf of the City. The motion carried by the following roll call vote:

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

NOES: None

16. (City Council) Adopted Resolution No. 2008-60 Approving Residential Permit Parking District "L" on Meadow Crest Drive and on Edwards Street Frontage Road

A motion was made by Coerper, second Hansen to Adopt Resolution No. 2008-60, "A Resolution of the City Council of the City of Huntington Beach Establishing Permit Parking District "L" Within the City of Huntington Beach." The motion carried by the following roll call vote:

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

NOES: None

17. (City Council) Accepted the Estimated Grant Award of \$350,000 from the County of Orange for the Supplement Law Enforcement Services Fund (SLESF) for Funding Cycle Year 2008-2009; Established a Business Unit for this Funding; and Appropriated and Authorized the Chief of Police to Expend the Approximate \$350,000 Plus Interest Accrued on Patrol Related Equipment.

A motion was made by Coerper, second Hansen to Accept the estimated grant award of \$350,000 from the County of Orange SLESF for funding cycle year 2008-2009; Establish a separate business unit for this funding; Authorize the Chief of Police to expend the approximate \$350,000 grant award, plus any accrued interest; and, Appropriate the approximate \$350,000,

plus any accrued interest to be expended on patrol related equipment. The motion carried by the following roll call vote:

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

18. (City Council) Approved and Authorized the Mayor and City Clerk to Execute the Agreement in the Amount of \$55,500 for Acquisition of Three Encyclopedia Parcels Owned by Yevonne Lou Located in the Designated Huntington Central Park Area, North Side of Ellis Avenue Between Edwards Street and Goldenwest Street (APN's 110-152-03, 04 and 05.)

A motion was made by Coerper, second Hansen to Approve the "Agreement for Acquisition and Escrow Instructions; and Authorize the Mayor and City Clerk to execute the agreement and other related documents. The motion carried by the following roll call vote:

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

ADMINISTRATIVE ITEMS

19. (City Council) Approved a City Council Position on Legislation Pending Before the Federal, State, or Regional Governments as Recommended by the City Council Intergovernmental Relations Committee (IRC) Members: Councilmember Jill Hardy, Chair, Mayor Pro Tem Keith Bohr, and Councilmember Don Hansen.

A motion was made by Hardy, second Coerper to Authorize a Letter to our State Legislators and the Governor Opposing Potential cuts in Local Funding and/or Redevelopment Funds; OPPOSE AB 2427 (Eng) - Business and Professions Codes - As Enrolled 8/22/08; and SUPPORT Proposition 6 - Criminal Penalties and Laws - Public Safety Funding - on the November ballot. The motion carried by the following roll call vote:

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

ORDINANCES FOR INTRODUCTION

20. (City Council) Approved for Introduction Ordinance No. 3815 Amending Chapter 10.42 of the Huntington Beach Municipal Code (HBMC) Relating to the Residential Parking Permits.

A motion was made by Coerper, second Hardy to after City Clerk reads by title, Approve for Introduction Ordinance No. 3815, "An Ordinance of the City of Huntington Beach Amending Chapter 10.42 of the Huntington Beach Municipal Code Relating to Residential Parking Permits." The motion carried by the following roll call vote:

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

ORDINANCES FOR ADOPTION

21. (City Council) Adopted Ordinance No. 3814 Amending Huntington Beach Municipal Code (HBMC) Chapter 14.55 Relating to Sewer Service Rates Methodology. (Approved for Introduction September 2, 2008)

A motion was made by Hardy, second Coerper to after City Clerk reads by title, Adopt Ordinance No. 3814, "An Ordinance of the City of Huntington Beach Amending Chapter 14.55 of the Huntington Beach Municipal Code Relating to the Sewer Service Rates Methodology." The motion carried by the following roll call vote:

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

COUNCILMEMBER COMMENTS (Not Agendized)

Councilmember Coerper reported on being sworn in as an at-large member at the League of California Cities Board of Directors Installation Reception and Ceremony on Thursday, September 11.

Councilmember Carchio thanked all involved in the Senior Saturday event held at Pier Plaza on Saturday, September 6, and mentioned attending the Save Our Strays Pancake Breakfast in the Park on Saturday, September 13, and the Procession of Light Program on Sunday, September 7.

Councilmember Green reported attending the Procession of Light Program and the Patriot's Day Ceremony at Pier Plaza on Thursday, September 11.

ADJOURNMENT

Mayor Cook adjourned the regular meeting at 7:37 p.m. to the next regularly scheduled meeting of Monday, October 6, 2008 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