AGENDA

Monday, November 18, 2013

CITY COUNCIL/PUBLIC FINANCING AUTHORITY REGULAR MEETING; SUCCESSOR AGENCY SPECIAL MEETING

CITY OF HUNTINGTON BEACH

No Study Session
5:00 PM - Closed Session
6:00 PM - Regular Meeting
Council Chambers - 2000 Main Street
Huntington Beach, CA 92648
http://www.huntingtonbeachca.gov

FRED A. WILSON
City Manager

JENNIFER MCGRATH
City Attorney

JOAN L. FLYNN
City Clerk

ALISA CUTCHEN
City Treasurer

MAYOR AND CITY COUNCIL

Connie Boardman
Mayor

Matthew M. Harper
Mayor Pro Tem

Jim Katapodis
Councilmember

Joe Carchio
Councilmember

Joe Shaw
Councilmember

Jill Hardy
Councilmember

Dave Sullivan
Councilmember

WEB ACCESS:
Live Broadcast and audio and video archives can be accessed at http://huntingtonbeach.granicus.com

****REMINDER****
As a courtesy to those in attendance, please silence your cell phones and pagers

MEETING ASSISTANCE NOTICE - AMERICANS WITH DISABILITIES ACT

In accordance with the Americans with Disabilities Act the following services are available to members of our community who require special assistance to participate in City Council meetings. If you require special assistance, 48-hour prior notification will enable the city to make reasonable arrangements. To make arrangements for an assisted listening device (ALD) for the hearing impaired, American Sign Language interpreters, a reader during the meeting and/or large print agendas, please contact the City Clerk's Office at (714) 536-5227, or request assistance from the Sergeant-at-Arms at the meeting.

CITY COUNCIL/PUBLIC FINANCING AUTHORITY

The City Council/Public Financing Authority of the City of Huntington Beach will regularly convene in joint session on the first and third Monday of each month for the purpose of considering agenda items. The Huntington Beach Parking Authority and Civic Improvement Corporation are also agencies on which the Council serves as members. On each agenda these agencies may have items scheduled.

CITY COUNCIL AGENDA

The City Council agenda and supporting documentation is made available for public review during normal business hours in the Office of the City Clerk, 2000 Main Street immediately following distribution of the agenda packet to a majority of the City Council. Packet delivery typically takes place on Wednesday afternoons prior to the regularly scheduled meeting on Monday. The agenda packet is posted on the city's website at http://www.huntingtonbeachca.gov/Government/agendas/. Questions on agenda items may be directed to the City Clerk's Office at (714) 536-5227.

AUDIO/VIDEO ACCESS TO CITY COUNCIL MEETINGS

City Council meetings are televised live on cable TV Channel 3, and can be viewed via live or archived web cast at http://www.huntingtonbeachca.gov/Government/agendas/. DVD recordings of meetings are available for public checkout at the Central Library.

SUPPLEMENTAL COMMUNICATION

Staff and members of the public have the opportunity to submit information related to an agenda item following distribution of the agenda packet to the City Council. This information is identified as "Supplemental Communication" and is assembled into a packet by the City Clerk on the day of the City Council meeting. The Brown (Open Meetings) Act requires that copies of Supplemental Communication be made available to the public immediately upon distribution of material to a majority of the City Council. Communication received by any individual at the meeting will be made available to the public in the City Clerk's Office the following morning.

AWARDS AND PRESENTATIONS

Awards, presentations, and proclamations made by the Mayor on behalf of the City of Huntington Beach. The Public Information Office will coordinate the arrangements with the Mayor and submit the list of presentations through the City Manager's Office.

PUBLIC COMMENTS

This is the time of the meeting for the City Council to receive comments from the public regarding items of interest or agenda items not scheduled for Public Hearing. Pursuant to the Brown (Open Meeting) Act, the City Council may not enter into discussion regarding items not on the City Council agenda. Members of the public who wish to speak to a member of the Council on an item not on the agenda may consider setting up an individual appointment by contacting the Council's Administrative Assistant at 714-536-5553. The City Council strives to treat members of the public with respect. Comments or concerns provided by the public shall be done in a civil and respectful manner.

To participate in Public Comments, **pink** *Request to Speak* forms are available at the Chambers entrance and are collected by the Sergeant at Arms (the Police Officer located near the speakers' podium). Each speaker is allowed 3 minutes, and time may not be donated to another speaker.

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

This is the opportunity for Councilmembers to make announcements regarding Council committees, appointments or liaison reports and all individuals as appropriate to disclose any conferences, training, seminars, etc. attended at the Agency's expense, per Government Code §53232.3(d).

Lists of the conferences, training, seminars, and other activities generally attended by the City Council, City Manager, City Attorney, City Clerk, and City Treasurer are included as appendices to the City Budget. The budget is available on the city's website at http://www.huntingtonbeachca.gov/Government/budget_information/. Exceptions to these lists have been submitted as a report to the City Clerk for inclusion in the record of this meeting.

PUBLIC HEARING

Public Hearings allow citizens the opportunity to speak in favor or against specific items brought to Council by staff. Staff may provide a presentation. The Mayor will open the Public Hearing to receive public comments on that specific item. Upon hearing all public comments, the Mayor will close or continue the Public Hearing. Council may then decide to engage in discussion and/or take action on the item.

To participate in a Public Hearing, **green** *Request to Speak* forms are available at the Chambers entrance and are collected by the Sergeant at Arms (the Police Officer located near the speakers' podium).

ADMINISTRATIVE HEARING

Administrative Hearings required by Huntington Beach Municipal Code Section 1.18 entitle only affected property owners to speak on a respective item.

To participate in the Administrative Hearing, **blue** *Request to Speak* forms are available at the Chambers entrance and are collected by the Sergeant at Arms (the Police Officer located near the speakers' podium).

CONSENT CALENDAR

Consent Calendar items are considered routine items that do not normally require separate consideration. The City Council/Public Financing Authority usually makes one motion for approval of all the items listed under this section. However, Council may remove an item from the motion for discussion purposes.

ADMINISTRATIVE ITEMS

Administrative Items are considered separately and require separate motions. These actions are normally of a non-routine nature, and frequently require a staff presentation.

ORDINANCES

Ordinances require two readings before the City Council. They are first introduced, and then adopted at a subsequent meeting. Ordinances typically become law thirty (30) days after adoption. However, an emergency ordinance may be adopted upon introduction, and is effective immediately.

COUNCILMEMBER ITEMS

This portion of the agenda is provided for Items of business presented by individual members of the City Council/Public Financing Authority.

AGENDA

Monday, November 18, 2013

CITY COUNCIL/PUBLIC FINANCING AUTHORITY REGULAR MEETING; SUCCESSOR AGENCY SPECIAL MEETING

CITY OF HUNTINGTON BEACH

No Study Session
5:00 PM - Closed Session
6:00 PM - Regular Meeting
Council Chambers - 2000 Main Street
Huntington Beach, CA 92648
http://www.huntingtonbeachca.gov

MAYOR AND CITY COUNCIL

Connie Boardman
Mayor

Matthew M. Harper
Mayor Pro Tem

Jim Katapodis
Councilmember

Joe Carchio
Councilmember

Joe Shaw
Councilmember

Jill Hardy
Councilmember

Dave Sullivan
Councilmember

Based on the lack of a Study Session and time needed to cover the Closed Session items, the meeting will be called to order at 5:00 PM

5:00 PM – Council Chambers – Closed Session
6:00 PM – Council Chambers – Regular Business Meeting

.

CALL TO ORDER

ROLL CALL

Sullivan, Hardy, Harper, Boardman, Carchio, Shaw, Katapodis

ANNOUNCEMENT OF SUPPLEMENTAL COMMUNICATIONS (Received After Agenda Distribution)

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

Mayor Boardman to announce: Pursuant to Government Code §54957.6.a, the Council takes this opportunity to publicly introduce and identify designated labor negotiator Fred Wilson City Manager, who will be participating today in Closed Session discussions regarding labor negotiations with MEA, MEO, MSMA, SCLEA, POA and HBFA

RECESS TO CLOSED SESSION

CLOSED SESSION

1. **Pursuant to Government Code § 54957.6, the City Council shall recess to Closed Session to meet with its designated labor negotiators and Fred Wilson, City Manager regarding the following: MEA, MEO, MSMA, SCLEA, POA, and HBFA.**

2. **Pursuant to Government Code § 54957, the City Council shall recess to Closed Session to discuss the following personnel matter: City Manager's Evaluation.**

3. **Pursuant to Government Code § 54956.9(d)(1), the City Council shall recess into Closed Session to confer with the City Attorney regarding the following lawsuits [and potential lawsuits]: Merrie Sager v. City of Huntington Beach, Orange County Superior Court Case No. 30-2011-00498362. In this case, Plaintiff is a former Library employee who claims discrimination, failure to accommodate her disabilities of deafness and cerebral palsy, and retaliation.**

6:00 PM – COUNCIL CHAMBERS

RECONVENE CITY COUNCIL/PUBLIC FINANCING AUTHORITY MEETING AND CALL TO ORDER THE SPECIAL MEETING OF THE SUCCESSOR AGENCY TO THE FORMER REDEVELOPMENT AGENCY OF THE CITY OF HUNTINGTON BEACH

CLOSED SESSION REPORT BY CITY ATTORNEY

ROLL CALL

Sullivan, Hardy, Harper, Boardman, Carchio, Shaw, Katapodis

PLEDGE OF ALLEGIANCE - To be led by Cub Scout Pack 280

INVOCATION - To be led by Rev. Sarah Halverson from Fairview Community Church

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

AWARDS AND PRESENTATIONS

Announcement - Mayor Boardman will announce November as National Native American Heritage Month as part of the City's Human Relations Task Force Federal Heritage Month program.

Presentation - Mayor Boardman to present a proclamation for Small Business Saturday to the Huntington Beach Chamber of Commerce and the HB Downtown Business Improvement District.

Presentation - Mayor Boardman to call on Boeing Vice President Alejandro (Alex) Lopez to receive a commendation in honor of Boeing's 50th Anniversary.

Presentation - Mayor Boardman to present a commendation to longtime supporter of Gibbs Butterfly Park, Leslie Gilson.

Presentation - Mayor Boardman to present a commendation to local high school football player Jake Olson for his great accomplishments.

Mayor's Award - Mayor Boardman to present the Mayor's Award to a City staff member of her choice.

ANNOUNCEMENT OF SUPPLEMENTAL COMMUNICATIONS (Received After Agenda Distribution)

PUBLIC COMMENTS (3 Minute Time Limit)

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

CITY MANAGER'S REPORT

CONSENT CALENDAR

1. Approve and adopt minutes of October 21, 2013

Recommended Action:
Approve and adopt the minutes of the City Council/Public Financing Authority Regular Meeting of October 21, 2013, as written and on file in the office of the City Clerk.

2. Receive and file the City of Huntington Beach Strategic Plan Update

Recommended Action:
Receive and file the Six-Month Strategic Objectives

3. Approve the Atlanta Avenue Widening Project Relocation Plan Update

Recommended Action:
Approve the Atlanta Avenue Widening Project Relocation Plan Update.

4. Adopt Resolutions Nos. 2013-64 through 2013-70 requesting authorization by the City and approval from Caltrans for temporary closure of streets for certain special events in 2014

Recommended Action:
A) Adopt Resolution No. 2013-64, "A Resolution of the City Council of the City of Huntington Beach Authorizing the Closing of Main Street and 5th Street to Vehicular Traffic for Certain Special Events;" and,

B) Adopt Resolution No. 2013-65, "A Resolution of the City Council of the City of Huntington Beach Approving the Temporary Closure of 12th Street in Sunset Beach for the Annual Sunset Beach Art Festival;" and,

C) Adopt Resolution No. 2013-66, "A Resolution of the City Council of the City of Huntington Beach Requesting Caltrans Approve the Closing of Pacific Coast Highway and Certain Ingress and Egress for the Surf City USA Marathon Run;" and,

D) Adopt Resolution No. 2013-67, "A Resolution of the City Council of the City of Huntington Beach Approving the Temporary Closure of Portions of Goldenwest Street, Garfield Avenue, Huntington Street, Twin Dolphin Drive, Edwards Street, Ellis Avenue, Talbert Avenue, Seapoint Street, Inlet Drive, Overlook Drive, Summit Drive, Varsity Drive, Main Street, Walnut Avenue, and Central Park Drive for the Surf City USA Marathon Run;" and,

E) Adopt Resolution No. 2013-68, "A Resolution of the City Council of the City of Huntington Beach Requesting Caltrans Approve the Closing of Pacific Coast Highway and Certain Ingress and Egress Within the City of Huntington Beach for the Annual Surf City 10 Run;" and,

F) Adopt Resolution No. 2013-69, "A Resolution of the City Council of the City of Huntington Beach Requesting Caltrans Approve the Closing of Pacific Coast Highway for the Huntington Beach Fourth of July Parade and Fireworks;" and,

G) Adopt Resolution No. 2013-70, "A Resolution of the City Council of the City of Huntington Beach Authorizing Street Closure for the Fourth of July."

5. Adopt Resolution No. 2013-71 certifying that the City has the resources to implement the projects to be included in the 2015 Federal Transportation Improvement Program (FTIP) as required by the Orange County Transportation Authority (OCTA)

Recommended Action:
Adopt Resolution No. 2013-71, "A Resolution of the City Council of the City of Huntington Beach, California Certifying that the City has the Resources to Fund the Projects Submitted for Inclusion in the 2015 Federal Transportation Improvement Program and has the Resources to Fund the Projects in the FFY 2014/15 – 2019/20 Transportation Improvement Program and Affirms its Commitment to Implement all of its Projects Submitted to the Program."

6. Adopt Resolution Nos. 2013-72 and 2013-73 approving the submittal of Grant Applications to the Orange County Transportation Authority (OCTA) under the Comprehensive Transportation Funding Programs (CTFP) for the Adams Ave./Bushard St. Bioswale Project, the Banning Ave. Bioswale Project, and intersection capacity enhancement at Beach Blvd. and Warner Ave.

Recommended Action:
A) Adopt Resolution No. 2013-72, "A Resolution of the City Council of the City of Huntington Beach Approving the Submittal of an Improvement Project to the Orange County Transportation Authority for Funding Under the Comprehensive Transportation Funding Program," Intersection Capacity Enhancement, for the intersection of Beach Boulevard and Warner Avenue; and,

B) Adopt Resolution No. 2013-73, “A Resolution of the City Council of the City of Huntington Beach Authorizing an Application for Funds for the Environmental Cleanup, Tier 2 Grant Program, Under Orange County Local Transportation Ordinance No. 3 for Adams Avenue and Bushard Street Bioswale Project and Banning Avenue Bioswale Project.”

7. Adopt Resolution No. 2013-60 opposing any bills or ballot measures that would weaken the Medical Injury Compensation Reform Act (MICRA), increase health care costs for state and local governments, and limit patient access to health care services
Continued from November 4, 2013 meeting

Recommended Action:
Adopt Resolution No. 2013-60, "A Resolution of the City Council of the City of Huntington Beach Opposing Any Bills or Ballot Measures That Would Weaken the Medical Injury Compensation Reform Act (MICRA), Increase Health Care Costs for State and Local Governments, and Limit Patient Access to Health Care Services."

8. Adopt Resolution No. 2013-63 establishing salary range, CalPERS retirement contribution, and correcting the effective date to December 7, 2013 for the position of Police Chief

Recommended Action:
Adopt Resolution No. 2013-63, “A Resolution of the City Council of the City of Huntington Beach Establishing the Salary Range and Employee-Paid Portion of Cal-PERS Contribution for Police Chief”

9. Adopt Successor Agency Resolution 2013-05 – A Resolution of the Successor Agency to the Redevelopment Agency of the City of Huntington Beach Regarding Rules and Regulations for the Operations of the Successor Agency and taking certain action in connection therewith

Successor Agency Recommended Action:
Adopt Resolution No. 2013-05, “A Resolution of the Successor Agency to the Redevelopment Agency of the City of Huntington Beach Regarding Rules and Regulations for the Operations of the Successor Agency and Taking Certain Action in Connection Therewith.”

10. Approve and authorize execution of an Agreement for Acquisition and Escrow Instructions for the purchase of two encyclopedia parcels (APNs 110-153-04 and 110-164-21) in the vicinity of Goldenwest St. and Ellis Ave.

Recommended Action:
A) Authorize the Mayor and City Clerk to execute the “Agreement for Acquisition and Escrow Instructions;” and,

B) Authorize the City Manager to execute any other related escrow documents.

11. Approve and authorize execution of a License Agreement between the City and VF Outdoor, Inc. for use of the Central Park Sports Complex parking lot for temporary parking for skate park events

Recommended Action:
Approve and authorize the Mayor and City Clerk to execute the "License Agreement Between the City of Huntington Beach and VF Outdoor, Inc. for Use of the Central Park Sports Complex Parking Lot for Temporary Parking for Skate Park Events."

12. Adopt Ordinance No. 4006 approving Zoning Map Amendment No. 05-001 amending the Huntington Beach Zoning and Subdivision Ordinance by changing the Zoning Designation from RM (Residential Medium Density) to CG (Commercial General) on property located on the southeast corner of Warner Avenue and Nichols Street
Approved for Introduction November 4, 2013, Vote: 4-3 (Hardy, Boardman, Shaw - No)

Recommended Action:
Adopt Ordinance No. 4006, "An Ordinance of the City of Huntington Beach Amending the Huntington Beach Zoning and Subdivision Ordinance by Changing the Zoning Designation From RM (Residential Medium Density) to CG (Commercial General) on a +1.1 Gross Acre Portion and to IG (General Industrial) on a +3.3 Gross Acre Portion of Real Property Located on the Southeast Corner of Warner Avenue and Nichols Street (Zoning Map Amendment No. 05-001)."

PUBLIC HEARING

13. Adopt Ordinance Nos. 3993 through 4003 approving the Huntington Beach Building and Safety Codes

Recommended Action:
A) Adopt Ordinance No. 3993, "An Ordinance of the City of Huntington Beach Amending Chapter 17.04 of The Huntington Beach Municipal Code titled The Huntington Beach Building Code;" and,

B) Adopt Ordinance No. 3994, "An Ordinance of the City of Huntington Beach Amending Chapter 17.06 of The Huntington Beach Municipal Code titled Green Building Standards Code;" and,

C) Adopt Ordinance No.3995, "An Ordinance of The City of Huntington Beach Amending Chapter 17.07 of the Huntington Beach Municipal Code titled Residential Code;" and,

D) Adopt Ordinance No. 3996, "An Ordinance of The City of Huntington Beach Amending Huntington Beach Municipal Code Chapter 17.08 titled Housing Code;" and,

E) Adopt Ordinance No. 3997, “An Ordinance of The City of Huntington Beach Amending Huntington Beach Municipal Code Chapter 17.10 Huntington Beach Nuisance Code;” and,

F) Adopt Ordinance No. 3998, “An Ordinance of The City of Huntington Beach Amending Huntington Beach Municipal Code Chapter 17.24 titled Sun Decks--Windscreens Code;” and,

G) Adopt Ordinance No. 3999, “An Ordinance of The City of Huntington Beach Amending Huntington Beach Municipal Code Chapter 17.40 titled Mechanical Code;” and,

H) Adopt Ordinance No. 4000, “An Ordinance of The City of Huntington Beach Amending Huntington Beach Municipal Code Chapter 17.44 titled Plumbing Code;” and,

I) Adopt Ordinance No. 4001, “An Ordinance of The City of Huntington Beach Amending Chapter 17.46 of The Huntington Beach Municipal Code titled Uniform Swimming Pool, Spa and Hot Tub Code;” and,

J) Adopt Ordinance No. 4002, “An Ordinance of The City of Huntington Beach Amending Huntington Beach Municipal Code Chapter 17.48 titled Electrical Code;” and,

K) Adopt Ordinance No. 4003, “An Ordinance of The City of Huntington Beach Amending Chapter 17.60 titled Solar Energy Code.”

ADMINISTRATIVE ITEMS

14. Adopt the 2013 Bicycle Master Plan (BMP) prepared for the City of Huntington Beach

Recommended Action:
Adopt the 2013 Bicycle Master Plan prepared for the City of Huntington Beach which is consistent with implementation actions identified in the General Plan Circulation Element.

ORDINANCES FOR INTRODUCTION

15. Approve for introduction Ordinance No. 4007 establishing Chapter 5.100 of the Huntington Beach Municipal Code relating to expanded Polystyrene (EPS) "Styrofoam" Disposable Food Service Ware

Recommended Action:
Approve for Introduction Ordinance No. 4007, "An Ordinance of the City of Huntington Beach Establishing Chapter 5.100 of the Huntington Beach Municipal Code Relating to Expanded Polystyrene Disposable Food Service Ware."

COUNCILMEMBER COMMENTS (Not Agendized)

ADJOURNMENT OF THE REGULAR MEETING OF THE CITY COUNCIL/PUBLIC FINANCING AUTHORITY AND THE SPECIAL MEETING OF THE SUCCESSOR AGENCY TO THE FORMER REDEVELOPMENT AGENCY OF THE CITY OF HUNTINGTON BEACH

The next regularly scheduled meeting of the Huntington Beach City Council/Public Financing Authority is **Monday, December 02, 2013,** at 6:00 PM in Room B-8, Civic Center, 2000 Main Street, Huntington Beach, California.

INTERNET ACCESS TO CITY COUNCIL/PUBLIC FINANCING AUTHORITY AGENDA AND STAFF REPORT MATERIAL IS LOCATED UNDER THE "GOVERNMENT" TAB AT http://www.huntingtonbeachca.gov

Minutes
City Council/Public Financing Authority Regular Meeting
City of Huntington Beach

Monday, October 21, 2013
4:00 PM – Study Session, Room B-8
6:00 PM – Regular Meeting
Civic Center Council Chambers
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 are on file in the Office of the City Clerk and are archived at www.surfcity-hb.org/government/agendas/

4:00 PM - ROOM B-8

CALL TO ORDER – 4:00 PM

ROLL CALL

Present: Sullivan, Hardy (arrived at 4:10 pm), Harper, Boardman, Carchio, Shaw, Katapodis
Absent: None

ANNOUNCEMENT OF SUPPLEMENTAL COMMUNICATIONS (Received After Agenda Distribution)

Pursuant to the Brown "Open Meetings" Act, City Clerk Joan Flynn announced supplemental communication received by her office following distribution of the Council agenda packet:

PowerPoint communication for Study Session Item No. 2 submitted by the Director of Planning and Building entitled *General Plan Update Advisory Committee Composition*.

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

STUDY SESSION

1. **AES and City Staff reviewed the AES Power Plant rebuild, recently assessed South Coast Air Quality Management District (SCAQMD) fees and potential revenues and reviewed the proposed visual enhancement plan for the project**

Aaron Klemm, Energy Project Manager, and Jane James, Senior Planner, presented a PowerPoint entitled *AES - AQMD Update*, that included the following titled slides: Agenda, AES - Re-licensing, Huntington Beach Project Area, Huntington Beach Energy Project, Visual Resources, Visual Enhancement Plan, Existing Beach View, Existing & New - Scale Comparison, New Plant with Landscape Enhancement, Existing View from Magnolia, Color Treatment Options, Landscape Enhancement & Blue-Tan Color Option, Surf City USA Treatment Options, Landscape & Surf City USA Option, Conception Architectural Treatment Options, Landscape & SurfCity USA Option with Wire Mesh Screen, Design Review Board Comments, Architectural Mesh Example,

and Next Steps.

Steven O'Kane with AES presented slides entitled *Proposed Modernization Project* that depicted visual enhancements.

Councilmember Sullivan and Manager Klemm discussed the process of submitting proposals to the SCAQMD.

Councilmember Carchio and Manager Klemm discussed lighting for the downtown parking garage, street light upgrades, motion lights, dimmers, etc.

Councilmember Shaw, Manager Klemm and Manager Wilson discussed prioritizing the project list, and expressed positive thoughts about the proposed aesthetic improvements.

Mayor Pro Tem Harper expressed positive thoughts about the aesthetic improvements.

Councilmembers Shaw and Katapodis expressed concerns about staff recommending use of an outside architectural firm to explore additional design options.

Councilmember Hardy complimented AES on a proposed design.

Councilmember Sullivan stated support for spending funds on an outside architectural firm.

Mayor Boardman discussed endangered birds in the project area, and discussed noise mitigation with representatives from AES.

2. General Plan Update - Discussion held regarding composition of the General Plan Advisory Committee and Topic Specific Task Forces

Mary Beth Broeren, Planning Manager, provided a PowerPoint presentation entitled *General Plan Update Advisory Committee Composition* that included the following titled slides: General Plan Update Committees, GPAC, Staff Recommendation, Topic Specific Task Force, Additional, and Next Steps.

Discussion ensued about appointments. Councilmember Sullivan asked if various commissions would be selecting their own representatives, and Manager Broeren confirmed.

Mayor Boardman recommended professional biologists/biological resources (Wetlands and Wildlife Care Center, etc.), and Councilmember Shaw recommended representation from the Sanitation District.

RECESS TO CLOSED SESSION – 4:53 PM

Mayor Boardman announced: Pursuant to Government Code §54957.6.a, the Council takes this opportunity to publicly introduce and identify designated labor negotiator Fred Wilson City Manager, who will be participating today in Closed Session discussions regarding labor negotiations with MEA, MEO, MSMA, SCLEA, POA and HBFA.

A motion was made by Carchio, seconded by Sullivan to recess to Closed Session on Item Nos. 2-5. The motion carried with the following roll call vote:

AYES: Sullivan, Hardy, Harper, Boardman, Carchio, Shaw, Katapodis
NOES: None

CLOSED SESSION

3. **Pursuant to Government Code § 54957.6, the City Council recessed to Closed Session to meet with its designated labor negotiator: Fred Wilson, City Manager regarding labor negotiations with MEA, MEO, MSMA, SCLEA, POA and HBFA.**

4. **Pursuant to Government Code Section 54957, the City Council recessed to Closed Session to consider the following public employment matter: Candidate for position of Police Chief.**

5. **Pursuant to Government Code § 54956.9(d)(1), the City Council recessed into Closed Session to confer with the City Attorney regarding the following lawsuit: Donovan Gallatin v. City of Huntington Beach, WCAB Case Nos. ADJ6853491 and ADJ7747973; Claim Nos. COHB-09-0069 and COHB-12-0034.**

6:00 PM – COUNCIL CHAMBERS

RECONVENE CITY COUNCIL/PUBLIC FINANCING AUTHORITY MEETING – 6:01 PM

CLOSED SESSION REPORT BY CITY ATTORNEY - None

ROLL CALL

Present: Sullivan, Hardy, Harper, Boardman, Carchio, Shaw, Katapodis
Absent: None

PLEDGE OF ALLEGIANCE – Led by Mayor Boardman

INVOCATION – The invocation was led by Father Christian Mondor, Sts. Simon and Jude Catholic Church

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

AWARDS AND PRESENTATIONS

Presentation - Mayor Boardman called on Interim Director of Community Services Janeen Laudenback to present commendations to the Huntington Beach Concert Band, Huntington Beach Symphony Orchestra and Huntington Harbor Philharmonic Committee for their continued support of music to the cultural fabric of our community.

Mayor Boardman announced that Janeen Laudenback will soon be appointed Director of Community Services, and asked her to present commendations to the Huntington Beach Concert Band, Huntington Beach Symphony Orchestra and Huntington Harbor Philharmonic Committee for their continued support of music to the cultural fabric of our community.

Presentation - Mayor Boardman made a special presentation on behalf of the City.

Mayor Boardman recognized Steve Bone for his dedication and many years of service to the community and presented him with a commendation and a key to the City.

Mr. Bone expressed his appreciation to Mayor Boardman, Members of Council and the City for their recognition.

Brett Barnes, Chair of the Huntington Beach Marketing and Visitors Bureau, expressed his appreciation to Mr. Bone for his service.

Mayor's Award - Mayor Boardman called on Library Director Stephanie Beverage to present the Mayor's Award to Senior Librarian Kevin Moran.

Library Director Stephanie Beverage presented the Mayor's Award to Senior Librarian Kevin Moran for his service to the Library and the community.

ANNOUNCEMENT OF SUPPLEMENTAL COMMUNICATIONS (Received After Agenda Distribution)

Pursuant to the Brown "Open Meetings" Act, City Clerk Joan Flynn announced supplemental communications that were received by her office following distribution of the Council agenda packet:

She reported receiving one supplemental communication for Item No. 9, which she will announce at the time of the public hearing.

Regarding Item No. 13, she reported receiving fourteen (14) communications regarding restricting the use of Styrofoam in the City: Johanna Rose Hessing, Karina Celeste Santoyo, Aline Edizian, Daniel Knight, Luke Krut, Ryan Murphy, Torie Litman, Marcus DeSilva, Kelci Boynton, Tahlia Nie, Matthew Cole, Coral Rojas, Margaret Audi, and Jacob Tyler.

PUBLIC COMMENTS (3 Minute Time Limit)

(The number (hh:mm:ss) following the speakers' comments indicates their approximate starting time in the archived video located at http://www.surfcity-hb./org/government/agendas/).

Mayor Boardman opened the Public Comments portion of the meeting.

Mike Van Voorhis, President of the Sunset Beach Community Association, reported on a recent Chili Cook-off event and announced a Halloween Party on October 31, 2013 from 6:00 PM to 10:00 PM at the Sunset Beach Community Center hosted by Tony Nobles and invited the public to attend. Additionally, he announced the 64th Annual Firehouse Ball on Friday, November 15, 2013 at Don the Beachcombers from 8:00 PM to midnight. (00:19:14)

Jed Donahue spoke in opposition to Items No. 9 and 13 and urged Council to let the market and public decide in regards to the use of Styrofoam packaging. (00:22:25)

Jennifer Paulin agreed with the previous speaker adding that people are tiring of government regulations. She opposed the ban on plastic bags and encouraged Council to look at things from a visitor's point of view. She commented on transmission of disease from reusable bags and felt that businesses will lose business and encouraged Council to reconsider the matter. (00:25:38)

Tim Hendrix spoke in support of Item No. 13, regarding banning the use of Styrofoam. (00:28:45)

Robert Johnson spoke regarding the City's role in the affordable housing process and opined that it benefits the rich. (00:31:06)

Assemblyman Allan Mansoor invited the public to a Community Coffee on Saturday, October 26, 2013 from 9:30 AM to 11:00 AM at 7101 Yorktown. (00:34:14)

Assemblyman Travis Allen spoke regarding the proposed ban on the use of Styrofoam noting that it will limit consumer choice and increase business costs. He listed negative impacts of the ban and stated that Styrofoam does not cause a litter problem but rather the problem is caused by people improperly disposing of same. He stated that instead of banning the product, the City should educate its residents to properly dispose of Styrofoam by placing it in blue disposal bins for recycling. He urged Council to oppose the banning of Styrofoam in the City. (00:35:32)

Anushka Bhaskar, The Pegasus School, spoke in support of banning the use of Polystyrene in the City. She addressed negative environmental impacts of the material and noted that it has a very low recycling rate. (00:38:20)

Patrick Aimone, The Pegasus School, spoke in support of banning the use of Polystyrene in the City and commented on the benefits of doing so. He reported how chemicals in the material leach into food and cause cancers and commented on how the ban will influence other cities to do the same. He noted that many people are resistant to change but that change needs to happen and urged Council to ban Polystyrene. (00:41:32)

Amanda Miskell, The Pegasus School, spoke in support of banning Polystyrene in the City noting that it would be financially beneficial in that it would significantly decrease the costs of waste management. She reported that environmental policies and practices will result in gains for businesses. (00:44:47)

Jenna Dyer, The Pegasus School, expressed appreciation to Council for placing the matter on the agenda and noted that the cost difference of banning Polystyrene would be insignificant and will benefit the health of the community. She urged Council to consider the environment for this and future generations. (00:48:04)

John Briscoe, Public School Trustee, commented on the City's Youth Programs and in his opinion, the City's abandonment of youth in the City. He addressed removal of fields and the allocation of parks and recreation services to allow youth sports teams to allocate fields across the school districts. He noted that most parks in the City belong to the school district, as well as playing fields. He encouraged residents to act to stop the City from abandoning its youth and youth programs in the City. (00:51:19)

Councilmember Hardy questioned the make-up of the Community Services Board. Director of Community Services Janeen Laudenbach reported that only the make-up of the Board has been changed and that new agreements with the school district will be made. She added that the

Board has six at-large members and that two Council representatives will be added to the Board. (00:54:37)

Keri Askew Bailey, California Grocers Association, asked that Council reject the proposal to modify the current plastic ban ordinance. She noted that the current ordinance provides the maximum environmental gain with the minimum impact possible on businesses and consumers. She added that changing the ordinance now would increase costs to businesses in compliance. She encouraged Council to maintain the ordinance as written and adopted. (00:55:19)

Councilmember Sullivan questioned $.10 per bag and wondered if double-bagging would cost $.20 and Ms. Bailey noted that existing ordinance requires $.10 per bag so that double-bagging would double the price of the bags. (00:57:00)

Bill Hickman, Surfrider Foundation, spoke in opposition to Item No. 14 regarding changes to the plastic bag ordinance, adding that it is a model ordinance and that Council should wait until the ordinance plays out. In addition, he spoke in support of Item No. 13 regarding the proposed ban on Styrofoam and listed facts regarding the negative environmental impacts of same. (00:59:08)

Stephanie Barger, Earth Resource Foundation, thanked the students and teachers of The Pegasus School for their presentations and their efforts in support of the environment. She thanked the City for its efforts and spoke in support of the proposed ban of Styrofoam. She spoke in support of reducing and reusing and creating zero waste. She urged Council to maintain the plastic bag ordinance as it is and listed cities that have successful, similar ordinances. (01:01:32)

Craig Cadwallader, Chair of the Surfrider Foundation, South Bay Chapter, strongly encouraged Council to adopt a Polystyrene ban and spoke of the success of the ban in the City of Manhattan Beach. He asked that Council also consider adding Styrofoam coolers to the ban as well as straws, lids and utensils. (01:04:39)

Christina Chang, Surfrider Foundation, presented information regarding the hazards and negative environmental impacts of Polystyrene and noted the existence of environmentally-friendly alternatives. (01:10:05)

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

Councilmember Sullivan reported attending the October meeting of the Orange County Senior Citizens' Advisory Committee.

Councilmember Carchio reported attending the ACCOC Board of Directors meeting.

As one of the Council liaisons to the Allied Arts Board, Mayor Boardman announced that the Huntington Beach Arts Center is hosting, "Art for Lunch" on Thursday, October 24, 2013 from 11:30 AM to 1:30 PM and encouraged the public to attend.

CITY MANAGER'S REPORT

City Manager Fred Wilson introduced new Assistant City Manager Ken Domer and discussed his background. In addition, he congratulated Janeen Laudenback for her appointment as the new Director of Community Services.

CONSENT CALENDAR

1. Approved and adopted minutes dated October 7, 2013 and October 14, 2013; and, approved correction to minutes dated June 18, 2012

A motion was made by Councilmember Carchio, second by Councilmember Hardy to approve and adopt the City Council/Public Financing Authority Regular and Successor Agency Special Meeting of October 7, 2013, and City Council/Public Financing Authority Special Meeting of October 14, 2013 as written and on file in the office of the City Clerk; and, approve correction to pages 10 and 11 of City Council minutes dated June 18, 2012.

The motion carried with the following roll call vote:

AYES: Sullivan, Hardy, Harper, Boardman, Carchio, Shaw, Katapodis
NOES: None

2. Received and filed the City of Huntington Beach Strategic Plan Update

A motion was made by Councilmember Carchio, second by Councilmember Hardy to receive and file the Six-Month Strategic Objectives.

The motion carried with the following roll call vote:

AYES: Sullivan, Hardy, Harper, Boardman, Carchio, Shaw, Katapodis
NOES: None

3. Approved and authorized execution of a Quitclaim Agreement to transfer ownership of an Orange County Sanitation District (OCSD) Sewer Manhole and Lateral, located on Magnolia Street, between Hamilton Avenue and Pacific Coast Highway (PCH), to the City

A motion was made by Councilmember Carchio, second by Councilmember Hardy to approve and authorize the Mayor and City Clerk to execute the "Quitclaim Sewer Transfer Agreement Between Orange County Sanitation District and the City of Huntington Beach."

The motion carried with the following roll call vote:

AYES: Sullivan, Hardy, Harper, Boardman, Carchio, Shaw, Katapodis
NOES: None

4. Approved the escheatment of $26,908.84 Of Unclaimed Funds to the General Fund Per Government Code Section 50050-50057

A motion was made by Councilmember Carchio, second by Councilmember Hardy to review and approve the transfer of $26,908.84 of unclaimed funds from the City's Unclaimed Funds Liability Account to the City's Miscellaneous Revenue Account #10000100.48550.10025201 in compliance

with Government Code Sections 50050-50057.

The motion carried with the following roll call vote:

AYES: Sullivan, Hardy, Harper, Boardman, Carchio, Shaw, Katapodis
NOES: None

5. Adopted Resolution No. 2013-55 urging the Governing Board of the South Coast Air Quality Management District (SCAQMD) to use funding from Rule 1304.1, Electrical Generating Facility Fee for use of offset exemptions on local SCAQMD projects and directing the City Manager to develop a set of proposed Clean Air Infrastructure Projects

A motion was made by Councilmember Carchio, second by Councilmember Hardy to approve Resolution No. 2013-55, "A Resolution of the City Council of the City of Huntington Beach, Urging the Governing Board of the South Coast Air Quality Management District to Use Funding From Rule 1304.1, Electrical Generating Facility Fee, For Use of Offset Exemptions, on Local Air Quality Projects and Directing the City Manager to Develop a Set of Proposed Clean Air Infrastructure Projects."

The motion carried with the following roll call vote:

AYES: Sullivan, Hardy, Harper, Boardman, Carchio, Shaw, Katapodis
NOES: None

6. Adopted Resolution No. 2013-56 approving Amendments to the City's Classification Plan (Payroll Specialist and Building Manager positions)

A motion was made by Councilmember Carchio, second by Councilmember Hardy to adopt Resolution No. 2013-56, "A Resolution of the City Council of the City of Huntington Beach Amending the City's Classification Plan by Adding the Job Classifications of Payroll Specialist and Building Manager and Establishing the Compensation;" Payroll Specialist at Range 554 and Building Manager at Range 644.

The motion carried with the following roll call vote:

AYES: Sullivan, Hardy, Harper, Boardman, Carchio, Shaw, Katapodis
NOES: None

7. Approved and authorized execution of a five-year License Agreement with Southern California Edison for public parkland located in Edison Community Park

A motion was made by Councilmember Carchio, second by Councilmember Hardy to approve the "License Agreement" with Southern California Edison for the use of 8.16 acres of property commonly known as Edison Community Park; and, authorize the Mayor to execute any and all documents necessary to conclude this transaction.

The motion carried with the following roll call vote:

AYES: Sullivan, Hardy, Harper, Boardman, Carchio, Shaw, Katapodis

NOES: None

8. Approved and authorized execution of an agreement with Southern California Edison, granting an easement on City owned lots occupied by the Warner Avenue Fire Station and the adjacent parking lot due to construction of the Warner Avenue Gravity Sewer and Lift Station C project, CC-1370

A motion was made by Councilmember Carchio, second by Councilmember Hardy to approve and authorize the Mayor and the City Clerk to execute a "Grant of Easement" agreement with Southern California Edison, due to construction of the Warner Avenue Gravity Sewer and Lift Station C located on the City owned lots APN 178-651-30 and APN 178-651-06.

The motion carried with the following roll call vote:

AYES: Sullivan, Hardy, Harper, Boardman, Carchio, Shaw, Katapodis
NOES: None

PUBLIC HEARING

9. Approved Zoning Text Amendment No. 13-001 to prohibit the sale of alcohol for off-site consumption for any use in District 1 of the Downtown Specific Plan by approving for introduction Ordinance No. 4005 (Staff Recommendation)

Associate Planner Jennifer Villasenor presented the report including a description of the proposed amendment, background and applicability of the amendment to new establishments. She noted that existing businesses with off-site sales would be grandfathered in and allowed to continue in effect. She addressed prior Council direction and consideration and actions by the Planning Commission, crime statistics, analysis and recommendations.

Ms. Villasenor confirmed that a Conditional Use Permit (CUP) can be transferred from one business to the next in the same location and as long as the CUP does not expire within the time between when the old business moves and the new business takes over. She added that the new business would be restricted if and when they came forward for a new CUP.

Planning and Building Director Scott Hess explained that CUPs run with the land so that as long as the new business begins operating within six (6) months to a year, it can run the new business with the existing CUP and the conditions of approval cannot be changed.

In respond to Mayor Boardman's inquiry regarding the possibility of capping on-site alcohol sales in District 1, City Attorney Jennifer McGrath reported that it cannot be discussed as this time as proper notices has not been given.

Mayor Boardman opened the public hearing and called for public testimony.

City Clerk Flynn noted a supplemental communication received for this item from Richardson Gray dated October 15, 2013 supporting adoption of Zoning Text Amendment No. 13-001.

Mark Bixby, Planning Commissioner, stated that by prohibiting change you end up locking in the status quo and noted the need to maintain flexibility for improved uses and the need to negate problem uses. He addressed the benefits of implementing the Zoning Text Amendment and

hoped that the Downtown Taskforce would look at what other cities are doing to regulate alcohol and recommend a set of best practices to consider. (01:25:06)

Discussion followed regarding the differences between the two recommendations and Mr. Bixby reported that the Planning Commission would like to review all uses of alcohol in the permitting process.

Mike Heh noted that Downtown Huntington Beach has one of the highest concentrations of ABC licenses in the State of California and noted the high incidences of crime and alcohol-related vehicle accidents in the area. He urged Council to approve the Zoning Text Amendment. (01:26:50)

Richardson Gray referenced his supplemental communication and encouraged Council to approve the Zoning Text Amendment and indicated his preference for a moratorium on all new bars in the Downtown area. He commented on the high number of alcohol-related businesses in the area as well as high crime rates and explained his preference for staff's recommendations versus the Planning Commission's recommendations. (01:31:09)

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

Councilmember Hardy asked regarding the possibility of banning additional off-site sales and having all CUPs for on-site sales go before the Planning Commission.

City Attorney McGrath stated that a hybrid of the two recommendations can be moved but that staff has not analyzed that particular option.

Councilmember Hardy commented on the need to stop off-site sales of alcohol and proposed a hybrid of the two recommended options.

A motion was made by Councilmember Hardy, second by Councilmember Shaw to approve Zoning Text Amendment No. 13-001 to require a Conditional Use Permit from the Planning Commission for all establishments requesting alcohol sales for on-site consumption in District 1 of the Downtown Specific Plan with findings for approval, prohibit the sale of alcohol for off-site consumption for any use in District 1 of the Downtown Specific Plan with findings for approval, and approve for introduction Ordinance No. 4004, "An Ordinance of the City Council of the City of Huntington Beach Amending Specific Plan No. 5 - Downtown Specific Plan (Zoning Text Amendment No. 13-001)". (Vote to follow discussion).

Councilmember Shaw commented on an existing business in the Downtown area. In response to his inquiry regarding the differences and processes between the two recommended options and the motion made by Councilmember Hardy, City Attorney McGrath explained that it is a combination of the two, one with respect to off-site and the other with respect to on-site alcohol sales and consumption.

Associate Planner Jennifer Villasenor graphically illustrated the amended motion per Councilmember Hardy.

Councilmember Shaw stated with the current motion, the City would be keeping a strong statement that it does not want more off-site alcohol sales Downtown while strengthening the CUP process for on-site restaurants.

In response to Mayor Pro Tem Harper's inquiry, Ms. Villasenor affirmed that the action would increase the power of the Planning Commission. She added that a CUP can be applied for in other areas of the City for off-site sales. She stated there would be no impacts from a land-use perspective.

Mayor Pro Tem Harper stated that the proposed amendment has the potential for untended consequences and that he will not support the motion.

Councilmember Carchio confirmed that Council had given direction to staff to establish a Downtown Taskforce, and wondered why the Planning Commission's recommendation was not considered by them. It was noted that the Downtown Taskforce considered the Planning Commission's recommendation, and that there was consensus for a recommendation to Council.

Mayor Boardman reported that Council had provided direction to staff to approve staff recommendations and that the Downtown Taskforce concurred adding that capping on-site sales should also be considered. Although the latter cannot be discussed at this time, she expressed interest in bringing that issue to Council for consideration. She addressed the high incidents of crime in the area compared to others in the City and expressed interest in capping all kinds of sales of alcohol Downtown. She noted the need for diverse businesses in Downtown rather than alcohol-related businesses. Mayor Boardman indicated she will not support the motion currently on the floor because she wants to establish hard caps for the sale and consumption of alcohol.

Discussion followed regarding the process and timeline for consideration of the matter by the Coastal Commission. Ms. Villasenor stated that it would be processed as a minor amendment and could be in effect within three (3) to six (6) months. She noted the possibility of streamlining the process.

Councilmember Hardy encouraged Council to vote for her motion noting that it is the most that can be done at this time.

Councilmember Hardy's original motion failed by the following roll call vote:

AYES:	Hardy, Shaw
NOES:	Sullivan, Harper, Boardman, Carchio, Katapodis

A motion was made by Councilmember Sullivan, second by Councilmember Carchio to move staff's recommendation approving Zoning Text Amendment No. 13-001 to prohibit the sale of alcohol for off-site consumption for any use in District 1 of the Downtown Specific Plan with findings for approval and approve for introduction Ordinance No. 4005, "An Ordinance of the City Council of the City of Huntington Beach Amending Specific Plan No. 5 - Downtown Specific Plan (Zoning Text Amendment No. 13-001)."

After the City Clerk read the Ordinance by title, the motion carried with the following roll call vote:

AYES:	Sullivan, Hardy, Boardman, Carchio, Shaw, Katapodis
NOES:	Harper

ADMINISTRATIVE ITEMS

10. Approved the Worthy Community Park conceptual Master Plan

Interim Director of Community Services Janeen Laudenback presented a report addressing background, prior Council actions, consideration by and recommendations from the Community Safety Committee, location, property boundaries, the conceptual Master Plan, proposed amenities, funding and timeline for construction, phasing of the project and recommendations.

Mayor Pro Tem Harper commented positively on the plan and noted the importance of the area for the City.

Councilmember Sullivan asked whether both of the existing softball fields will be maintained under the plan and Ms. Laudenback reported that there is currently one softball field in use and that the second field is under the school district's jurisdiction and will be where the multi-use practice fields will be located. The high school continues to partner with the City for use of the City's softball fields.

A motion was made by Mayor Pro Tem Harper, second by Councilmember Hardy to approve the Worthy Community Park Master Plan as presented.

The motion carried with the following roll call vote:

AYES:	Sullivan, Hardy, Harper, Boardman, Carchio, Shaw, Katapodis
NOES:	None

ORDINANCES FOR INTRODUCTION

11. Introduced the 2013 Huntington Beach Building and Safety Codes and related Ordinances Nos. 3993 through 4003; and, set Public Hearing date for adoption on November 18, 2013

Building Inspection Manager Mark Carnahan presented details of the report addressing the proposed ordinance recommendations, background, timeline and updates to all Huntington Beach Municipal Codes to reflect the current referenced codes and presented recommendations as stated within the report.

A motion was made by Councilmember Sullivan, second by Councilmember Shaw to after the Ordinance titles are read, approve Introduction of Ordinance No. 3993, “An Ordinance of the City of Huntington Beach amending Chapter 17.04 of the Huntington Beach Municipal Code titled the Huntington Beach Building Code.” Approve Introduction of Ordinance No. 3994, “An Ordinance of the City of Huntington Beach amending Chapter 17.06 of the Huntington Beach Municipal Code titled Green Building Standards Code.” Approve Introduction of Ordinance No. 3995, “An Ordinance of the City of Huntington Beach Amending Chapter 17.07 of the Huntington Beach Municipal Code titled Residential Code.” Approve Introduction of Ordinance No. 3996, “An Ordinance of the City of Huntington Beach amending Huntington Beach Municipal Code Chapter 17.08 titled Housing Code.” Approve Introduction of Ordinance No. 3997, “An Ordinance of the City of Huntington Beach amending Huntington Beach Municipal Code Chapter 17.10 Huntington Beach Nuisance Code.” Approve Introduction of Ordinance No. 3998, “An Ordinance of the City of Huntington Beach amending Huntington Beach Municipal Code Chapter 17.24 titled Sun Decks—Windscreens Code.” Approve Introduction of Ordinance No. 3999, “An Ordinance of the City of Huntington Beach Amending Huntington Beach Municipal Code Chapter 17.40 titled

Mechanical Code." Approve Introduction of Ordinance No. 4000, "An Ordinance of the City of Huntington Beach amending Huntington Beach Municipal Code Chapter 17.44 titled Plumbing Code." Approve Introduction of Ordinance No. 4001, "An Ordinance of The City of Huntington Beach Amending Chapter 17.46 of the Huntington Beach Municipal Code titled Uniform Swimming Pool, Spa and Hot Tub Code." Approve Introduction of Ordinance No. 4002, "An Ordinance of the City of Huntington Beach Amending Huntington Beach Municipal Code Chapter 17.48 titled Electrical Code." Approve Introduction of Ordinance No. 4003, "An Ordinance of the City of Huntington Beach Amending Chapter 17.60 titled Solar Energy Code." Direct that a Public Hearing be set for adoption of Ordinance Nos. 3993 through 4003 on November 18, 2013.

The motion carried with the following roll call vote:

AYES: Sullivan, Hardy, Harper, Boardman, Carchio, Shaw, Katapodis
NOES: None

12. Approved for introduction Ordinance No. 3992 and authorized execution of Amendment No. 1 to the Franchise Agreement between the City and OXY USA, Inc. allowing the addition of an existing six-inch diameter oil pipeline to the franchise

City Manager Wilson noted that the aforementioned is a minor amendment.

A motion was made by Councilmember Carchio, second by Mayor Pro Tem Harper to after the City Clerk reads by title approve for introduction Ordinance 3992, "An Ordinance of the City of Huntington Beach Amending the OXY USA Inc. Franchise to Construct, Operate, and Maintain a Pipeline System for the Transportation of Oil"; and, approve and authorize the Mayor and City Clerk to execute "Amendment No. 1 to the Franchise Agreement between the City of Huntington Beach and OXY USA, Inc."

The motion carried with the following roll call vote:

AYES: Sullivan, Hardy, Harper, Boardman, Carchio, Shaw, Katapodis
NOES: None

COUNCILMEMBER ITEMS

13. Submitted by Mayor Boardman - Directed the City Attorney to develop ordinance restricting the use of Styrofoam packaging by food vendors in the City

Mayor Boardman provided a presentation addressing prior Council actions to restrict Styrofoam in City facilities, existing conditions, and adoption of similar ordinances by surrounding cities, details of the proposed ordinance and recommendations that Council permit direction to staff to develop an ordinance similar to that adopted by the City of San Bruno. She noted that the issue is not only related to pollution, but also to public health. She reported on available alternatives and stated that on average, they are approximately $.01 more per item than Styrofoam.

Councilmember Hardy commented on the Newport Beach ordinance.

Mayor Boardman reported that there are also plastic alternatives that are not Polystyrene.

Councilmember Hardy commented on the chemicals that leak into food when food is heated in Polystyrene containers.

Mayor Pro Tem Harper commented on the progression of regulations and wondered what will be next. He noted that the enthusiasm in support of this ban is less than there was for the banning of plastic bags and commented on challenges with enforcement. He expressed concerns regarding limiting consumer choice and spoke in support of allowing the market to make the determination. He indicated that Council should be looking for ways to enhance the freedoms and choices for the people of the City rather than establishing new laws to restrict them.

Councilmember Carchio commented on services by Rainbow Disposal including recycling of Styrofoam. He spoke in support of continuing public education efforts for consumers to recycle and did not feel there is a problem with Styrofoam but rather with littering. He addressed increased costs of alternative packaging and suggested that further studies are needed.

Councilmember Katapodis expressed concerns with negative impacts to small businesses and to enforcement.

Mayor Boardman noted that she picked a sample ordinance (City of San Bruno) that is wide-reaching. She added that if Council Members are concerned with enforcement relative to lids, straws and utensils, a less-restrictive ordinance could be developed to address use of Styrofoam only.

Councilmember Shaw commented on the containers used in the City of Newport Beach and stated he has not seen any business closing because of the costs of containers. He noted that any good business owner will find the cheapest way to package their product, and stated there are plenty of low-cost alternatives to Styrofoam. He commented positively on students' presentations and noted the need to protect the environment now and for future generations. He added that Huntington Beach should be leading in the zero-waste arena.

Mayor Pro Tem Harper asked regarding the existence of studies regarding decreases in litter because of similar bans and referenced correspondence from the California Restaurant Association asking why they are being singled-out. He felt that the issue is unfair, inappropriate and disregards the ability of free people to make their own choices.

Councilmember Carchio reiterated concerns regarding increased costs of Styrofoam alternatives and noted that the costs will be passed on to consumers. He commented on the increases in Styrofoam recycling and stressed the need to educate the public rather than form additional restrictions. He expressed concerns regarding enforcement as well.

Councilmember Sullivan commented on the requirement for an EIR when the plastic bag ordinance was developed and asked whether one would be required for the subject ordinance. City Attorney McGrath noted that an EIR is not needed and commented on an existing exemption.

Councilmember Sullivan indicated he does not have sufficient information to make a decision but felt that an opportunity to study the matter further would be beneficial and therefore, stated he would support the motion.

Councilmember Shaw noted that the consumer will be the major enforcer of the ordinance.

Mayor Boardman acknowledged the work of Rainbow Disposal and noted that Styrofoam is used for a lot of packaging. The proposed ordinance deals with food containers noting that they are difficult to recycle because they first must be cleaned. She pointed out differences in costs between Styrofoam and alternatives noting that they are out there, at a minimal cost.

Councilmember Katapodis agreed with Councilmember Sullivan and expressed preference for limiting the ordinance to Styrofoam containers.

A motion was made by Mayor Boardman, second by Councilmember Katapodis to direct the City Attorney to develop two (2) ordinances restricting the use of Styrofoam packaging by food vendors in the City of Huntington Beach using 1) the City of San Bruno ordinance as a model; and, 2) a city with an ordinance that is less broad.

The motion carried with the following roll call vote:

AYES: Sullivan, Hardy, Boardman, Shaw, Katapodis
NOES: Harper, Carchio

14. Submitted by Councilmember Carchio – Item failed to direct the City Attorney to draft an ordinance to reduce the paper bag cost from ten (10) cents to five (5) cents on May 1, 2014, and from five (5) cents to free on November 1, 2014

Councilmember Carchio reported receiving many requests regarding the matter and reported that a charge to consumers for paper bags is not acceptable and explained his recommendation as stated in the report.

Councilmember Hardy referenced comments from the California Grocers Association noting that they support the charge as it will help businesses facilitate the transition from using plastic bags to reusable bags.

Mayor Pro Tem Harper expressed concerns with price-fixing and while he supports removal of the mandated price, asking for the price to change would be against his belief that this is the government setting a price for a product.

Councilmember Katapodis wondered if a supplemental EIR would be needed and Mr. Hess reported contacting the consultant who indicated that reducing or eliminating the cost has not been studied and therefore, would need to be explored through an amendment to the EIR.

Councilmember Sullivan stated this is a public health issue since reusable bags are incubators for bacteria. He referenced studies in support of his statement and stated his preference for using paper bags noting that the way to do so is if people do not have to pay for them.

Councilmember Shaw noted that the studies referenced by Councilmember Sullivan were funded by the American Chemical Counsel and stated that Consumer Reports states there is very little contamination from reusable bags and that the simplest solution is to wash them.

Mayor Pro Tem Harper wondered if the proposed is a mandated price, fee or a tax.

City Attorney McGrath noted that it is a fee to change behavior. The fee is retained completely by the grocery store.

Mayor Pro Tem Harper stated he would support the motion if it were to eliminate the fee entirely.

Councilmember Sullivan commented on the validity of the studies.

Councilmember Carchio reported meeting with grocery industry representatives regarding the costs of paper bags and felt that consumers should be given something back since plastic bags have been taken away from them.

A motion was made by Councilmember Carchio to direct the City Attorney to draft an ordinance to eliminate the paper bag price of ten (10) cents by November 1, 2014.

The motion failed for lack of a second.

Brief discussion followed regarding the need for an EIR for the plastic ban ordinance and the need for an amendment to the EIR if changes are made to the ordinance.

A motion was made by Councilmember Sullivan, second by Mayor Pro Tem Harper to abolish the ten (10) cent paper bag fee as of November 1, 2013, or as soon as possible.

The motion failed with the following roll call vote:

AYES:	Sullivan, Harper, Carchio
NOES:	Hardy, Boardman, Shaw, Katapodis

COUNCILMEMBER COMMENTS (Not Agendized)

Mayor Pro Tem Harper announced an upcoming forum regarding the Affordable Care Act in relation to small businesses on October 30, 2013 from 6:30 PM to 7:30 PM.

Councilmember Katapodis reported attending a ribbon cutting event for Real Time Software and congratulated Lee Dorman, Senior Volunteer of the Year on the OC Counsel on Aging.

Mayor Boardman announced a Farmers' Market in Sunset Beach and Surf City Nights events. She reported recently presenting the Gus Ayer Environmental Award to Debbie Cook.

Councilmember Shaw noted he presented the first award to Gus Ayer's family and commented positively on his efforts.

Mayor Boardman announced that the City received an $89,000 Planning grant on behalf of the Regional Southern California Counsel Association of Governments for the neighborhood electric vehicle project and thanked staff. She thanked Natalie Coach for her corsage.

ADJOURNMENT

There being no other business to come before Council, Mayor Boardman adjourned the meeting at 9:05 PM.

The next regularly scheduled meeting of the Huntington Beach City Council/Public Financing Authority is Monday, November 04, 2013, Room B-8, Civic Center, 2000 Main Street, Huntington

Beach, California.

_____
Clerk and ex-officio Clerk of the City Council of the City of Huntington Beach, and Secretary of the Huntington Beach Public Finance Authority

ATTEST:

_____
City Clerk, Secretary

_____
Mayor-Chair

CITY OF HUNTINGTON BEACH
REQUEST FOR CITY COUNCIL ACTION

MEETING DATE: 11/18/2013

SUBMITTED TO: Honorable Mayor and City Council Members

SUBMITTED BY: Fred A. Wilson, City Manager

PREPARED BY: Fred A. Wilson, City Manager

SUBJECT: Receive and file the City of Huntington Beach Strategic Plan Update

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Statement of Issue: In 2009, the City Council undertook a strategic planning process to develop a consensus on a Mission Statement, Three-Year Goals, and their Priority Strategic Objectives. On August 2, 2013, the City Council met to review and update the Three-Year Goals and their Priority Strategic Objectives. The updated Strategic Objectives Grid is attached.

Financial Impact: None

Recommended Action:
Receive and file the Six-Month Strategic Objectives

Alternative Action(s): Reject the update and direct staff accordingly.

Analysis: At the City Council's direction, a strategic planning process was undertaken to establish consensus on the city's Core Values and Priority Strategic Objectives. On August 2, 2013, the Council met to update the three-year goals and the six month strategic objectives. This process resulted in a statement of the City Council's Mission, Three-Year Goals, Core Values, and Six Month Strategic Objectives.

The Council's mission statement is: "The city of Huntington Beach provides sustainable quality services to maintain and enhance our safe and vibrant community."

The three-year goals have been organized into five categories:

Improve the City's infrastructure

Enhance economic development

Improve long-term financial sustainability

Develop, retain and attract quality staff

Enhance and maintain public safety

Each of these categories includes a list of six-month strategic objectives. Each month, staff provides the attached matrix with updated information on the status of the six-month strategic objectives.

The Strategic Plan is designed to serve as a framework for the City Council and staff in the challenging work of achieving what is important to the community, within the resources available. Implementation requires continual refinement of staff work plans, resource allocation, and staffing priorities. It also requires ongoing deliberations as budget priorities are discussed and as specific projects are brought before the City Council.

The next Strategic Planning Retreat is scheduled for January 31, 2014.

Environmental Status: N/A

Strategic Plan Goal:
Improve long-term financial sustainability

Attachment(s):

1. City of Huntington Beach Six-Month Strategic Objectives Grid, 2 August 2013 through 1 February 2014

CITY OF HUNTINGTON BEACH

SIX-MONTH STRATEGIC OBJECTIVES

2 August 2013 through 1 February 2014

THREE-YEAR GOAL: ***IMPROVE THE CITY'S INFRASTRUCTURE***						
WHEN	**WHO**	**WHAT**	**STATUS**			**COMMENTS**
			DONE	ON TARGET	REVISED	
1. At the Aug. 19, 2012 City Council meeting	Council members Jill Hardy and Joe Carchio	Recommend to the Council for action the creation of an ad hoc City Council committee for Bartlett Park to address the development of the park.	X			As submitted by Council Members Hardy and Carchio at the August 19 Council meeting, the first official meeting will be at the October 9th Community Services Commission meeting, with quarterly Commission staff reports scheduled thereafter.
2. Nov. 1, 2013	Public Works Dir.	Present to the City Council for consideration a Bicycle Master Plan.			X	The Draft Bicycle Master Plan presented to City Council on August 19, 2013 during a Study Session. Recommendation for adoption of the Master Plan is scheduled for November 18th City Council Meeting.
3. Nov. 1, 2013	Community Services Dir.	Present to the Community Services Commission a Bartlett Park Status Report.	X			Staff presented a progress report on Bartlett Park at the October 9th Community Services Commission Meeting.
4. Nov. 15, 2013	Planning and Building Dir. and Public Works Dir	Present to the City Council for action a contract and work program, with costs, for a comprehensive General Plan Update, which includes a Climate Action Plan, to comply with state law.	X			Contract approved by CC – completed.
5. Nov. 15, 2013	Public Works Director	Develop and present to the City Manager for review a work plan for a City Facilities Needs Assessment to address maintenance needs.			X	Work plan to be finalized and submitted to the City Manager by December 16th.

6. Dec. 1, 2013	I.S. Director	Provide a report to the City Council on the PCs and laptops that have been replaced since the end of 2012 and a timeline and the cost for the replacement of the remaining outdated PCs and laptops.		X		
7. At the Dec. 16, 2013 City Council study session	Public Works Dir. – lead, Finance Dir., Community Service Dir.	Report to the City Council on the senior center design, updated cost estimates, and financing plan.		X		
8. Feb. 1, 2014	Finance Dir. – lead, I.S. Dir., Public Works Dir.	Report to the City Council on the status of the cashiering system (i.e., cash handling) implementation as the first phase of the Conservation Water Rate Implementation Plan.		X		

THREE-YEAR GOAL: ***ENHANCE ECONOMIC DEVELOPMENT***						
WHEN	**WHO**	**WHAT**	**STATUS**			**COMMENTS**
			DONE	ON TARGET	REVISED	
1. Oct. 15, 2013	Planning and Building Director	Complete all zoning entitlements and issue building permits for the commercial/retail component of the Pacific City property.		X		CC approved zoning entitlements on Sept. 16, 2013; working with applicant re: issuing building permits for parking structure.
2. Jan. 15, 2014, at a City Council study session	City Manager	Update and present to the City Council for action the 10 Point Business Plan, including criteria for economic incentives to attract new businesses and retain existing businesses		X		A proposal regarding economic incentives was discussed at the 9/30 EDC meeting. The Ten Point Business Plan's first quarter status was provided to the EDC. A memo to City Council will be sent out
3. Feb. 1, 2014	Planning and Building Director	Complete processing of the zoning entitlements and issue building permits for the construction of the Edinger Hotel.		X		Continue working with applicant regarding zoning entitlements.
4. Feb. 1, 2014	City Manager	Complete the new Economic Development Strategic Plan and present to the City Council for action.		X		Kick-Off Meeting to be held 10/16 – meetings with stakeholders will be scheduled next.

THREE-YEAR GOAL: ***IMPROVE LONG-TERM FINANCIAL SUSTAINABILITY***						
WHEN	**WHO**	**WHAT**	**STATUS**			**COMMENTS**
			DONE	ON TARGET	REVISED	
1. As the MOUs expire	City Manager and HR Dir., working with an outside labor negotiator	Negotiate contracts with a goal of full employee pickup of the employee share of CalPERS costs.		X		Discussions ongoing with Associations
2. At the Aug. 19, 2013 City Council meeting	Finance Director	Review the Financial Reserve Policy and recommend changes, if needed, to the City Council for action.	X			The Long Term Financial Plan, along with the proposed revisions to the Financial Reserves Policy, was presented to Council at the 8-19-2013 Study Session.
3. At the Aug. 19, 2013 City Council meeting	Finance Director	Update and present to the City Council for action a Five-Year Financial Plan.	X			The Five –Year Financial Plan was presented to Council at the 8-19-2013 Study Session.
4. Oct. 1, 2013	City Manager and Finance Dir.	Implement the plans in the proposed FY 2013-2014 budget to potentially eliminate the unfunded liabilities for the Retiree Medical and the Retiree Supplemental in ten years.	X			On September 3,2013, the City Council adopted the FY 2013-14 Proposed Budget including the "25 to 10" and "16 to 10" Retiree Plans.
5. Feb. 1, 2014	City Manager and HR Dir., working with the City Council	Continue negotiations toward the City Council's parameters regarding employee bargaining groups' contract negotiations, including a review of the goal of eliminating the retiree medical subsidy for all new employees.		X		
6. Feb. 1, 2014 and annually thereafter	City Manager and Finance Dir.	Propose to the City Council for action the implementation of the "One Equals Five" Plan to expedite the payment of the city's unfunded CalPERS liability so that each $1 million deposited saves the taxpayer $5 million over 30 years.		X		
7. FUTURE OBJECTIVE Aug. 1, 2014	Finance Dir. – lead, City Manager, HR Director	Enhance the budget development process to include program narratives that describe departmental priorities to assist in decision making on staffing.		X		

THREE-YEAR GOAL: ***DEVELOP, RETAIN AND ATTRACT QUALITY STAFF***						
WHEN	**WHO**	**WHAT**	**STATUS**			**COMMENTS**
			DONE	ON TARGET	REVISED	
1. ~~Nov. 1, 2013~~ Dec. 15, 2013	Council member Jill Hardy-lead, Mayor Connie Boardman, Mayor Pro Tem Matt Harper, City Clerk	Create City Council decorum protocols and bring recommendations to the City Council for consideration.			X	Mayor and Council reviewing draft and providing feedback. It is anticipated the final version will be complete by mid December.
2. Nov. 15, 2013	City Clerk, working with Employee Team Power	Conduct one low- or no-cost morale-building activity for staff.	X			Employee lunchtime luau potluck was held on 9/18/13 and Halloween Pancake Breakfast was held on 10/31/13.
3. ~~Dec. 15, 2013~~ Feb. 1, 2014	HR Director and City Clerk	~~Conduct a department head and management team building activity~~. Plan a team building activity/event to include department heads and management employees to be held after the close of negotiations.			X	Met with City Manager and Assistant City Manager to revise time frame to after negotiations are complete. Planning is being conducted on this item during the six month time frame, but the actual team building activity will take place after the February 1st strategic plan deadline.
4. Dec. 15, 2013	HR Director, working with the Employee Team Power	Host one Employee Service Award activity involving staff and the City Council.		X		
5. By Feb. 1, 2014, at a City Council study session	HR Dir. and the Asst. to the City Manager	Study the impact on department service delivery of positions lost from the table of organization and make recommendations to the City Council for consideration.		X		

THREE-YEAR GOAL: ***ENHANCE AND MAINTAIN PUBLIC SAFETY***						
WHEN	**WHO**	**WHAT**	**STATUS**			**COMMENTS**
			DONE	ON TARGET	REVISED	
1. At the Aug. 19, 2013 City Council meeting	City Manager, working with the Police Chief and Finance Dir.	Identify and present to the City Council funding to fill three (3) additional police officer positions for a total of five (5) in FY 2013-2014.	X			Complete.
2. Sept. 15, 2013	Fire Chief	Submit to the City Manager the Fire Dept.'s evaluation of the potential to regain the Fire Department's Insurance Services Office's Class I rating.	X			Summary completed and submitted to City Manager on August 6, 2013 with recommendation to pursue the review with ISO. ISO review in progress.
3. At the Sept. 16, 2013 City Council meeting	Fire Chief and Marine Safety Chief	Upon approval of a service delivery option by the City Manager, will present to the City Council for action the transition of lifeguard services at Sunset Beach.	X			Recommendations for service delivery being presented to the City Council on September 16, 2013. City Council approved staff recommendation
4. Oct. 1, 2013	Fire Chief and Community Services Dir., working with key Fire Dept. and Marine Safety staff	Complete the transition of Marine Safety into the Fire Department.	X			Transition team continues to meet and work on critical issues needing to be addressed. This objective remains on target for transition date of October 1st. Transition completed on October 1, 2013
5. Oct. 1, 2013	City Manager, working with the Police Chief and Finance Dir.	Identify funding and resources to accelerate the hiring process to fill the vacant, funded police officer positions in the Police Dept. and report the results to the City Council.		X		
6. Dec. 15, 2013	Fire Chief	Present to the City Manager the results of the pilot study on the use of an automated vehicle location (AVL) system to deploy ambulances.		X		Pilot study targeted to begin in early November 2013 once programming is completed by CAD vendor
7. Feb. 1, 2014	City Attorney – lead, Police Chief, Fire Chief	Prepare and present to the City Council for information and action a plan to effectively address illegal fireworks and the misuse of state-approved fireworks.		X		

CITY OF HUNTINGTON BEACH
REQUEST FOR CITY COUNCIL ACTION

MEETING DATE: 11/18/2013

SUBMITTED TO: Honorable Mayor and City Council Members

SUBMITTED BY: Fred A. Wilson, City Manager

PREPARED BY: Ken Domer, Assistant City Manager
Travis K. Hopkins, PE, Public Works Director

SUBJECT: Approve the Atlanta Avenue Widening Project Relocation Plan Update

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Statement of Issue: The City Council is requested to approve the Atlanta Avenue Widening Project Relocation Plan Update. In December 2011, the City Council approved the original Atlanta Avenue Widening Project Relocation Plan. However, due to litigation regarding the project, the City was unable to implement the Plan. The litigation is now concluded. State Law requires the relocation plan to be updated in the event of a delay of more than one year in the implementation of the relocation program.

Financial Impact: The estimated cost for relocation-related payments is $420,000. Funds for this project have been budgeted and are available from the Master Plan and Arterial Highway Grant Fund, Account No. 96585001.82000.

Recommended Action:
Approve the Atlanta Avenue Widening Project Relocation Plan Update.

Alternative Action(s):
Do not approve the Atlanta Avenue Widening Project Relocation Plan Update and direct staff accordingly.

Analysis:
The Atlanta Avenue Widening Project ("Project") will widen the south side of Atlanta Avenue between Huntington Street and Delaware Street to comply with the primary arterial street classification in the General Plan Circulation Element. Street improvements will provide the ultimate width necessary for an additional through lane and bike lane in each direction of travel. In order to construct the Project, the City must acquire a portion of one parcel located at 80 Huntington Street in Huntington Beach, CA that is currently occupied by the Pacific Mobile Home Park ("Park"). This partial land acquisition will directly impact eight mobile homes (Unit Nos. 101, 102, 201, 301, 302, 401, 501, and 502) located at the northern end of the Park along Atlanta Avenue.

On December 19, 2011, City Council approved a Relocation Plan ("Plan") prepared by Overland, Pacific & Cutler, Inc. and Relocation Grievance Procedures to be used in the event that the Project was implemented. The Plan identified the needs and characteristics of the eight mobile home households that would be displaced by the Project and generally described the City's program to provide the displaced with relocation assistance.

State law, however, requires that a relocation plan be updated in the event of a delay of more than one year in the implementation of the relocation program. Consequently, the City contracted with Paragon Partners, Ltd. ("Paragon") to prepare the required Relocation Plan Update ("Plan Update") and to implement the City's relocation program for the Project.

The primary purpose of this Plan Update is to provide the most current information available based on changes that may have occurred in the Park, the Huntington Beach real estate market, and/or the relocation law and guidelines since the original Plan was approved. To this end, Paragon relocation agents and mobile home appraisers have interviewed all of the directly impacted mobile home households to assess their relocation needs in relation to the current availability of replacement housing.

Notable changes that have occurred since the original Plan was approved include the following:

1. The Park has changed ownership.
2. Three of the eight mobile homes that will be directly impacted (Unit Nos. 101, 102, and 301) have changed ownership. The new owners have been provided with the required General Information Notice.
3. One of the mobile homes that will be directly impacted (Unit No. 101) is owned by the Park owner and was vacant as of the date of this Plan Update.
4. The total budget estimated for relocation-related payments increased from $240,000 to $420,000. The increased cost is a function of the improving real estate market and availability of comparable units.

Staff presented the Plan Update to the Mobile Home Advisory Board ("MHAB") on September 23, 2013. Additionally, in conformance with State relocation guidelines, all residents that may be displaced by the Project were provided with a notification letter and a copy of the Draft Plan Update on October 1, 2013. The notification letter indicated that the Draft Plan Update for the Project was available for a 30-day public review and comment period. To date, three public comments were received and have been included along with the City's responses as Exhibit E of the Plan Update.

If the Plan Update is approved by the Council, staff will direct Paragon to proceed with the negotiations to acquire the eight (8) impacted mobile homes and relocate the affected mobile home households in order to implement the Project. Concurrently, Paragon will negotiate with the owner of Pacific Mobile Home Park for the partial land acquisition and the temporary construction easement area.

The previously approved Relocation Grievance Procedures shall remain valid and in effect throughout the relocation process. A copy of these procedures is attached for reference purposes.

Environmental Status: Not required for this action.

Strategic Plan Goal: Improve the City's infrastructure

Attachment(s):
1. Atlanta Avenue Widening Project Final Relocation Plan Update
2. Relocation Grievance Procedures (Approved December 19, 2011)
3. Site Map

Atlanta Avenue Widening Project

Relocation Plan Update

Prepared for:

City of Huntington Beach

2000 Main Street

Huntington Beach, CA 92648

(714) 536-5544

Prepared by:

Paragon Partners, Ltd.

5762 Bolsa Ave., Suite 201

Huntington Beach, CA 92649

(714) 379-3376

September 30, 2013

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LIST OF EXHIBITS (2013 UPDATE)

Exhibit B: General Information Notice
Exhibit C: HUD Income Levels – Orange County
Exhibit D: Residential Informational Brochure
Exhibit E: Public Comments and Responses (to be included in Final Plan Update)

APPENDIX 1: Relocation Plan approved December 19, 2011

EXECUTIVE SUMMARY

The Atlanta Avenue Widening Project ("Project") will widen the south side of Atlanta Avenue between Huntington Street and Delaware Street to comply with the primary arterial street classification in the General Plan Circulation Element. Street improvements will provide the ultimate width necessary for an additional through lane and bike lane in each direction of travel. In addition, the Project will include clearing and grubbing, the construction of asphalt concrete roadway, striping, curb, gutter, sidewalk, an 8-foot tall concrete block wall atop a variable height (7-foot maximum) retaining wall, landscaping, reconstruction of a 24-foot wide on-site circulation road and emergency accesses within the adjacent mobile home park, and utility and fire hydrant adjustment and relocation. In order to construct the Project, the City must acquire a portion of one parcel located at 80 Huntington Street in Huntington Beach, CA that is currently occupied by the Pacific Mobile Home Park ("Park"). This partial land acquisition will directly impact eight mobile homes (Unit Nos. 101, 102, 201, 301, 302, 401, 501, and 502) located at the northern end of the Park along Atlanta Avenue.

On December 19, 2011, the City of Huntington Beach ("City") approved a Relocation Plan ("Plan") prepared by Overland, Pacific & Cutler, Inc. to be used in the event that the Project was implemented. The Plan identified the needs and characteristics of the eight mobile home households that would be displaced by the Project, and generally described the City's program to provide the displacees with relocation assistance.

State law, however, requires that a relocation plan be updated in the event of a delay of more than one year in the implementation of the relocation program. Consequently in May 2013, the City entered into a contract with California Property Specialists, Inc. ("CPSI") to prepare the required Relocation Plan Update ("Plan Update"). Subsequently, CPSI was acquired by Paragon Partners, Ltd. ("Paragon"), to whom the City has assigned responsibility for the preparation of this Plan Update and, ultimately, the implementation of the City's relocation program for the Project.

The primary purpose of this Plan Update is to provide the most current information available based on changes that may have occurred in the Park, the Huntington Beach real estate market, and/or the relocation law and guidelines since the original Plan was approved. To this end, Paragon relocation agents and mobile home appraisers have interviewed all of the directly impacted mobile home households to assess their relocation needs in relation to the current availability of replacement housing.

Notable changes that have occurred since the original Plan was approved include the following:

1. The Park has changed ownership.

2. Three of the eight mobile homes that will be directly impacted (Unit Nos. 101, 102, and 301) have changed ownership, and the new owners have been provided with the required General Information Notice.

3. One of the mobile homes that will be directly impacted (Unit No. 101) is owned by the Park owner and was vacant as of the date of this Plan Update.

In order to address these and other changes, pertinent sections and exhibits of the Plan (see Appendix 1) have been updated as summarized below and described further in this Plan Update:

- Project Description (**SECTION I**) – *No changes*

- Assessment of Relocation Needs (**SECTION II**) – *Updated to reflect the current occupancy and replacement housing needs of the mobile home households that will be directly impacted by the Project.*

- Relocation Resources (**SECTION III**) – *Updated to reflect the current availability and cost of replacement housing resources, including mobile home pad space rent costs.*

- The Relocation Program (**SECTION IV**) – *Updated Relocation Benefits section to reflect the current Schedule of Fixed Moving Payments (Table 4), and eligibility requirements related to the Space Rent Differential Payment.*

- Administrative Provisions (**SECTION V**) – *Updated to reflect the most current projected date of displacement and the estimated relocation budget.*

- General Information Notice (**EXHIBIT B**) – *Notice provided to 2 new mobile home households that have moved into the Park since the original GINs were provided in 2011.*

- HUD Income Levels (**EXHIBIT C**) – *Updated to reflect 2013 income level information in Orange County as published by the U.S. Department of Housing and Urban Development.*

- Residential Informational Brochure (**EXHIBIT D**) – *Updated to include contact information for Paragon relocation staff, as well as the current Schedule of Fixed Moving Payments published by the Department of Transportation.*

It is important to note that, unless otherwise noted in this Plan Update, the information contained within each section of the originally approved Plan remains unchanged. That is to say, the Plan Update contains <u>only the updated information</u> within each section of the original Plan, and is not intended to replace the originally approved Plan in its entirety.

II. ASSESSMENT OF RELOCATION NEEDS (2013 UPDATE)

A. SURVEY METHOD

In August 2013, Paragon staff conducted personal interviews with all of the potentially displaced residents from the seven mobile home households (Unit Nos. 102, 201, 301, 302, 401, 501, and 502) that will be directly impacted by the Project. Although an eighth mobile home (Unit 101) will also be directly impacted by the Project, this mobile home was vacant as of the date of this Plan Update.

B. FIELD SURVEY DATA

1. Current Occupants

There are seven residential households that will be displaced by the Project. As stated above, there is also one vacant unit that will be impacted, which is owned by the Park owner. At the time of the interviews, the households consisted of 13 adults and no children (17 years or younger). The households all currently own and occupy mobile homes within the Park.

2. Replacement Housing Needs

Based upon the most current appraisal reports, the replacement dwellings required for the Project occupants include: one one-bedroom mobile home for sale, five two-bedroom mobile homes for sale, and one three-bedroom mobile home for sale.

3. Income

Information regarding gross household income was provided by all seven households that will be directly impacted by the Project. According to the 2013 income standards for the County of Orange **(Exhibit C)** adjusted for family size as published by the United States Department of Housing and Urban Development (HUD), four households qualify as Very Low Income (31% - 50% of area median income), two households qualify as Lower Income (51% - 80% of area median income), and one household qualifies as median income.

4. Ethnicity/Language

All seven households reported "White" as their ethnicity. All households stated English is their primary language.

5. Senior/Handicapped Households

Due to changes in ownership since the original Plan was prepared, only two households currently have senior members (62 years or older) that will be displaced by the Project.

6. Preferred Relocation Areas

All seven households expressed a preference to remain in the Huntington Beach area, if not within the Park itself, in order to maintain current access to employment, medical facilities, family, and the beach. Four available and comparable mobile home units within the Park have been identified by the resource survey, and are included in the data shown in **Table 3**. While there may be an opportunity for some of the displaced households to remain within the Park, other households may need to be permanently relocated from the Park.

III. RELOCATION RESOURCES (2013 UPDATE)

A. METHODOLOGY

On August 22, 2013, an updated survey of housing resources was conducted to identify available mobile home units for sale in Huntington Beach. The following sources were utilized:

- Classified listings from local newspapers and *For Sale* publications
- Contacts with real estate/property management companies serving the community
- Internet sources, including the MLS (Multiple Listing Service)

B. REPLACEMENT HOUSING AVAILABILITY

1. Mobile Homes for Sale

All mobile homes listed for sale and located in the City of Huntington Beach were surveyed. The results of the updated survey of housing resources are summarized in **Table 3** below.

TABLE 3: Availability and Cost of Replacement Housing For Sale

Bedroom Size	One	Two	Three
# Found (# needed)	5 (1)	14 (5)	4 (1)
List Price Range	$34,500 - $95,000	$43,000 - $129,900	$129,000 - $164,000
Average Price	$64,380	$81,993	$139,475

2. Pad Space Rent

While surveying for mobile homes for sale, pad rents were considered where available. The range of pad rents of available mobile homes for sale was between $800 and $1,800 with an average rent of **$1,213** per month**.**

3. Summary

The updated survey data still indicates that there are adequate numbers of replacement housing units to accommodate the seven mobile home households that will be displaced by the Project.

IV. THE RELOCATION PROGRAM (2013 UPDATE)

The City has retained Paragon to administer the Relocation Program. City staff will monitor the performance of Paragon and be responsible to approve or disapprove Paragon's recommendations concerning eligibility and benefit determinations and interpretations of the City's policy.

B. RELOCATION BENEFITS

1. Residential Moving Expense Payments

b. Fixed Payment (based on Room Count Schedule)

The schedule for fixed moving payments has been updated and is set forth in **Table 4** below**:**

TABLE 4: Schedule of Fixed Moving Payments	
Unfurnished Dwelling	
One room	$685
Two rooms	$880
Three rooms	$1,100
Four rooms	$1,295
Five rooms	$1,570
Six rooms	$1,815
Seven rooms	$2,090
Eight rooms	$2,365
each additional room	$250
Furnished Dwelling	
First Room	$450
Each additional room	$85

3. Space Rent Differential Payment

Given the recent change in ownership of three of the eight mobile homes that will be directly impacted by the Project, it is important to note that an owner occupant must have occupied the space at least 90 days prior to the initiation of negotiations to be eligible for this payment.

V. ADMINISTRATIVE PROVISIONS (2013 UPDATE)

A. NOTICES

In August 2013, Paragon staff provided General Information Notices to the two new households that recently moved into mobile homes within the Park that will be directly impacted by the Project.

F. PROJECTED DATE OF DISPLACEMENT

The City anticipates that Notices to Vacate will be issued no earlier than spring 2014.

G. ESTIMATED RELOCATION COSTS

The total budget estimated for relocation-related payments for this Project, including a 10% contingency, is **$420,000.** This represents an increase in the relocation budget estimated in the originally approved Plan. This increase is primarily due to an escalation in mobile home prices and pad space rents since the original Plan was prepared. The budget is based on the displaced owners selling their current mobile homes and purchasing replacement dwellings.

As in the original Plan, the estimated relocation budget does not include any payments related to land acquisition or the acquisition of the mobile homes. In addition, the budget does not consider the cost of any services necessary to implement the Plan Update and complete the relocation element of the Project.

In the event the proposed Project is implemented, and circumstances arise that should change either the number of residential occupants, or the nature of their activity, the City may need to authorize additional funds. The City Council approved the Capital Improvement Program on September 3, 2013, which appropriated the funding for this Project necessary to meet the City's obligation under the relocation guidelines.

EXHIBIT B
GENERAL INFORMATION NOTICE
(2013 UPDATE)

GENERAL INFORMATION NOTICE

Date

Name
80 Huntington Street, Space xxx
Huntington Beach, CA 92648

Dear (Name):

The **City of Huntington Beach** ("City") may be interested in acquiring a portion of the property you currently occupy at **80 Huntington Street, Space xxx** in the event a street widening project, the "**Atlanta Avenue Widening Project**" (Project), moves forward. If it is necessary for the City to acquire your property in the form of a mobile home coach, and you are displaced, you will be eligible for relocation assistance under the Uniform Relocation Assistance and Real Property Acquisition Policies Act of 1970 (URA), and California Relocation Assistance Law (Sec 7260 et. seq. of the CA Government Code).

IN NO EVENT DOES THIS LETTER SUGGEST AND IT SHOULD NOT BE INTERPRETED IN ANY WAY THAT THIS PROJECT IS GOING FORWARD OR THAT YOU ARE REQUIRED TO RELOCATE AT THIS TIME.

This is <u>not</u> a notice to vacate the premises or a notice of relocation eligibility BUT IS NOTICE THAT THE CITY IS PREPARING A RELOCATION PLAN UPDATE ("PLAN UPDATE") AND AS SUCH, IS PROVIDING NOTICE THAT YOU MAY BE INTERVIEWED.

The City has retained the professional firm of **Paragon Partners Ltd.** (Paragon) to represent and assist the City regarding this project.

In the event the project moves forward, the City is preparing a Plan Update in order to assess and better plan for the relocation needs in the event a household is displaced. In order to prepare this Plan Update, Paragon staff would like to meet with you to assess your individual relocation needs. It is important that the City understands your individual housing needs and situation, to develop a proper Plan Update. Paragon staff will be available to answer your immediate questions regarding any relocation process that may take place. Please call the relocation consultant identified below to make an appointment that is convenient for you.

Georgia Marquis
(714) 379-3376

Again, this notice is preliminary and sent to you as a State and Federal legal requirement. If you pay rent, you should continue to pay your monthly rent. Failure to pay rent and meet your obligations as a tenant may be cause for eviction and loss of relocation assistance. Please contact us before you make any plans to sell or relocate, as such a decision may affect eligibility to receive relocation assistance in the event the project moves forward.

If the project moves forward, and you are eligible for relocation assitance, the City will provide you with additional assistance, including referrals to replacement housing and at least 90 days advance written notice of the date by which you will be required to move. You would also receive a payment for moving expenses and may be eligible for financial asisntance to help you rent or buy a replacement dwelling.

Note that purusuant to Public Law 105-117, aliens not lawfully present in the United States are not eligible for relocation assistance, unless such ineligiblity would result in exceptional hardship to a qualifying spouse, parent, or child. All persons seeking relocation assistance will be required to certify that they are a United States citizen or national, or an alien lawfully present in the United States.

If you have any questions about this or any other relocation issues, please contact me at the address and phone number below.

Sincerely,

Georgia Marquis
Director of Acquisition/Relocation
Paragon Partners, Ltd.
5762 Bolsa Ave., Suite 201
Huntington Beach, CA 92649
(714) 379-3376

_____ Delivered on/by: _____/_____
Received by

X_____ Posted on/by: _____/_____
Recipient's Signature

_____ Mailed/receipt received on: _____/___
Date

EXHIBIT C
HUD INCOME LEVELS – ORANGE COUNTY
(2013 UPDATE)

Area Median Income: $87,200					
Family Size	**Extremely Low**	**Very Low**	**Lower**	**Median**	**Moderate**
1 Person	$20,250	$33,750	$53,950	$61,050	$73,250
2 Person	$23,150	$38,550	$61,650	$69,750	$83,700
3 Person	$26,050	$43,350	$69,350	$78,500	$94,200
4 Person	$28,900	$48,150	$77,050	$87,200	$104,650
5 Person	$31,250	$52,050	$83,250	$94,200	$113,000
6 Person	$33,550	$55,900	$89,400	$101,150	$121,400
7 Person	$35,850	$59,750	$95,550	$108,150	$129,750
8 Person	$38,150	$63,600	$101,750	$115,100	$138,150

Figures are per the U.S. Department of Housing & Urban Development 2013 Income Limits

EXHIBIT D
RESIDENTIAL INFORMATIONAL BROCHURE
(2013 UPDATE)

Relocation Assistance Informational Statement for Families and Individuals – Mobile Homes

(Federal)

Displacing Agency:
City of Huntington Beach

Project Name:
Atlanta Avenue Widening Project

Georgia Marquis
Director of Acquisition/Relocation
Paragon Partners, Ltd.
(714) 379-3376 (phone)
(714) 373-1234 (fax)
e-mail: gmarquis@paragon-partners.com

Informational Statement Content:

1. General Information
2. Assistance in Locating A Replacement Dwelling
3. Moving Benefits
4. Replacement Housing Payment -Tenants And Certain Others
5. Section 8 Tenants
6. Replacement Housing Payment - Homeowners
7. Qualification For and Filing of Relocation Claims
8. Last Resort Housing Assistance
9. Rental Agreement
10. Evictions
11. Appeal Procedures — Grievance
12. Tax Status of Relocation Benefits
13. Legal Presence Requirement
14. Non-Discrimination and Fair Housing
15. Additional Information And Assistance Available

Informational Statement for Families and Individuals

(Federal)

1. GENERAL INFORMATION

The dwelling in which you now live is in a project area to be improved by the City of Huntington Beach (City) using federal funds. If and when the project proceeds, and it is necessary for you to move from your dwelling, you may be eligible for certain benefits. You will be notified in a timely manner as to the date by which you must move. Please read this information, as it will be helpful to you in determining your eligibility and the amount of the relocation benefits you may receive under the federal law. You will need to provide adequate and timely information to determine your relocation benefits. The information is voluntary, but if you don't provide it, you may not receive the benefits or it may take longer to pay you. We suggest you save this informational statement for reference.

The City has retained the professional firm of Paragon Partners Ltd. to provide relocation assistance to you. The firm is available to explain the program and benefits. Their address and telephone number is listed on the cover.

PLEASE DO NOT MOVE PREMATURELY. THIS IS NOT A NOTICE TO VACATE YOUR DWELLING. However, if you desire to move sooner than required, you must contact your representative with Paragon Partners Ltd. So you will not jeopardize any benefits. This is a general informational brochure only, and is not intended to give a detailed description of either the law or regulations pertaining to the Displacing Agency's relocation assistance program.

Please continue to pay your rent to your current landlord, otherwise you may be evicted and jeopardize the relocation benefits to which you may be entitled to receive. Once the City acquires the property, you will also be required to pay rent to the City.

2. ASSISTANCE IN LOCATING A REPLACEMENT DWELLING

The City, through its representatives, will assist you in locating a comparable replacement dwelling by providing referrals to appropriate and available housing units. You are encouraged to actively seek such housing yourself.

When a suitable replacement dwelling unit has been found, your relocation consultant will carry out an inspection and advise you as to whether the dwelling unit meets decent, safe and sanitary housing requirements. A decent, safe and sanitary housing unit provides adequate space for its occupants, proper weatherproofing and sound heating, electrical and plumbing systems. Your new dwelling must pass inspection before relocation assistance payments can be authorized.

3. MOVING BENEFITS

If you must move as a result of displacement by the City, you will receive a payment to assist in moving your personal property. The actual, reasonable and necessary expenses for moving your household belongings may be determined based on the following methods:

- A Fixed Moving Payment based on the number of rooms you occupy (see below); or
- A payment for your Actual Reasonable Moving and Related Expenses based on at least two written estimates and receipted bills or a combination of both, in some cases.

For example, you may choose a Self Move, receiving a payment based on the Fixed Residential Moving Cost Schedule shown below, plus contract with a professional mover.

A. Fixed Moving Payment (Self Move)

A Fixed Moving Payment is based upon the number of rooms you occupy and whether or not you own your own furniture. The payment is based upon a schedule approved by the City, and ranges, for example, from $450 for one furnished room to $2,365 for eight rooms in an unfurnished dwelling. (For details see the table). Your relocation representative will inform you of the amount you are eligible to receive, if you choose this type of payment.

If you select a fixed payment, you will be responsible for arranging for your own move, and the City will assume no liability for any loss or damage of your personal property. A fixed payment also includes utility hook-up, credit check and other related moving fees.

Fixed Moving Schedule California (Effective 2013)	
Occupant owns furniture:	
1 Room	$ 685
2 Rooms	$ 880
3 Rooms	$ 1,100
4 Rooms	$ 1,295
5 Rooms	$ 1,570
6 Rooms	$ 1,815
7 Rooms	$ 2,090
8 Rooms	$ 2,365
Each additional room	$ 250
Occupant does NOT own furniture:	
1 Room	$ 450
Each additional room	$ 85

B. Actual Moving Expense (Commercial Move)

If you wish to engage the services of a licensed commercial mover and have the City pay the bill, you may claim the ACTUAL cost of moving your personal property up to 50 miles. Your relocation representative will inform you of the number of competitive moving bids (if any) which may be required, and assist you in developing a "mover" scope of services for City approval.

4. MOBILEHOME TENANTS AND CERTAIN OTHERS - REPLACEMENT HOUSING PAYMENT

You may be eligible for a payment up to $5,250 to assist in renting or purchasing a comparable replacement dwelling. In order to qualify, you must either be a tenant who has occupied the present dwelling for at least 90 days immediately prior to the initiation of negotiations or an owner who has occupied the present dwelling between 90 and 180 days immediately prior to the initiation of negotiations.

A. Rental Assistance. If you wish to rent your replacement dwelling, your maximum rental assistance benefits will be based upon the difference over a forty-two (42) Month period between the rent you must pay for a comparable replacement dwelling and the lesser of your current rent or thirty percent (30%) of your monthly household income if your total gross income is classified as "low income" by the U. S. Department of Housing and Urban Development's (HUD) Annual Survey of Income Limits for Public Housing and Section 8 Programs. You will be required to provide your relocation representative with monthly rent and household income verification prior to the determination of your eligibility for this payment.

- OR –

B. Down-payment Assistance. If you qualify, and wish to purchase a home as a replacement dwelling, you can apply up to the total amount of your rental assistance payment towards the down-payment and non-recurring incidental expenses. Your relocation representative will clarify procedures necessary to apply for this payment.

5. SECTION 8 TENANTS

When you do move, you may be eligible to transfer your Section 8 eligibility to a replacement site. In such cases, a comparable replacement dwelling will be determined based on your family composition at the time of displacement and the current housing program criteria. This may not be the size of the unit you currently occupy. Your relocation representative will provide counseling and other advisory services along with moving benefits.

6. MOBILEHOME HOMEOWNERS - REPLACEMENT HOUSING & MOVING. PAYMENTS

A. Replacement Housing Option - If you own and occupy a mobile home to be purchased by the City for at least 180 days prior to the initiation of negotiation, you may be eligible to receive a payment of up to $22,500 to assist you in purchasing a comparable replacement unit. This payment is intended to cover the following items:

1. Purchase Price Differential - An amount which, when added to the amount for which the City purchased your mobile home, equals the lesser of the actual cost of your replacement dwelling; or the amount determined by the City as necessary to purchase a comparable replacement dwelling. Your relocation representative will explain both methods to you.
2. Mortgage Interest Differential - The amount which covers the increased interest costs, if any, required to finance a replacement dwelling. Your relocation representative will explain limiting conditions.
3. Incidental Expenses - Those one time incidental costs related to purchasing a replacement unit, such as escrow fees, recording fees, and credit report fees. Recurring expenses such as prepaid taxes and insurance premiums are not compensable.

B. Rental Assistance Option - If you are an owner-occupant and choose to rent rather than purchase a replacement dwelling, you may be eligible for a rental assistance payment of up to the amount that you could have received under the Purchase Price Differential, explained above. The payment will be based on the difference between the fair market rent o f the dwelling you occupy and the rent you must pay for a comparable replacement dwelling.

If you receive a rental assistance payment, as described above, and later decide to purchase a replacement dwelling, you may apply for a payment equal to the amount you would have received if you had initially purchased a comparable replacement dwelling, less the amount you have already received as a rental assistance payment.

C. Space Rent Differential - If you decide to purchase another mobile home or move your mobile home, you may be eligible for additional assistance to cover any increased space rent at the facility to which you relocate. Your maximum rental assistance benefits will be based upon the difference over a forty-two (42) month period between the rent and estimated utilities you must pay for a comparable replacement dwelling (as determined by the City) and the lesser of your current rent and average utilities or thirty percent (30%) of your gross monthly household income (if your household income is classified as "low income" by the U. S. Department of Housing and Urban Development's Annual Survey of Income Limits for the Public Housing and Section 8 Programs).

This space rent differential payment may be used to lease a replacement site; may be applied to the purchase price of a replacement site; or may be applied, with any replacement housing payment attributable to the mobile home, to the purchase of a replacement mobile home or conventional "decent, safe and sanitary" dwelling.

D. Moving Option - If your coach is movable and you elect to have the City move your coach to another park, the City will pay for the following:

1. Preparation of your coach for moving;
2. Transport of your coach to a new site (within 50 miles);
3. Set-up of your coach at the new location (including code required modifications such as earthquake strapping);
4. Reconstruction or reinstallation of all appurtenances such as porches, awnings and/or storage buildings which are not acquired;
5. Payment of all fees for reinstallation;
6. Space Rent Differential, as described above; and
7. Other expenses which the City deems to be reasonable and necessary.

NOTE: The cost of replacing landscaping and hardscape improvements is not covered.

7. QUALIFICATION FOR, AND FILING OF, RELOCATION CLAIMS

To be eligible for a replacement housing payment described above, you must purchase or rent and occupy a decent, safe and sanitary replacement dwelling within 12 months from the later of the following dates:

1) the date the City has paid the Acquisition cost of your current dwelling, or

2) the date the first comparable replacement dwelling referral has been made available to you

You must also file all claims for replacement housing or moving payments within 18 months from the later of the following dates:

1) the date which you moved from your displacement dwelling, or

2) the date the City has paid the Acquisition cost of your current dwelling

Failure to occupy the replacement dwelling or to submit claims within the above time limits could result in loss of moving and/or replacement housing benefits.

8. LAST RESORT HOUSING ASSISTANCE

If comparable replacement dwellings are not available when you are required to move, or if replacement housing is not available within the monetary limits described above, the City will provide Last Resort Housing assistance to enable you to rent or purchase a replacement dwelling on a timely basis. Last Resort Housing assistance is based on the individual circumstances of the displaced person. Your relocation representative will explain the process for determining whether or not you qualify for Last Resort assistance.

If you are a tenant, and you choose to purchase rather than rent a comparable replacement dwelling, the entire amount of your rental assistance and Last Resort eligibility must be applied toward the down-payment and eligible incidental expenses of the home you intend to purchase.

9. RENTAL AGREEMENT

As a result of the City's action to purchase the property where you live, you may become a tenant of the City. If this occurs, you will be asked to sign a rental agreement which will specify the monthly rent to be paid, when rent payments are due, where they are to be paid and other pertinent information.

10. EVICTION

Eviction for cause must conform to applicable State and local law. Any person who occupies the real property and is not in unlawful occupancy on the date of initiation of negotiations, is presumed to be entitled to relocation benefits, unless the City determines that:

- The person received an eviction notice prior to the initiation of negotiations and, as a result, was later evicted; or
- The person is evicted after the initiation of negotiations for serious or repeated violation of material terms of the lease; and
- The eviction was not undertaken for the purpose of evading relocation assistance regulations.

Except for the causes of eviction set forth above, no person lawfully occupying property to be purchased by the City will be required to move without having been provided with at least 90 days written notice from the City.

11. APPEAL PROCEDURES - GRIEVANCE

Any person aggrieved by a determination as to eligibility for, or the amount of, a payment authorized by the City's Relocation Assistance Program may have the appeal application reviewed by the City in accordance with its appeals procedure. Complete details on appeal procedures are available upon request from the City.

12. TAX STATUS OF RELOCATION BENEFITS

California Government Code Section 7269 indicates no relocation payment received shall be considered as income for the purposes of the Personal Income Tax Law, Part 10 (commencing with Section 17001) of Division 2 of the Revenue and Taxation Code, or the Bank and Corporation Tax law, Part 11 (commencing with Section 23001) of Division 2 of the Revenue and Taxation Code. Furthermore, federal regulations (49 CFR Part 24, Section 24.209) also indicate that no payment received under this part (Part 24) shall be considered as income for the purpose of the Internal Revenue Code of 1954, which has been re-designated as the Internal Revenue Code of 1986. The preceding statement is not tendered as legal advice in regard to tax consequences, and displacees should consult with their own tax advisor or legal counsel to determine the current status of such payments.

(IRS Circular 230 disclosure: To ensure compliance with requirements imposed by the IRS, we inform you that any tax advice contained in this communication (including any attachments) was not intended or written to be used, and cannot be used, for the purpose of (i) avoiding tax-related penalties under the Internal Revenue Code or (ii) promoting, marketing or recommending to another party any matters addressed herein).

13. LAWFUL PRESENCE REQUIREMENT

In order to be eligible to receive relocation benefits in federally-funded relocation projects, all members of the household to be displaced must provide information regarding their lawful presence in the United States. Any member of the household who is not lawfully present in the United States or declines to provide this information may be denied relocation benefits, unless such ineligibility would result in an exceptional and extremely unusual hardship to the alien's spouse, parent, or child, any of whom is *a* citizen or an alien admitted for permanent residence. Exceptional and extremely unusual hardship is defined as significant and demonstrable adverse impact on the health or safety, continued existence of the family unit, and any other impact determined by the City to negatively affect the alien's spouse, parent or child. Relocation benefits will be prorated to reflect the number of household members with certified lawful presence in the US.

14. NON-DISCRIMINATION AND FAIR HOUSING

No person shall on the grounds of race, color, national origin or sex, be excluded from participation in, be denied the benefits of, or be subjected to discrimination under the City's relocation assistance program pursuant to Title VI of the Civil Rights Act of 1964, Title VIII of the Civil Rights Act of 1968, and other applicable state and federal anti-discrimination and fair housing laws. You may file a complaint if you believe you have been subjected to discrimination. For details contact the City.

15. ADDITIONAL INFORMATION AND ASSISTANCE AVAILABLE

Those responsible for providing you with relocation assistance hope to assist you in every way possible to minimize the hardships involved in relocating to a new home. Your cooperation will be helpful and greatly appreciated. If you have any questions at any time during the process, please do not hesitate to contact your relocation representative.

EXHIBIT E
PUBLIC COMMENTS AND RESPONSES
(2013 UPDATE)

<u>COMMENT LETTER #1</u>
By Roger Savoie, Jr.
(Received October 12, 2013)

October 12, 2013

To: Mr. Luis Gomez, Real Property Agent, City of HB Economic Development Dept.

Subject: Space 502's comments on Atlanta Avenue Widening Project Relocation Plan Update (Draft)

Dear Mr. Luis Gomez,

In regards to this Updated Plan draft, I would like to point out a discrepancy from Overland Pacific & Cutler's original plan dated 11/21/11 to Paragon Partners' Update draft dated 9/30/13. Under Section III, Part B, Table 3, the 1st Plan lists my home on Space 502 as a 4-Bedroom home while the Updated Plan lists it as only a 3-Bedroom home. The 4-Bedroom home as listed in the original Plan is more correct. I am not currently using my 4th room as a bedroom however it does have an old built in bed plus the remains of an old closet. It was the bedroom of the oldest of the 3 children of the last owners. It should still be counted as a bedroom or at least a Den. The solution to this is to adjust the Table 3 Update draft to match the original Table 3 Plan by replacing the 3 bedroom with the 4 bedroom Size. I am interested in replacing my 4-bedroom home with a 3-bedroom home but I would like the City's purchase offer to be for my correct Bedroom size home which is 4. I don't understand why the size of my home changed, my home is still the same and both Plans even used the same appraisers.

There are a couple of other problems that I have with this Updated Plan draft. Both problems are in the Informational Statement Content. The 1st problem is that the maximum amount ($5,250) in section 4 (Replacement Housing Payment) is not enough to cover 42 months. The Park has changed hands and the new owners are jacking the rents up for new buyers. I estimate my space rent will increase between $200 and $300 per month when I relocate. For 42 months, that comes to between $8,400 and $12,600. That's a whole lot more than the $5,250 that your plan is offering. The solution is to raise the amount in section 4 to a more acceptable amount of rental assistance. The 2nd problem is that the maximum amount ($22,500) in section 6 (Replacement Housing Payment) could easily not be enough. What if when I add what the City purchases my place for and the $22,500 in section 6 together and I do not have enough to actually replace my home with a comparable replacement dwelling? Also, when I consider the fact that the City's Updated Plan draft changed my home from a 4-Bedroom size to a 3-Bedroom size, I have a big problem with understanding exactly what you consider to be my comparable replacement dwelling. By changing my home from a 4-bedroom to a 3-bedroom, you could under compensate me for my place thereby making the maximum amount of section 6 not enough for my comparable replacement dwelling. No solution to section 6 is necessary if I am compensated adequately for my 4-Bedroom home with the city's purchase offer. The City wants to take away the dream home that I bought for my retirement. My unique home has no comparable replacement dwelling but I understand the need for the widening and will work with you if you treat me equitably.

Respectfully,

Roger Savoie Jr., retired civil servant with 34 years of federal service

80 Huntington St. Space 502, Huntington Beach CA 92648

RESPONSE TO COMMENT LETTER #1

City of Huntington Beach

2000 Main Street, Huntington Beach, California 92648-2702

OFFICE OF BUSINESS DEVELOPMENT

Business Development – Housing – Successor Agency - Real Estate

714.536.5582 **www.hbbiz.com** **fax 714.375.5087**

November 7, 2013

Roger Savoie
80 Huntington St., Space #502
Huntington Beach, CA 92648

Re: Pacific Mobile Home Park – Atlanta Avenue Widening Project, Relocation Plan Update, Response to Comment Letter

Dear Mr. Savoie:

Thank you for taking the time to review the draft Relocation Plan Update ("Plan Update") and submitting your written comments. Since you will be directly impacted by the Atlanta Avenue Widening Project, it is important for you to be engaged in the relocation process. We sincerely appreciate your efforts to be proactive as it relates to your relocation. This letter is intended to address the specific concerns included in your comment letter dated October 12, 2013 regarding the draft Plan Update.

In your letter, you pointed out "a discrepancy from the Overland Pacific & Cutler's original plan dated 11/21/11 to Paragon Partners' Update draft dated 9/30/13" in relation to the bedroom count of your home. Paragon Partners determined the bedroom count of your home based on the appraisal reports. Both the original appraisal and the updated appraisal identify your home as having three bedrooms and a den. In order to qualify as a bedroom, a room must have a built-in closet, which your purported fourth bedroom does not (it has the "remains of an old closet"). Hence, the room was designated by the appraiser as a den, which is it's current use. Should you still believe this to be an inaccurate determination, please provide evidence that your fourth room meets the definition of a bedroom.

Currently, your relocation benefit calculation will be based on the price of a comparable mobile home with three bedrooms and a den. If a three-bedroom unit with a den is not available, it may indeed necessitate the use of a four-bedroom unit in the benefit calculation. In any event, all of the rooms you currently have will be factored into your replacement housing payment calculation.

Regarding your comment that the rental assistance limit of $5,250 and the replacement housing limit of $22,500 are inadequate, please refer to the draft Plan Update, Exhibit D, Section 8 entitled, "Last Resort Housing Assistance." This section states that "... *if replacement housing is not available within the monetary limits described above, the City will provide Last Resort Housing assistance to enable you to rent or purchase a replacement dwelling on a timely basis.*" I will also refer you to Section IV E of the originally approved Relocation Plan, again entitled, "Last Resort Housing."

These sections specify that additional funds will be available to displaced persons to ensure that comparable replacement housing is available, even if the actual rental and purchase prices result in calculations that exceed the $5,250 and $22,500 limits, respectively. Of course, these payments must be based on expenses actually incurred (or to be incurred).

If you have any additional questions, please do not hesitate to contact me. You can reach me by phone at (714) 536-5544 or via email at luis.gomez@surfcity-hb.org.

Sincerely,

Luis Gomez
Real Property Agent

<u>COMMENT LETTER #2</u>
By Rod & Cindra Stolk
(Received October 15, 2013)

RESPOSE TO DRAFT RELOCATION PLAN UPDATE
City of Huntington Beach, Atlanta Widening Project
Submitted by Rod & Cindra Stolk, Space 302
Pacific Mobile Home Park
October 15, 2013

City of Huntington Beach
Economic Development
Attn: Luis Gomez

Luis,

After review of the updated draft relocation plan for Atlanta widening, I need to bring to your attention some issues / flaws that are inherent to the plan, and if implemented, would allow the city to drastically reduce the quality of our housing and lives as a result of the pending forced relocation.

Section II, "Assessment of Relocation Needs".

In the original plan, replacement housing is based on the following criteria: *"Replacement housing needs, as expressed in this Plan, are defined by the total number of required replacement units and distribution of those units by bedroom size".* This same premise is the basis in the current updated report. Essentially, this states, we have 8 homes to replace, and they have between 1 and 3 bedrooms, we will replace with a home with the same amount of bedroom space. Of course, we need the same number of rooms we have now, however there is much more than **MUST** be considered for our relocation requirements. We **strongly** disagree with this premise as the sole / primary basis for replacement housing. If this is the primary criteria, it's absolutely flawed, and is extremely unfair.

In our case, the features and amenities of our home, such as location in the City itself, the location in the park, our lot size, and the specific *functional* and *inherent design* features, of our home that are directly related to the quality and functionality of our housing, must be considered in this relocation plan. We were very deliberate and particular about the purchase of our home...we watched the park for several years for a unit to become available for sale that met our needs for our retirement housing. Our residence has an oversized lot, (one of the largest in the park), that provides us very nice yard and patio space. Our home has an addition that is built with traditional construction methods for residential housing with a concrete foundation and wood framing and structure. This addition provides more square footage of living space than the actual mobile home. It has an enclosed garage, it is an end unit, with no other homes on one side which gives an extremely desirable sense of privacy and convenience—it is not exposed to or in the primary traffic pattern of the park, and has park landscape and greenbelt as our

specific view and park border next to our home and yard. In addition, this unit and lot size allows us substantial storage space, and extremely convenient and practical parking, with parking spaces that allows for 2 cars to both come and go independent of each other, (this is a huge "plus" relative to the typical residence parking in the park, that requires cars to be parked one in front of the other, with only a single entrance / exit for both cars), basically, overall much more living space, and substantially higher quality and convenience of everyday living than the vast majority of the homes in the park.

The location and features of our home make our home like a traditional "real" house. It actually compares nicely to most of the "real" homes in the surrounding area, and in many ways, it's superior. Our privacy, parking, floor plan, home features, surrounding density, yard space, serenity, safety, and security can be considered superior to much of the housing outside the park in the surrounding area. This is not an accident, as we made very specific purchase decisions based on these features and amenities, and they do provide for a substantially enhanced living experience for our life style and our family relative to the vast majority of homes in Pacific Mobile Home Park. Our home is indeed unique, and is well recognized in the park as such, and as "the best unit in the park". We will not agree that relocating us in any other home in our park or any other park that simply meets the "bedroom size" or "replacement housing" criteria as defined is acceptable….it is **not**. We should not have to downgrade our living arrangements and lifestyle in order to provide the city our home under these horrible circumstances. We even have received comments from park management referencing that our home should be replaced with a condo or townhome.....

Section III, <u>Relocation Resources</u>

Bottom line summary in this section, --it simply states there are many mobile homes available in Huntington Beach that are for sale, and meet the criteria for relocation, the updated report states: *"there are adequate numbers of replacement housing units to accommodate the seven mobile home households that will be displaced by the Project."* **This is not correct for our circumstances. We are aware of the available units, there are not currently any units that will accommodate our housing needs, or could be considered adequate replacement housing for our home.** Yes, there are mobile homes for sale in the City of Huntington Beach, and yes, there are units available for sale in Pacific Mobile Home Park, HOWEVER according to our knowledge of what is currently available for sale in Pacific Mobile home park, the units are far substandard to our unit from multiple perspectives. In addition, the location and rent discrepancies of the next closest mobile home park to PMHP are not acceptable to us.

It seems fair, and logical, that under the circumstances, the City needs to consider other housing, such as condominiums that are located just adjacent to Pacific Mobile home park, or replacing the units that are for sale in the park with a new unit, that would offer the same quality and functionality of housing we currently have.

It seems so unfair for the City to force us into housing and modified living circumstances and lifestyle that is substandard to what we currently have. This is not the intent or spirit of the laws that are supposed to protect citizens in situations like this.

I respectfully and sincerely request the City modify the relocation plan to include provisions that take into consideration the existing physical and functional aspects of our home as I have noted, as well as provisions that do not allow the City to downgrade our housing, or to accept and allow in this plan, housing that is substandard to what we currently have. If we have a yard, we should get a yard. If we have a garage, we should get a garage, if we have flexible, unique two car parking, we should get that, if we have privacy and security, we should get that. This seems like such common sense, however, the plan in its current form does not consider any of these items, and in our instance, would have a substantial negative impact on us, and would provide us with housing that is definitely inferior, and impractical from multiple perspectives to what we have worked so hard to obtain.

Rod & Cindra Stolk
Pacific Mobile Home Park

RESPONSE TO COMMENT LETTER #2

City of Huntington Beach

2000 Main Street, Huntington Beach, California 92648-2702

OFFICE OF BUSINESS DEVELOPMENT

Business Development – Housing – Successor Agency - Real Estate

714.536.5582 **www.hbbiz.com** **fax 714.375.5087**

November 7, 2013

Rod & Cindra Stolk
80 Huntington St., Space #302
Huntington Beach, CA 92648

Re: Pacific Mobile Home Park – Atlanta Avenue Widening Project, Relocation Plan Update, Response to Comment Letter

Dear Mr. & Mrs. Stolk:

Thank you for taking the time to review the draft Relocation Plan Update ("Plan Update") and submitting your written comments. Since you will be directly impacted by the Atlanta Avenue Widening Project, it is important for you to be engaged in the relocation process. We sincerely appreciate your efforts to be proactive as it relates to your relocation. This letter is intended to address the specific concerns included in your comment letter titled, "Response to Draft Relocation Plan Update," dated October 15, 2013.

Response to Section II "Assessment of Relocation Needs (2013 Update)":

At the time a Relocation Plan is prepared, a market survey is conducted to identify dwellings available on the market for purchase that meet the basic definition of "comparable," which is "functional equivalence." Depending on how long it is between the time a Relocation Plan is prepared and when a project is authorized and moves forward resulting in actual displacements, market conditions and available housing can change. Therefore, at the time a Relocation Plan is prepared, a snapshot of available replacement housing matching the functional equivalence of the displacement dwellings is secured.

In the case of the Atlanta Avenue Widening Project, a project Relocation Plan ("Plan") was approved by City Council on December 19, 2011, as provided in Appendix 1 of the Plan Update. However, due to litigation regarding the project, the City was unable to implement the Plan. As the litigation was not concluded until March 2013, the City prepared the Plan Update to provide the most current information available based on changes that may have occurred in the Park, the

Huntington Beach real estate market, and/or the relocation law and guidelines since the original Plan was approved.

The basis for replacement housing is ***comparable*** replacement housing as defined in Section IV, A.4 on pages 9 and 10 of the Plan at the time of actual displacement. Criteria considered when evaluating comparable housing include the requirements listed in the federal Uniform Relocation Act:

(a) *The unit is decent, safe, and sanitary - electrical, plumbing and heating systems in good repair - no major, observable hazards or defects. The unit is adequate in size and is comparable to the acquired dwelling with respect to number of rooms, habitable living space and type and quality of construction, but not lesser in rooms or living space as necessary to accommodate the displaced person. The unit is functionally equivalent, including principle features.*

(b) *The unit is located in an area not subjected to unreasonable adverse environmental conditions from either natural, or man-made sources, and not generally less desirable with respect to public utilities, transportation, public and commercial facilities, including schools and municipal services and reasonably accessible to the displaced person's place of employment.*

(c) *The unit is available both on the private market and to all persons regardless of race, color, sex, marital status, religion, or national origin.*

Comparable housing does not include consideration of "style of living," which was specifically removed from the definition of comparable housing by the federal agencies. A comparable dwelling also need not possess every feature of the displacement dwelling per the Uniform Relocation Act.

With that being said, at the time of actual displacement, every reasonable effort will be made to identify comparable housing sharing as many attributes as the displacement dwelling as possible. In addition, the appraised value of each of the displacement dwellings will reflect features, if applicable, such as unusually large lots, location to amenities, improvements and upgrades to the dwellings, etc., which should reflect a higher value. The money paid to an owner of a mobile home to acquire their home can be used by the owner to secure replacement housing of the owner's choice, including a conventional dwelling, with further assistance to be offered through relocation benefits.

Response to Section III, "<u>Relocation Resources (2013 Update)</u>":

Please refer to the response above. In addition, assistance will be offered to the mobile home owners by the City's relocation consultant to identify available comparable housing as close to the Project site as possible, which may or may

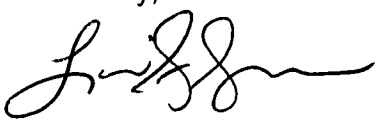
not include units within Pacific Mobile Home Park depending on availability and comparability.

Once a comparable dwelling meeting federal requirements has been identified, and a Replacement Housing Payment entitlement has been calculated based on the most comparable dwelling, a displacee may choose to ultimately move to any dwelling of his/her choice. However, relocation payments will be calculated based on the maximum eligibility established by the comparable dwelling. The desires of individual mobile home owners regarding the location and type of replacement housing will be taken into consideration within the parameters of federal relocation law.

Rent "discrepancies" at an alternate mobile home park, if a comparable unit is identified within that park, will be handled via a rental assistance payment as described in Section IV, B.3 of the Plan Update.

If you have any additional questions, please do not hesitate to contact me. You can reach me by phone at (714) 536-5544 or via email at luis.gomez@surfcity-hb.org. We look forward to working with you to meet your relocation needs.

Sincerely,



Luis Gomez
Real Property Agent

COMMENT LETTER #3
By Jim Rock
(Received October 30, 2013)

Gomez, Luis

From: Brian Rock [briangeraldrock@gmail.com]
Sent: Wednesday, October 30, 2013 3:47 PM
To: Gomez, Luis
Subject: The City of Huntington Beach Relocation Plan for the Residents of Pacific Mobile Home Park, Atlanta Street Widening Project.

Dear Luis,

My name is Jim Rock, and I reside at space #401 at Pacific Mobile Home Park. We have met briefly over the last three years during the Atlanta Street widening project meetings. It is my understanding that this is our last opportunity to state our concerns regarding the relocation plan.

Luis, close your eyes for a moment, if you will, and imagine someone knocking on your front door. As you open it, they inform you that you must vacate your home within 90 days. They are not concerned with where you go; they need you to leave so they can destroy your home.

I have lived in Huntington Beach my entire life. I attended both Village View Grammar School and Marina High School, and I graduated from Golden West College. While attending Golden West College, I played on the state championship water polo team. I also worked as a Huntington Beach lifeguard for 10 years.

I made a decision to buy space #401 in the Pacific Mobile Home Park because of the lifestyle, the community spirit, the proximity to the ocean, and the proximity to downtown. I have lived here for 15 years, in that time I have developed friendships with neighbors that cannot be replaced. I love my city and I love my and I love where I live within my city. My wife, Suzi, battled with cancer. At the end of that battle she died in my arms in this house. After that, I had never planned to move away from this home. I feel the City's relocation plan is woefully inadequate to provide financial and emotional support to myself and the other affected homeowners who are being asked to give up our homes for the good of the public because the plan does not come close to replacing the fact that I will be losing my home; the lifestyle that this location provides; the great friends and neighbors that have taken over a decade to develop and enjoy. I have become depressed, anxious, and fearful for my future as the reality of giving up my home is drawing near. I fear the thought of eventually becoming homeless through the actions of the city. The new owners of the park are very aggressive with rent increases; if I were to purchase another home within the park, then I would be considered a new buyer and face an 80% rent increase. This increase is unfordable, consequently I would not be able to relocate within Pacific Mobile Home Park.

Please do your best to help provide us with adequate support to insure we will still have the chance to own our homes and continue the lifestyle that we have chosen.

Thank you sincerely,

Jim Rock

Space #401 Pacific Mobile Home Park

Huntington Beach Ca

P.S. Luis, Please email me back so that I know you received this correspondence. Thank you.

RESPONSE TO COMMENT LETTER #3

City of Huntington Beach

2000 Main Street, Huntington Beach, California 92648-2702

OFFICE OF BUSINESS DEVELOPMENT

Business Development – Housing – Successor Agency - Real Estate

714.536.5582 **www.hbbiz.com** **fax 714.375.5087**

November 7, 2013

Jim Rock
80 Huntington St., Space #401
Huntington Beach, CA 92648

Re: Pacific Mobile Home Park – Atlanta Avenue Widening Project, Relocation Plan Update, Response to Comment E-mail

Dear Mr. Rock:

Thank you for taking the time to review the draft Relocation Plan Update ("Plan Update") and submitting your written comments. Since you will be directly impacted by the Atlanta Avenue Widening Project ("Project"), it is important for you to be engaged in the relocation process. We sincerely appreciate your efforts to be proactive as it relates to your relocation and regret any inconvenience the process may have caused you. This letter is intended to address the specific concerns included in your e-mail dated October 30, 2013.

The City has contracted with Paragon Partners, Ltd. ("Paragon") to coordinate relocation services for all mobile home owners that will be directly impacted by the Project. Paragon will identify available comparable housing as close to the Project site as possible, which may include units within Pacific Mobile Home Park itself, depending on the specific needs and situation of each of the impacted mobile home households.

Criteria considered when evaluating comparable housing include the requirements listed in the federal Uniform Relocation Act and further described below:

(a) *The unit is decent, safe, and sanitary - electrical, plumbing and heating systems in good repair - no major, observable hazards or defects. The unit is adequate in size and is comparable to the acquired dwelling with respect to number of rooms, habitable living space and type and quality of construction, but not lesser in rooms or living space as*

necessary to accommodate the displaced person. The unit is functionally equivalent, including principle features.

(b) The unit is located in an area not subjected to unreasonable adverse environmental conditions from either natural, or man-made sources, and not generally less desirable with respect to public utilities, transportation, public and commercial facilities, including schools and municipal services and reasonably accessible to the displaced person's place of employment.

(c) The unit is available both on the private market and to all persons regardless of race, color, sex, marital status, religion, or national origin.

Once a comparable dwelling meeting federal requirements has been identified, and a Replacement Housing Payment entitlement has been calculated based on the most comparable dwelling, a displacee may choose to ultimately move to any dwelling of his/her choice. However, relocation payments will be calculated based on the maximum eligibility established by the comparable dwelling. The desires of each impacted mobile home owner regarding the location and type of replacement housing will be taken into consideration within the parameters of federal relocation law.

In general, rent increases for comparable replacement housing will be handled via a rental assistance payment as described in Section IV-B, "Relocation Benefits." However, as these relocation benefits are limited by federal law, Paragon relocation agents will ensure that each affected mobile home owner fully understands his/her options in order to select replacement housing that best fits their unique needs and financial situation.

We look forward to working with you to meet your relocation needs. If you have any additional questions, please do not hesitate to contact me. You can reach me by phone at (714) 536-5544 or via email at luis.gomez@surfcity-hb.org.

Sincerely,

Luis Gomez
Real Property Agent

APPENDIX 1
RELOCATION PLAN APPROVED DECEMBER 19, 2011

Atlanta Avenue Widening Project

RELOCATION PLAN

Prepared for:

City of Huntington Beach
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By:

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November 21, 2011

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EXHIBIT B:	General Information Notice
EXHIBIT C:	HUD Income Levels – Orange County
EXHIBIT D:	Residential Informational Brochure
EXHIBIT E:	Public Comments and Responses

INTRODUCTION

The City of Huntington Beach ("City") is in the process of creating a Relocation Plan to be used in the event a proposed street widening project, the Atlanta Avenue Widening Project ("Project"), is implemented. The proposed Project would widen the south side of Atlanta Avenue between Huntington Street and Delaware Street to comply with the primary arterial street classification in the General Plan Circulation Element.

The proposed street improvements would provide an additional through lane and bike lane in each direction of travel. In addition, the proposed Project includes clearing and grubbing, the construction of asphalt concrete roadway, striping, curb, gutter, sidewalk, an 8-foot tall concrete block wall atop a variable height (7-foot maximum) retaining wall, landscaping, reconstruction of a 26-foot wide on-site circulation road and emergency accesses within the adjacent Pacific Mobile Home Park, and utility and fire hydrant adjustment and relocation.

In the event the proposed Project is implemented, the City would need to acquire a portion of one parcel located at 80 Huntington Street in Huntington Beach, CA that is currently occupied by the Pacific Mobile Home Park. The partial acquisition would impact eight pads and mobile homes located at the northern end of the park along Atlanta Avenue.

Overland, Pacific & Cutler, Inc. ("OPC") has been selected to prepare a Relocation Plan ("Plan"). The Plan has been prepared to evaluate the present circumstances and replacement housing requirements of residents that may potentially be displaced from their current residence. The Plan generally addresses the needs and characteristics of the displacees and the City's program to provide assistance to each of the eight mobile home households that would be directly affected in the event the proposed Project is implemented.

The City anticipates funding for the Project will be provided by Regional Surface Transportation Program (RSTP) grant funds (federal), State Local Partnership Program (SLPP), Measure M2 Turnback (local) and Prop 42 funds (local). As such, this Plan is required to and does conform to the requirements of the federal Uniform Relocation Assistance and Real Property Acquisition Policies Act of 1970 ("URA"), as amended, the California Relocation Assistance Law, Government Code Section 7260, et seq. (Law) and the Relocation Assistance and Real Property Acquisition Guidelines adopted by the Department of Housing and Community Development and Title 25, California Code of Regulations Section 6000, et seq. (Guidelines).

This Plan is organized in five sections:

1. Project description (**SECTION I**);
2. Assessment of the relocation needs of persons subject to displacement (**SECTION II**);
3. Assessment of available, comparable replacement housing units within the City of Huntington Beach (**SECTION III**);
4. Description of the City's Relocation Program (**SECTION IV**); and
5. Description of the City's outreach efforts, Project timeline and budget (**SECTION V**).

I. PROJECT DESCRIPTION

A. REGIONAL LOCATION

The Project is located in the City of Huntington Beach within Orange County. Huntington Beach is located in the western reach of Orange County, approximately 37 miles southeast of downtown Los Angeles, and is immediately accessible from Interstate 405 and the Pacific Coast Highway (Hwy 1). Adjacent communities include Newport Beach, Costa Mesa, Fountain Valley, Westminster and Seal Beach. (*See Figure 1: Regional Project Location*)

Figure 1: ***Regional Project Location***

B. PROJECT SITE LOCATION AND DESCRIPTION

The Project site is located on Atlanta Avenue between Huntington Street and Delaware Street. (*See Figure 2: Project Site Location*)

The total area of the partial acquisition along the Atlanta Avenue frontage of the Pacific Mobile Home Park is approximately 0.37 acres. The proposed acquisition of this area and the subsequent reconstruction of the on-site circulation road would directly affect eight existing mobile homes located within Pacific Mobile Home Park. As of the date of this Plan, all eight units are occupied by permanent residents.

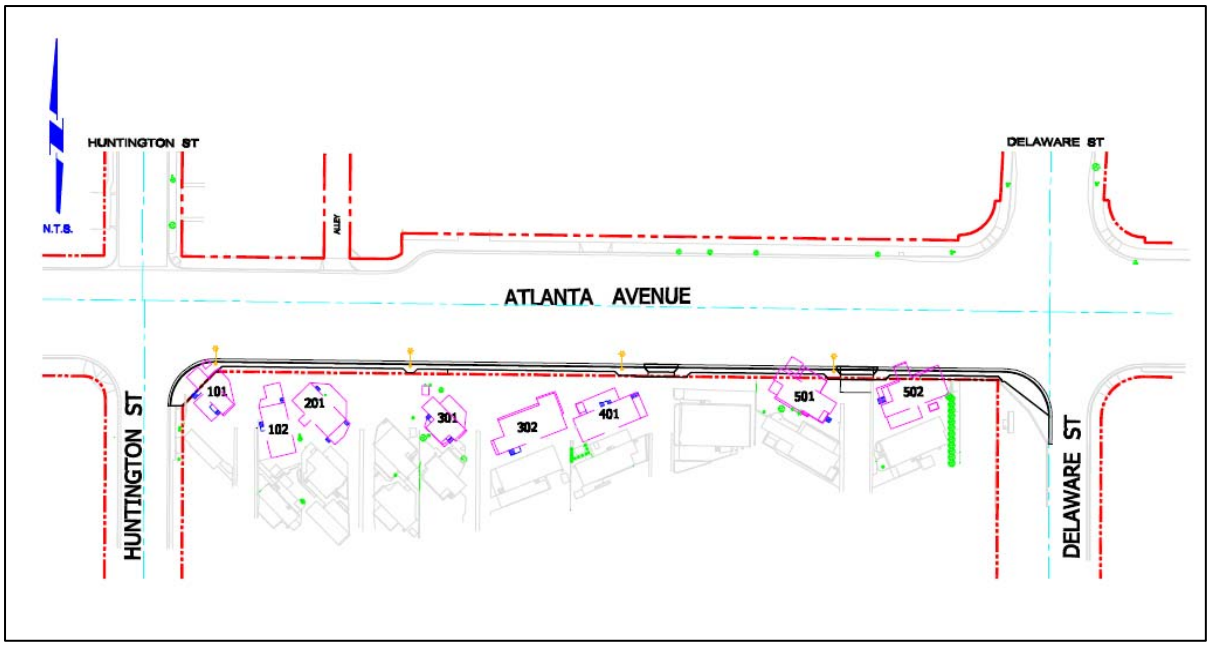

Figure 2: ***Project Site Location***

C. GENERAL DEMOGRAPHIC AND HOUSING CHARACTERISTICS

According to the 2010 U.S. Census, the population of Huntington Beach is 189,992, and the population of the impacted Census Tract 993.07/Block 1005 is 113 (see **Table 1**). Corresponding Census data concerning the housing mix is shown in **Table 2**.

TABLE 1: 2010 Census Population – City of Huntington Beach & Impacted Tract				
Population	Tract 993.07 Block 1005	%	City	%
White	88	77.9%	113,250	59.6%
Black or African American	0	0.0%	1,813	1.0%
American Indian or Alaska Native	0	0.0%	992	0.5%
Asian	5	4.4%	21,070	11.1%
Native Hawaiian or Other Pacific Islander	0	0.0%	635	0.3%
Some Other Race	0	0.0%	11,193	5.9%
Two or More Races	5	4.4%	8628	4.5%
Hispanic or Latino (of Any Race)	15	13.3	32,411	17.1%
Total Population	**113**	**100.0%**	**189,992**	**100.0%**

Source: U.S. Census Bureau, QT-PL. Race, Hispanic or Latino, and Age: 2010

TABLE 2: 2010 Census Housing Units – City of Huntington Beach & Impacted Tract				
Type	Tract 993.07 Block 1005	%	City	%
Owner-Occupied	56	91.8%	44,914	60.5%
Renter-Occupied	5	8.2%	29,371	39.5%
Total Occupied Units	**61**	**100.0%**	**74,285**	**100.0%**
Available for Sale Only (of Total Vacant Units)	3	37.5%	522	14.0%
Available for Rent – Full Time Occupancy (of Total Vacant Units)	0	0.0%	1,694	45.6%
Sold or Rented – Not Occupied	0	0.0%	236	6.4%
Otherwise Not Available (e.g. seasonal, recreational, migratory, occasional use)	5	62.5%	885	23.8%
Other Vacant	0	0.0%	381	10.2%
Vacant Housing Units	**8**	**100.0%**	**3,718**	**100.0%**

Source: U.S. Census Bureau, QT-H1. General Housing Characteristics: 2010

II. ASSESSMENT OF RELOCATION NEEDS

A. SURVEY METHOD

In July and August 2011, OPC staff conducted personal interviews with all of the potentially displaced residents from the eight mobile homes that would be directly impacted in the event the proposed Project is implemented.

As part of the interview process, OPC staff asked questions regarding household size and composition, income, monthly rent, length of occupancy, ethnicity, home language, physical disabilities, legal status in the U.S. and replacement housing preferences. A sample of the residential interview form used in the interview process is presented as **Exhibit A**. Additionally, the General Information Notice provided to all of the potentially displaced residents is included as **Exhibit B** of this Plan.

B. FIELD SURVEY DATA

1. Current Occupants

There are eight residential households that may be displaced in the event the proposed Project is implemented. At the time of the interviews, the households consisted of 14 adults and two children (17 years or younger). The households all currently own and occupy mobile homes within the Pacific Mobile Home Park.

2. Replacement Housing Needs

One of the primary purposes of a Relocation Plan is to demonstrate the availability of comparable, affordable, decent, safe, and sanitary housing prior to the displacement of residential occupants. Replacement housing needs, as expressed in this Plan, are defined by the total number of required replacement units and distribution of those units by bedroom size. The projected number of required units by bedroom size is calculated by comparing survey data for household size with the City's replacement housing occupancy standards. These standards, generally, allow for up to three persons in a one-bedroom unit, five persons in a two-bedroom unit, seven persons in a three-bedroom unit, and nine or more persons in a four-bedroom unit.

In addition, replacement housing needs must be based on current household members. Based on the occupancy standard stated above, the size of the displacement dwellings and the legal members of the households, the replacement dwellings required for the Project occupants include: two one-bedroom mobile homes for sale, five two-bedroom mobile homes for sale, and one four-bedroom mobile home for sale.

3. Income

Information regarding gross household income was provided by six of the eight households that would be directly affected in the event the proposed Project is implemented. According to income standards for the County of Orange (**Exhibit C**) adjusted for family size as published by the United States Department of Housing and Urban Development (HUD), four households

qualify as Very Low Income (31% - 50% of area median income), one household qualifies as Moderate Income (81 - 120% of area median income), and one household qualifies as Above Moderate Income (above 120% of area median income.) Two households refused to provide data on gross household income, although one household stated they are Low Income, and the other household stated they are not Low Income.

4. Ethnicity/Language

Seven of eight households reported "White" as their ethnicity; one household reported their ethnicity as "Mixed" (African American and White). All households stated English is their preferred language.

5. Senior/Handicapped Households

Three households have senior members (62 years or older), and two households reported members with disabilities, although only one household reporting a physical disability will require a first-floor replacement unit as an accommodation for the disability.

6. Preferred Relocation Areas

Seven of the eight households expressed a preference to remain in the Huntington Beach area, if not within the Pacific Mobile Home Park itself, in order to maintain current access to employment, medical facilities, family and the beach. One household will be relocating to northern California for continuing education.

Although options are being explored to create and incorporate additional pad spaces within the existing mobile home park in order to accommodate the potentially displaced occupants of the eight mobile homes that would be directly affected by the proposed Project, these eight households may have to be permanently relocated from Pacific Mobile Home Park.

III. RELOCATION RESOURCES

A. METHODOLOGY

For residential housing, a resource survey was conducted to identify available mobile home units for sale in Huntington Beach. The following sources were utilized:

-- Classified listings from local newspapers and *For Sale* publications
-- Contacts with real estate/property management companies serving the community
-- Internet sources, including the MLS (Multiple Listing Service)

B. REPLACEMENT HOUSING AVAILABILITY

1. Mobile Homes for Sale

All mobile homes listed for sale and located in the City of Huntington Beach were surveyed. Additional one-bedroom mobile homes for sale were identified in surrounding communities when the number of homes for sale in Huntington Beach alone was too few to determine a significant median price. The for-sale housing results are summarized in **Table 3** below.

TABLE 3: Availability and Cost of Replacement Housing For Sale			
Bedroom Size	**One**	**Two**	**Four**
# Found (# needed)	12 (2)	53 (5)	8 (1)
List Price Range	$17,000 - $48,000	$18,900 - $120,000	$49,999 - $147,500
Median Price	$37,500	$51,000	$79,900

The survey data indicate that there are adequate numbers of replacement housing units to accommodate the eight mobile home households that may be displaced in the event the proposed Project is implemented.

2. Pad Space Rent

While surveying for mobile homes for sale, pad rents were considered where available. The range of pad rents of available mobile homes for sale was between $624 and $1,750 with a median rent of **$1,050**. There is often a direct inverse relationship between the pad rent and the asking price of the mobile home – when pad rents are low, the cost of the mobile home is high. When pad rents are high, the cost of the mobile home is low.

3. Summary

Considering the above described availability of for sale replacement housing resources gathered over a two-week period, it appears that there are more than adequate replacement housing resources for any of the residential occupants that would be directly affected in the event the proposed Project is implemented. While adequate replacement housing exists, based on survey results of available pad rents and the displacees' current rents, the displaced occupants may have an increase in monthly rent. Possible increases, if any, will be offset by

the City pursuant to the relocation regulations via a Rental Assistance Payment (discussed in section IV-B.3), including Last Resort Housing (LRH) requirements (see Section IV-E).

C. RELATED ISSUES

1. Concurrent Residential Displacement

There are no current public projects causing residential displacements underway in Huntington Beach which would compete with the Project for needed housing resources. No residential displacee would be required to move without both adequate notice and access to available, affordable, decent, safe, and sanitary housing.

2. Temporary Housing

The City does not anticipate a need for temporary housing of those tenants that may be displaced in the event the proposed Project is implemented.

IV. THE RELOCATION PROGRAM

The City's Relocation Program will apply all regulatory criteria to formulate eligibility and benefit determinations to conform with all applicable requirements. The Relocation Program to be implemented by the City will conform with the standards and provisions of the federal Uniform Relocation Assistance and Real Property Acquisition Policies Act of 1970 ("URA").

The City has retained OPC, a multi-lingual consulting firm, to administer the Relocation Program. City staff will monitor the performance of OPC and be responsible to approve or disapprove OPC's recommendations concerning eligibility and benefit determinations and interpretations of the City's policy.

Eligible individuals, who may be required to permanently move from their existing home, would receive relocation assistance. The Relocation Program will consist of two principal components: advisory assistance and financial assistance (Relocation Benefits).

A. ADVISORY ASSISTANCE

Advisory assistance services are intended to:

- inform displacees about the Relocation Program
- help in the process of finding appropriate replacement accommodations
- facilitate claims processing
- maintain a communication link with the City
- coordinate the involvement of outside service providers

To assure that the City meets its obligations under the law, OPC staff will perform the following functions:

1. Distribute appropriate written information concerning the City's Relocation Program;

2. Inform eligible Project occupants of the nature of, and procedures for, obtaining available relocation assistance and benefits (See **Exhibit D**);

3. Determine the needs of each displacee eligible for assistance;

4. Provide residential displacees with at least one, and preferably three, referrals to comparable replacement housing within a reasonable time prior to displacement. *Generally, a comparable replacement dwelling must satisfy the following criteria:*

   (a) The unit is decent, safe, and sanitary - electrical, plumbing and heating systems in good repair - no major, observable hazards or defects. The unit adequate in size and is comparable to the acquired dwelling with respect to number of rooms, habitable living space and type and quality of

construction, but not lesser in rooms or living space as necessary to accommodate the displaced person. The unit is functionally equivalent, including principle features.

(b) The unit is located in an area not subjected to unreasonable adverse environmental conditions from either natural, or man-made sources, and not generally less desirable with respect to public utilities, transportation, public and commercial facilities, including schools and municipal services and reasonably accessible to the displaced person's place of employment.

(c) The unit is available both on the private market and to all persons regardless of race, color, sex, marital status, religion or, national origin.

5. Maintain an updated database of available housing resources, and distribute referral information to displacees for the duration of the Project;

6. Provide transportation to the residential displacees, if necessary, to inspect replacement sites within the local area;

7. Inspect replacement housing to assure it meets decent, safe, and sanitary standards as described in the URA;

8. Supply information concerning federal and state programs and other governmental programs providing assistance to displaced persons;

9. Make benefit determinations and payments in accordance with applicable law and the City's adopted relocation guidelines;

10. Assist eligible occupants in the preparation and submission of relocation assistance claims;

11. Assure that no occupant would be required to move without a minimum of 90 days written notice to vacate;

12. Inform all persons subject to displacement of the City's policies with regard to eviction and property management;

13. Provide additional reasonable services necessary to successfully relocate occupants;

14. Establish and maintain a formal grievance procedure for use by displaced persons seeking administrative review of the City's decisions with respect to relocation assistance; and

15. Provide assistance that does not result in different or separate treatment based on or due to an individual's sex, marital status, race, color, religion, ancestry, national origin, physical handicap, sexual orientation, and domestic partnership status.

B. RELOCATION BENEFITS

Specific eligibility requirements and benefit plans will be detailed on an individual basis with all displacees. In the course of a personal interview and follow-up visits, each displacee would be counseled as to available options and the consequences of any choice with respect to financial assistance.

Relocation benefits would be provided in accordance with the provisions of the federal guidelines, and City rules, regulations and procedures pertaining thereto. Benefits would be paid to eligible displaced persons upon submission of required claim forms and documentation in accordance with the City's normal administrative procedures. Specifically, federal RSTP and local Prop 42 funds would be used to pay relocation related payments in the event the proposed Project is implemented.

The City would process advance payment requests to mitigate hardships for residents who do not have access to sufficient funds to pay move-in costs such as paying an escrow deposit. Approved requests would be processed expeditiously to help avoid the loss of desirable, appropriate replacement housing.

At this point, the research indicates the mobile home owner-occupants would have four options with respect to relocation arrangements following the City's offer to purchase:

- The owner may decline to sell his/her mobile home and elect to move and set up the unit in a new location, including any existing improvements, providing the total cost of moving the mobile home does not exceed the replacement cost of a comparable unit. It needs to be noted, however, that current zoning and building codes in California practically make it impossible for an older mobile home to be moved and reestablished at another location.

  Benefits would include the cost of moving and setting up the existing mobile home within 50 miles from the Project, and Rental Assistance for space rent, if applicable.

- The owner may elect to sell the mobile home to the City for its appraised value-in-place, and purchase a comparable replacement mobile home in another location;

  Benefits would include Replacement Housing Payment, Residential Moving Expenses, and Rental Assistance for space rent, if applicable.

- The owner may elect to sell the mobile home to the City for its appraised value-in-place and apply their entitlement toward the purchase of another type of residential dwelling, including the amount determined for Rental Assistance for space rent.

  Benefits would include Replacement Housing Payment, Residential Moving Expenses, and Rental Assistance, if applicable.

- The owner may elect to sell the mobile home to the City for its appraised value-in-place and rent an alternate type of residential unit.

Benefits would include Residential Moving Expenses and Rental Assistance, if applicable. The owner would be entitled to utilize up to the total of the replacement housing eligibility in the form of rental assistance. Actual rental assistance eligibility would be determined by subtracting the difference between the economic rent of the mobile home residence from the market rent for an apartment unit of comparable size (e.g., number of bedrooms) multiplied by 42 months.

1. Residential Moving Expense Payments

All residential occupants that may be permanently relocated would be eligible to receive a payment for moving expenses. Moving expense payments would be made based upon the actual cost of a professional move or a fixed payment based on a room-count schedule.

a. Actual Cost (Professional Move)

Displacees may elect to have a licensed professional mover perform the move. The actual cost of the moving services, based on at least two acceptable bids, would be compensated by the City in the form of a direct payment to the moving company upon presentation of an invoice. Transportation costs are limited to a distance of 50 miles in either case. In addition to the actual move, costs associated with utility re-connections (i.e., gas, water, electricity, telephone, and cable, if any), are eligible for reimbursement.

b. Fixed Payment (based on Room Count Schedule)

An occupant may elect to receive a fixed payment for moving expenses which is based on the number of rooms occupied in the displacement dwelling. In this case, the person to be relocated takes full responsibility for the move. The fixed payment would include all utility connections as described in (**a**), above. The current schedule for fixed moving payments is set forth in **Table 4**:

TABLE 4: Schedule of Fixed Moving Payments	
Unfurnished Dwelling	
One room	$625
Two rooms	$800
Three rooms	$1,000
Four rooms	$1,175
Five rooms	$1,425
Six rooms	$1,650
Seven rooms	$1,900
Eight rooms	$2,150
each additional room	$225
Furnished Dwelling	
First Room	$400
Each additional room	$65

A displaced person's actual, reasonable and necessary moving expenses for moving personal property from a mobile home may be determined based on the cost of one, or a combination of the eligible actual moving expenses as described in Section IV-B.1 of this Plan. The owner-occupant of a mobile home that is moved as personal property and used as a person's replacement dwelling, is also eligible for:

(i) the reasonable cost of disassembling, moving, and reassembling any appurtenances attached to a mobile home, such as porches, decks, skirting, and awnings, which were not acquired, anchoring of the unit, and utility "hookup" charges;

(ii) the reasonable cost of repairs and/or modifications so that a mobile home can be moved and/or made decent, safe, and sanitary;

(iii) the cost of a nonrefundable mobile home park entrance fee, to the extent it does not exceed the fee at the comparable mobile home park, if the person is displaced from a mobile home park or the City determines that the payment of the fee is necessary to effect relocation.

2. Purchase Assistance to Homeowners

Homeowners that may be displaced in the event the proposed Project is implemented would be eligible for relocation replacement housing payments, if the following conditions are met:

(a) The displacee has owned and occupied their unit for not less than 180 days prior to the initiation of negotiations, and

(b) The displacee purchases and occupies a replacement unit within one year from: (i) the date the displaced person receives final payment for the displacement dwelling **- or -** (ii) the date at least one comparable replacement dwelling has been made available to the displacee, whichever is later.

Homeowner households that may be displaced would receive assistance in locating a "comparable replacement" unit and may be eligible for the following benefits:

Purchase Price Differential Payment - A displaced household may be eligible for a replacement housing payment as an owner-occupant. Once the fair market value of the dwelling being acquired by the City is determined, an analysis of the existing housing market is made to determine the costs of a comparable replacement dwelling. The difference, if any, between the payment received for the displacement dwelling and the purchase price of a comparable replacement dwelling results in the amount of a Purchase Price Differential ("PPD") payment.

Incidental Expense Payment - As a part of the cost associated with the purchase of a replacement dwelling, certain closing costs are generally incurred. These include, but are not limited to: appraisal fees, title and escrow fees, recording fees, loan processing fees, and cost for credit reports. These one-time non-recurring fees associated with purchasing a replacement dwelling would be reimbursable to the displaced household by the City as an Incidental Expense Payment. These expenses must be actually incurred and documented on a Final Closing Statement supplied by the escrow or title company. Recurring costs such as real estate taxes, insurance and association dues would not be eligible as reimbursable closing costs.

Mortgage Interest Differential Payment - In some cases, an owner-occupant being displaced may find that current market interest rates or mortgage costs exceed their existing mortgage terms. A Mortgage Interest Differential Payment (MIDP) may be made to enable the displaced household to duplicate the amortization schedule for the displacement dwelling to that of the comparable replacement dwelling, as described in the Relocation Laws. The payment amount would cover the increased interest costs, if any, required to finance a replacement dwelling.

Based upon the available data regarding Project displacees, the potentially displaced households may qualify for, and may be eligible to apply for, several of these relocation benefits under URA provisions. Except in the case of Last Resort Housing situations, the potential total payment to the households would be limited to a maximum of $22,500 as stated under URA guidelines. The Relocation Program is explained in detail in the informational brochure to be provided to each potentially displaced household (see **Exhibit D**).

3. Space Rent Differential Payment

If comparable replacement housing available at the time of displacement includes space or pad rent and utilities that are higher than the displacee's current rent and utilities, the displacee would be entitled to a rental assistance payment, not to exceed $5,250 except in the case of Last Resort Housing. An actual rental assistance entitlement would be determined by subtracting the difference between the displacement rent and utilities of the displacement dwelling from the rent and estimated monthly utilities for the comparable dwelling multiplied by 42 months.

4. Rental Assistance Option to Owners Who Choose to Rent

If a displaced homeowner household, which has purchased and occupied its current unit at least 180 days prior to the "initiation of negotiations," desires to rent instead of purchase a replacement unit, the household would be eligible for all the benefits and assistance that is available to tenant households. However, such replacement housing payments may not exceed the payments the household would have been entitled to if it had elected to purchase a replacement unit.

To be eligible to receive the rental assistance benefits, the displaced household has to rent and occupy a decent, safe, and sanitary replacement dwelling within one year from the date they move from the displacement dwelling.

Rental Assistance payment amounts would be equal to 42 times the difference between the base monthly rent and the lesser of:

(i) The monthly rent and estimated average monthly cost of utilities for a comparable replacement dwelling; or

(ii) The monthly rent and estimated average monthly cost of utilities for the decent, safe, and sanitary replacement dwelling actually occupied by the displaced person.

The base monthly rent for the displacement dwelling would be:

(i) The average monthly cost for rent and utilities at the displacement dwelling for a reasonable period prior to displacement, as determined by the City. For owner-occupants or households, fair market rent would be used as a substitute for actual rent.

Table 5 portrays the rental assistance benefits determination under the URA:

TABLE 5: Example Computation of URA Rental Assistance Payments		
1. Old Rent	$650	Old Rent and Utilities (based on Fair Market Rent)
Subtracted From:		
2. Actual New Rent	$750	Actual New Rent and Estimated Utilities
	or	
3. Comparable Rent	$775	Determined by City (includes estimated utilities)
4. Lesser of lines 2 **or** 3	**$750**	
5. Yields Monthly Need:	**$100**	Subtract line 1 from line 4
6. Rental Assistance	**$4,200**	**Multiply line 5 by 42 months**

The City's Relocation Program is designed to minimize hardship, be responsive to unique Project circumstances, emphasize maintaining personal contact with all individuals directly affected by the Project, consistently apply all regulatory criteria to formulate eligibility and benefit determinations and conform to all applicable requirements, guidelines and laws.

The City has retained OPC, a professional consulting firm, to administer the Relocation Program in the event the proposed Project is implemented and the occupants are required to vacate. Experienced City staff will monitor the performance of the consultants and be responsible to approve or disapprove consultant recommendations concerning eligibility and benefits determinations and interpretations of the City's policy.

C. PROGRAM ASSURANCES AND STANDARDS

Adequate funds are available to relocate all households that would be displaced in the event the proposed Project is implemented. Relocation assistance services would be provided to ensure that displacement does not result in different or separate treatment of households based on race, nationality, color, religion, national origin, sex, marital status, familial status, disability or any other basis protected by the federal Fair Housing Amendments Act, the Americans with Disabilities Act, Title VI of the Civil Rights Act of 1964, Title VIII of the Civil Rights Act of 1968, the California Fair Employment & Housing Act, and the Unruh Act, as well as any other arbitrary or unlawful discrimination.

D. GENERAL INFORMATION REGARDING PAYMENT OF RELOCATION BENEFITS

Claims and supporting documentation for relocation benefits for tenants must be filed with the City no later than 18 months after the date of displacement.

The procedure for the preparation and filing of claims and the processing and delivery of payments would be as follows:

1. Claimant(s) would provide all necessary documentation to substantiate eligibility for assistance;

2. City staff would review all necessary documentation including, but not limited to, scopes-of-service, contractor bids, invoices, lease documents and escrow material before reaching a determination as to which expenses are eligible for compensation;

3. Required claim forms would be prepared by OPC staff and presented to the claimant for review. Signed claims and supporting documentation would be returned to relocation staff and submitted to the City;

4. The City would review and approve claims for payment, or request additional information;

5. The City would issue benefit checks to claimants in the most secure, expeditious manner possible;

6. Final payments to residential displacee would be issued after confirmation that the Project premises have been completely vacated, and actual residency at the replacement unit has been verified;

7. Receipts of payment and all claim material would be maintained in the relocation case file.

E. LAST RESORT HOUSING

Based on data derived from the surveys and analyses of the occupants in the Project area and costs of replacement housing resources as of the date of this Plan, it is anticipated that "comparable replacement housing" would be available. (For owner-occupants/homeowners, if there is not enough "comparable replacement housing" available, the displacing entity may pay whatever costs are necessary beyond the statutory cap of $22,500 to acquire a "comparable replacement" unit, including reasonable incidental expenses.)

In the event the proposed Project is implemented, and if at the time of actual displacement there is not enough required replacement housing resources available within the statutory limit, the City would authorize sufficient funds to provide Last Resort Housing. Due to the demonstrated number of available replacement housing resources for all of the households, as shown in Section III-B.1 of this Plan, the need to develop additional replacement housing to produce a sufficient number of comparable replacement dwellings would not be necessary at this point. Rather, funds would be used to make payments in excess of the monetary limits specified in the statute; hence, satisfying the requirement that "comparable replacement housing" is available.

F. IMMIGRATION STATUS

Federal legislation (PL105-117) prohibits the payment of relocation assistance benefits under the URA to any alien not lawfully present in the United States unless such ineligibility would result in an exceptional and extremely unusual hardship to the alien's spouse, parent, or child any of whom is a citizen or an alien admitted for permanent residence. Exceptional and extremely unusual hardship is defined as significant and demonstrable adverse impact on the health or safety, continued existence of the family unit, and any other impact determined by the City to negatively affect the alien's spouse, parent or child.

In order to track and account for relocation assistance and benefit payments, City staff would be required to seek immigration status information from each displacee 18 years or older by having them self-certify as to their legal status.

V. ADMINISTRATIVE PROVISIONS

A. NOTICES

Each notice, which the City is required to provide to a property owner or occupant, shall be personally delivered or sent by certified or registered first-class mail, return receipt requested and documented in the case file. Each notice would be written in plain, understandable language.

Persons who are unable to read and understand any notice would be provided with appropriate translation and counseling. Each notice would indicate the name and telephone number of a person who may be contacted for answers to questions or other needed help.

There are three principal notices:

1) the General Information Notice,
2) the Notice of Relocation Eligibility, and
3) the Ninety-Day Notice.

The General Information Notice (GIN) is intended to provide potential relocatees with a general written description of the City's Relocation Program and basic information concerning benefits, conditions of eligibility, noticing requirements and appeal rights. (See **Exhibit B**) The GIN is issued as early as is feasible in the initial stages of a Project, preferably, the planning stage. In June 2011, GINs were mailed via regular and certified mail to the eight households that would be directly affected in the event the proposed Project is implemented.

A Notice of Relocation Eligibility (NOE) would be distributed to each residential relocatee. The NOE to the relocatee contains a determination of eligibility for relocation assistance and a computation of a maximum entitlement based on information provided by the affected household and the analysis of comparable replacement properties undertaken by relocation staff. The NOE would be issued to any eligible permanent displacee once the Project has been approved and Project funding is in place.

No lawful occupant would be required to move without having received at least 90 days advance written notice of the earliest date by which the move would be necessary. The 90-day notice would either state a specific date as the earliest date by which the occupant may be required to move or state that the occupant would receive a further notice indicating, at least 30 days in advance, the specific date of the required move. The 90-day notice would not be issued to any residential displacee before a comparable replacement dwelling has been made available.

In addition to the three principal notices, City staff would issue timely written notification in the form of a Reminder Notice, which discusses the possible loss of rights and sets the expiration date for the loss of benefits to those persons who:

1) are eligible for monetary benefits,
2) have moved from the acquired property, and
3) have not filed a claim for benefits.

Reminder Notices would be issued periodically throughout the qualification period. An attempt would be made to make written contact with all non-responsive relocatees no later than within the last six months prior to the filing expiration date.

B. PRIVACY OF RECORDS

All information obtained from displacees is considered confidential and would not be shared without the consent of the displacee or the City unless otherwise required to be provided by law. City staff would comply with federal regulations concerning the safeguarding of relocation files and their contents.

C. GRIEVANCE PROCEDURES

A person who is dissatisfied with a determination as to eligibility for benefits, a payment amount, the failure to provide comparable temporary housing, or the City's property management practices may file a Relocation Assistance Appeal Form or any other written form of appeal with the City. The City's appeal policies will follow the standards described in Article 5, Section 6150 et seq., Title 25, Chapter 6, State of California, Department of Housing and Community Development Program guidelines. Specific details for the City's appeals policy will be furnished upon request.

D. EVICTION POLICY

1. Eviction will cause the forfeiture of a displacee's right to relocation assistance or benefits. Relocation records would be documented to reflect the specific circumstances surrounding any eviction action.

2. Eviction that may cause forfeiture include the following:

   (a) Failure to pay rent, except in those cases where the failure to pay is due to the owner's failure to keep the premises in habitable condition; is the result of harassment or retaliatory action; or, is the result of discontinuation, or a substantial interruption of services;

   (b) Performance of a dangerous, and/or illegal act in the unit;

   (c) A material breach of the rental agreement, and failure upon notification to correct said breach within 30 days of Notice;

   (d) Maintenance of a nuisance, and failure to abate such nuisance upon notification within a reasonable time following Notice;

   (e) Refusal to accept one of a reasonable number of offers of replacement dwellings; and/or,

   (f) A requirement under State, or local law or emergency circumstances that cannot be prevented by reasonable efforts on the part of the City.

E. CITIZEN PARTICIPATION

As the process for considering the Project moves forward, the City will observe the following protocol:

1. Provide affected tenants with full and timely access to documents relevant to the City's Relocation Program;

2. Encourage meaningful participation in reviewing the Relocation Plan and monitoring the relocation assistance program;

3. Provide technical assistance necessary to interpret elements of the Relocation Plan and other pertinent materials;

4. Issue a general notice concerning the availability of the Plan for public review, as required, 30 days prior to its proposed approval; and

5. Include written or oral comments concerning the Plan as an attachment (**Exhibit E**) when it is forwarded to the City Council for their consideration.

F. PROJECTED DATE OF DISPLACEMENT

The City anticipates that Notices to Vacate will be issued no earlier than Spring 2012.

G. ESTIMATED RELOCATION COSTS

The total budget estimate for relocation-related payments for this Project, including a 10% contingency, is **$240,000.** The budget is based on the displaced owners selling their current mobile homes and purchasing replacement dwellings.

The estimated relocation budget does not include any payments related to land acquisition or the acquisition of the mobile homes. In addition, the budget does not consider the cost of any services necessary to implement the Plan and complete the relocation element of the Project.

In the event the proposed Project is implemented, and circumstances arise that should change either the number of residential occupants, or the nature of their activity, the City may need to authorize additional funds. The City Council approved the Capital Improvement Program on September 6, 2011, which appropriated the funding for this project necessary to meet the City's obligation under the relocation guidelines.

EXHIBIT A
RESIDENTIAL INTERVIEW FORM

Residential Relocation Interview

Client/Project:		**Case ID:**	
Site Address:	Total occupants:	**Interview Date:**	☐ **Unoccupied**
City, St, ZIP:		**Interviewer:**	☐ **No Contact**

INDIVIDUAL OCCUPANTS (use additional pages as needed)

1. Name:	Gender: F M	Employer/School:			
Relationship (list 1): **HEAD OF HOUSEHOLD**	☐ ID verified	Income srce (list 2):	Income/empl. description:	Hire/start date:	Mo Income:
Lawful presence (list 3):	Date of birth:				
Phone/fax/email:	Move-in date:				
Notes/special needs:					
2. Name:	Gender: F M	Employer/School:			
Relationship (list 1):	☐ ID verified	Income srce (list 2):	Income/empl. description:	Hire/start date:	Mo Income:
Lawful presence (list 3):	Date of birth:				
Phone/fax/email:	Move-in date:				
Notes/special needs:					
3. Name:	Gender: F M	Employer/School:			
Relationship (list 1):	☐ ID verified	Income srce (list 2):	Income/empl. description:	Hire/start date:	Mo Income:
Lawful presence (list 3):	Date of birth:				
Phone/fax/email:	Move-in date:				
Notes/special needs:					
4. Name:	Gender: F M	Employer/School:			
Relationship (list 1):	☐ ID verified	Income srce (list 2):	Income/empl. description:	Hire/start date:	Mo Income:
Lawful presence (list 3):	Date of birth:				
Phone/fax/email:	Move-in date:				
Notes/special needs:					
5. Name:	Gender: F M	Employer/School:			
Relationship (list 1):	☐ ID verified	Income srce (list 2):	Income/empl. description:	Hire/start date:	Mo Income:
Lawful presence (list 3):	Date of birth:				
Phone/fax/email:	Move-in date:				
Notes/special needs:					
6. Name:	Gender: F M	Employer/School:			
Relationship (list 1):	☐ ID verified	Income srce (list 2):	Income/empl. description:	Hire/start date:	Mo Income:
Lawful presence (list 3):	Date of birth:				
Phone/fax/email:	Move-in date:				
Notes/special needs:					

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DWELLING

Mailing Address:

City, St, ZIP:

Carbon Copy Address:

City, St, ZIP:

Dwelling Type (list 4):

Bedrooms:	Attic/Utility/Storage:	Approx Sq Ft:
Kitchen:	Basement:	Bathrooms:
Living/family rooms:	Garage:	Garage Spaces:
Dining room:	Other/Extra:	Carport Spaces:
Den/Office:	**Total physical and content rooms to move:**	Parking Spaces:
Total Rooms:		Number of cars:

Air Cond: ☐Central ☐Wall/Window ☐Heat Pump ☐Evap./Swamp ☐None

Heating: ☐FAU ☐Radiant ☐Hot Water ☐Space Htr ☐Solar ☐Heat Pump

Dwelling Condition: ☐ Good ☐ Fair ☐ Poor

Neighborhood Condition: ☐ Good ☐ Fair ☐ Poor

Amenities:

TENANT

Rent terms: ☐ Month-Month ☐ Lease, months left:

☐ Rent reduced in exchange for service ☐ Unit furnished by tenant

Monthly contract rent: $ Security deposit: $

Landlord/manager name/ph:

☐ Written rental agreement available? ☐ Rent receipts available?

☐ Receiving Section 8 or other housing assistance?

Caseworker name/ph:

Monthly tenant portion of rent: $

Annual family/child care expenses to allow work: $

Annual non-reimbursed medical expenses: $

Annual non-reimb. handicapped assistance expenses: $

Utilities paid by tenant:

☐ Gas: $

☐ Electric: $

☐ Water: $

☐ Sewer: $

☐ Trash: $

☐ NONE

Pets:

Energy source: Gas Electr Oil Other

Cooking Stove: ☐ ☐ ☐ _____

Water Heater: ☐ ☐ ☐ _____

Space Heat: ☐ ☐ ☐ _____

Air Conditioning: ☐ ☐ ☐ _____

HOUSEHOLD

☐ Primary residence of all occupants? (If not, explain in notes)

☐ Can someone read/understand English? If not, language:

Race/Ethnicity: ☐ American Indian/Alaskan ☐ Asian ☐ Black/African-American ☐ Hawaiian/Pacific Islander ☐ Hispanic/Latino ☐ White ☐ Other ☐ Mixed

Subscribe to: ☐ Land phone ☐ TV service ☐ Internet

☐ Home-based business? (describe in notes)

☐ Rent rooms in dwelling? (describe in notes)

☐ On fixed income or public assistance? (describe in Occupants)

☐ Disabled occupants? (describe modifications/needs in Occupants)

Replacement site special needs (mark and describe in Notes)

☐ Employment access ☐ Shopping

☐ Public transport ☐ Religious

☐ Medical facilities/services ☐ Social/Public services

☐ School needs ☐ Relatives/Ethnic

☐ Childcare ☐ Other special needs

☐ All occupants to move to the same dwelling? (if not, explain in notes)

Replacement dwelling preference: ☐ Rent ☐ Buy

Can relocate from: ☐ Neighborhood ☐ City ☐ County ☐ State

Preferred relocation areas:

HOMEOWNER

Lot Size (sq ft):	Date purchased:	Age (yrs):
☐ Own clear with no mortgages/loans		# of stories:

1st Loan Information	2nd Loan Information
Lender:	Lender:
Loan Type (list 5):	Loan Type (list 5):
Current % Rate:	Current % Rate:
Principal Balance: $	Principal Balance: $
Original Date:	Original Date:
Remaining months:	Remaining months:
Monthly P&I payment:	Monthly P&I payment:

MOBILE HOME

Pad space: ☐ Rent ☐ Own	Coach: ☐ Rent ☐ Own
Pad rent: $	Make/Model:
Coach length (ft):	Year:
Coach width (ft):	Decal #:

INTERVIEW NOTES (explain all special dwelling/household circumstances, including those noted on page 2)

1. Relation: Spouse, Child, Foster Child, Parent, Partner, Sibling, Aunt/Uncle, Cousin, Grandparent, Parent In-Law, Sibling In-Law, Other Relative, Roommate
2. Income: Wages/Salaries, Social Security/Disab/Pension, Child Support/Alimony, Welfare/TANF/AFDC, Family Subsidy/Gift, Business Income, Interest/Dividends, Unempl./Workers Comp, AF pay, EITC, Cash Income, Rent Reduction, Other
3. Legal Status: Unknown, Citizen/National, Lawful Other, NOT Lawful, Decline to provide.
4. Dwelling: SFR, Duplex, 3-Plex, 4-Plex, Apartment, Condo/Townhome, Hotel/Motel, Mobile Home, RV, Other
5. Loans: Fixed Mortgage, Adjustable Mortgage, Interest Only, Fixed HELOC, Adjustable HELOC, Reverse Mortgage, Other

I certify that all occupants have been identified above and that all information provided for this survey is true and complete to the best of my knowledge.

Claimant Name: Date: Signature:

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EXHIBIT B
GENERAL INFORMATION NOTICE

General Information Notice

June 24, 2011

Dear Mr. and Ms.

The **City of Huntington Beach** ("City") may be interested in acquiring a portion of the property you currently occupy at **80 Huntington Street, Space 102** in the event a street widening project, the **"Atlanta Avenue Widening Project"** (Project), moves forward. If it is necessary for the City to acquire your property in the form of a mobile home coach, and you are displaced, you will be eligible for relocation assistance under the Uniform Relocation Assistance and Real Property Acquisition Policies Act of 1970 (URA), and California Relocation Assistance Law (Sec 7260 et. seq. of the CA Government Code).

IN NO EVENT DOES THIS LETTER SUGGEST AND IT SHOULD NOT BE INTERPRETED IN ANY WAY THAT THIS PROJECT IS GOING FORWARD OR THAT YOU ARE REQUIRED TO RELOCATE AT THIS TIME.

This is <u>not</u> a notice to vacate the premises or a notice of relocation eligibility BUT IS NOTICE THAT THE CITY IS PREPARING A RELOCATION PLAN AND AS SUCH IS PROVIDING NOTICE THAT YOU MAY BE INTERVIEWED .

The City has retained the professional firm of **Overland, Pacific & Cutler, Inc.** (OPC) to represent and assist the City regarding this proposed project.

In the event the project moves forward, the City is preparing a Relocation Plan in order to assess and better plan for the relocation needs in the event a household is displaced. In order to prepare this Relocation Plan, OPC staff would like to meet with you to assess your individual relocation needs. It is important that the City understands your individual housing needs and situation, to develop a proper Relocation Plan. OPC staff will be available to answer your immediate questions regarding any relocation process that may take place. Please call the relocation consultant identified below to make an appointment that is convenient for you.

Laura Kane
(800) 901-5263

Again, this notice is preliminary and sent to you as a State and Federal legal requirement. If you pay rent, you should continue to pay your monthly rent. Failure to pay rent and meet your obligations as a tenant may be cause for eviction and loss of relocation assistance. Please contact us before you make any plans to sell or relocate, as such a decision may affect eligibility to receive relocation assistance in the event the project moves forward.

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If the project moves forward, and you are eligible for relocation assistance, the City will provide you with additional assistance, including referrals to replacement housing and at least 90 days advance written notice of the date you will be required to move. You would also receive a payment for moving expenses and may be eligible for financial assistance to help you rent or buy a replacement dwelling.

Note that pursuant to Public Law 105-117, aliens not lawfully present in the United States are not eligible for relocation assistance, unless such ineligibility would result in exceptional hardship to a qualifying spouse, parent, or child. All persons seeking relocation assistance will be required to certify that they are a United States citizen or national, or an alien lawfully present in the United States.

If you have any questions about this or any other relocation issues, please contact me at the address and the phone number below.

Sincerely,

Michele Folk

Michele Folk, SR/WA, R/W-RAC
Principal/Vice President
Overland, Pacific & Cutler, Inc.
20 Fairbanks, Suite 178
Irvine, CA 92618
(949) 951-5263

_____ Delivered on/by: _____/_____
Received by

X_____ Posted on/by: _____/_____
Recipient's Signature

_____ Mailed/receipt received on: _____/_____
Date

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EXHIBIT C
HUD INCOME LEVELS – ORANGE COUNTY

The following figures are approved by the U. S. Department of Housing and Urban Development (HUD) for use in the **County of Orange** to define and determine housing eligibility by income level.

Area Median Income: $84,200			
Family Size	**Extremely Low**	**Very Low**	**Lower**
1 Person	19,400	32,350	51,700
2 Person	22,200	36,950	59,100
3 Person	24,950	41,550	66,500
4 Person	27,700	46,150	73,850
5 Person	29,950	49,850	79,800
6 Person	32,150	53,550	85,700
7 Person	34,350	57,250	91,600
8 Person	36,600	60,950	97,500

Figures are per the Department of Housing and Urban Development (California), **updated in 2011.**

EXHIBIT D
RESIDENTIAL INFORMATIONAL BROCHURE

Relocation Assistance Informational Statement for Families and Individuals - Mobile Homes

(Federal)

Displacing Agency:
City of Huntington Beach

Project Name:
Atlanta Avenue Widening Project

Displacing Agency Representative:

Overland, Pacific & Cutler, Inc.
20 Fairbanks, Suite 178
Irvine, CA 92618
Phone: 1-800/901-5263

Informational Statement Content:

1. General Information
2. Assistance In Locating A Replacement Dwelling
3. Moving Benefits
4. Replacement Housing Payment - Tenants And Certain Others
5. Section 8 Tenants
6. Replacement Housing Payment – Homeowners
7. Qualification For And Filing Of Relocation Claims
8. Last Resort Housing Assistance
9. Rental Agreement
10. Evictions
11. Appeal Procedures – Grievance
12. Tax Status of Relocation Benefits
13. Legal Presence Requirement
14. Non-Discrimination and Fair Housing
15. Additional Information And Assistance Available

Spanish speaking representatives are available. Si necesita esta información en español, por favor llame a su representante.

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1. GENERAL INFORMATION

The dwelling in which you now live is in a project area to be improved by, or financed through, the Displacing Agency using federal funds. If and when the project proceeds, and it is necessary for you to move from your dwelling, you may be eligible for certain benefits. You will be notified in a timely manner as to the date by which you must move. Please read this information, as it will be helpful to you in determining your eligibility and the amount of the relocation benefits you may receive under the federal law. You will need to provide adequate and timely information to determine your relocation benefits. The information is voluntary, but if you don't provide it, you may not receive the benefits or it may take longer to pay you. We suggest you save this informational statement for reference.

The Displacing Agency has retained the professional firm of **Overland, Pacific & Cutler, Inc. (OPC)** to provide relocation assistance to you. The firm is available to explain the program and benefits. Their address and telephone number is listed on the cover.

PLEASE DO NOT MOVE PREMATURELY. THIS IS NOT A NOTICE TO VACATE YOUR DWELLING. However, if you desire to move sooner than required, you must contact your representative with Overland, Pacific & Cutler, Inc., so you will not jeopardize any benefits. This is a general informational brochure only, and is not intended to give a detailed description of either the law or regulations pertaining to the Displacing Agency's relocation assistance program.

Please continue to pay your rent to your current landlord, otherwise you may be evicted and jeopardize the relocation benefits to which you may be entitled to receive. Once the Displacing Agency acquires the property, you will also be required to pay rent to the Displacing Agency.

2. ASSISTANCE IN LOCATING A REPLACEMENT DWELLING

The Displacing Agency, through its representatives, will assist you in locating a comparable replacement dwelling by providing referrals to appropriate and available housing units. You are encouraged to actively seek such housing yourself.

When a suitable replacement dwelling unit has been found, your relocation consultant will carry out an inspection and advise you as to whether the dwelling unit meets decent, safe and sanitary housing requirements. A decent, safe and sanitary housing unit provides adequate space for its occupants, proper weatherproofing and sound heating, electrical and plumbing systems. Your new dwelling must pass inspection before relocation assistance payments can be authorized.

3. MOVING BENEFITS

If you must move as a result of displacement by the Displacing Agency, you will receive a payment to assist in moving your personal property. The actual, reasonable and necessary expenses for moving your household belongings may be determined based on the following methods:

- A Fixed Moving Payment based on the number of rooms you occupy (see below); **or**
- A payment for your Actual Reasonable Moving and Related Expenses based on at least two written

estimates and receipted bills; **or**

- A combination of both (in some cases).

For example, you may choose a Self Move, receiving a payment based on the Fixed Residential Moving Cost Schedule shown below, plus contract with a professional mover to transport your grand piano and /or other items that require special handling. In this case, there may be an adjustment in the number of rooms which qualify under the Fixed Residential Moving Cost Schedule.

A. **Fixed Moving Payment (Self Move)**

A Fixed Moving Payment is based upon the number of rooms you occupy and whether or not you own your own furniture. The payment is based upon a schedule approved by the Displacing Agency, and ranges, for example, from $400.00 for one furnished room to $2,150.00 for eight rooms in an unfurnished dwelling. (For details see the table). Your relocation representative will inform you of the amount you are eligible to receive, if you choose this type of payment.

If you select a fixed payment, you will be responsible for arranging for your own move, and the Displacing Agency will assume no liability for any loss or damage of your personal property. A fixed payment also includes utility hook-up, credit check and other related moving fees.

Fixed Moving Schedule CALIFORNIA (Effective 2008)	
Occupant owns furniture:	
1 room	$625
2 rooms	$800
3 rooms	$1,000
4 rooms	$1,175
5 rooms	$1,425
6 rooms	$1,650
7 rooms	$1,900
8 rooms	$2,150
Each additional room	$225
Occupant does NOT own furniture:	
1 room	$400
Each additional room	$65

B. **Actual Moving Expense (Commercial Move)**

If you wish to engage the services of a licensed commercial mover and have the Displacing Agency pay the bill, you may claim the ACTUAL cost of moving your personal property up to 50 miles. Your relocation representative will inform you of the number of competitive moving bids (if any) which may be required, and assist you in developing a "mover" scope of services for Displacing Agency approval.

4. MOBILEHOME TENANTS AND CERTAIN OTHERS - REPLACEMENT HOUSING PAYMENT

You may be eligible for a payment up to $5,250.00 to assist in renting or purchasing a comparable replacement dwelling. In order to qualify, you must either be a tenant who has occupied the present dwelling for at least 90 days immediately prior to the initiation of negotiations or an owner who has occupied the present dwelling between 90 and 180 days immediately prior to the initiation of negotiations.

A. **Rental Assistance.** If you **wish to rent** your replacement dwelling, your maximum rental assistance benefits will be based upon the difference over a forty-two (42) month period between the rent you must pay for a comparable replacement dwelling and the lesser of your current rent or thirty percent (30%) of your monthly household income if your total gross income is classified as "low income" by the U. S. Department of Housing and Urban Development's (HUD) Annual Survey of Income Limits for Public Housing and Section 8 Programs. You will be required to provide your relocation representative with monthly rent and household income verification prior to the determination of your eligibility for this payment.

- OR -

B. **Down-payment Assistance.** If you qualify, and **wish to purchase** a home as a replacement dwelling, you can apply up to the total amount of your rental assistance payment towards the down-payment and non-

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recurring incidental expenses. Your relocation representative will clarify procedures necessary to apply for this payment.

5. SECTION 8 TENANTS

When you do move, you may be eligible to transfer your Section 8 eligibility to a replacement site. In such cases, a comparable replacement dwelling will be determined based on your family composition at the time of displacement and the current housing program criteria. This may not be the size of the unit you currently occupy. Your relocation representative will provide counseling and other advisory services along with moving benefits.

6. MOBILEHOME HOMEOWNERS - REPLACEMENT HOUSING & MOVING PAYMENTS

A. **Replacement Housing Option** - If you own and occupy a mobilehome to be purchased by the Displacing Agency for **at least 180 days** prior to the initiation of negotiation, you may be eligible to receive a payment of up to $22,500.00 to assist you in purchasing a comparable replacement unit. This payment is intended to cover the following items:

1. **Purchase Price Differential** - An amount which, when added to the amount for which the Displacing Agency purchased your mobilehome, equals the lesser of the actual cost of your replacement dwelling; **or** the amount determined by the Displacing Agency as necessary to purchase a comparable replacement dwelling. Your relocation representative will explain both methods to you.
2. **Mortgage Interest Differential** - The amount which covers the increased interest costs, if any, required to finance a replacement dwelling. Your relocation representative will explain limiting conditions.
3. **Incidental Expenses** - Those one time incidental costs related to purchasing a replacement unit, such as escrow fees, recording fees, and credit report fees. Recurring expenses such as prepaid taxes and insurance premiums are not compensable.

B. **Rental Assistance Option** - If you are an owner-occupant and choose to rent rather than purchase a replacement dwelling, you may be eligible for a rental assistance payment of up to the amount that you could have received under the Purchase Price Differential, explained above. The payment will be based on the difference between the fair market rent of the dwelling you occupy and the rent you must pay for a comparable replacement dwelling.

If you receive a rental assistance payment, as described above, and later decide to purchase a replacement dwelling, you may apply for a payment equal to the amount you would have received if you had initially purchased a comparable replacement dwelling, less the amount you have already received as a rental assistance payment.

C. **Space Rent Differential** - If you decide to purchase another mobile home or move your mobile home, you may be eligible for additional assistance to cover any increased space rent at the facility to which you relocate. Your maximum rental assistance benefits will be based upon the difference over a forty-two (42) month period between the rent and estimated utilities you must pay for a comparable replacement dwelling (as determined by the Displacing Agency) and the lesser of your current rent and average utilities or thirty percent (30%) of your gross monthly household income (if your household income is classified as “low income” by the U. S. Department of Housing and Urban Development’s Annual Survey of Income Limits for the Public Housing and Section 8 Programs.)

This space rent differential payment may be used to lease a replacement site; may be applied to the purchase price of a replacement site; or may be applied, with any replacement housing payment attributable to the mobile home, to the purchase of a replacement mobile home or conventional "decent, safe and sanitary" dwelling.

D. **Moving Option -** If your coach is movable and you elect to have the Displacing Agency move your coach to another park, the Displacing Agency will pay for the following:

1. Preparation of your coach for moving;
2. Transport of your coach to a new site (within 50 miles);
3. Set-up of your coach at the new location (including code required modifications such as earthquake strapping);
4. Reconstruction or reinstallation of all appurtenances such as porches, awnings and/or storage buildings; which are not acquired;
5. Payment of all fees for reinstallation;
6. Space Rent Differential, as described above; and
7. Other expenses which the Displacing Agency deems to be reasonable and necessary.

NOTE: The cost of replacing landscaping and hardscape improvements is not covered.

7. QUALIFICATION FOR, AND FILING OF, RELOCATION CLAIMS

To be eligible for a replacement housing payment described above, you must purchase or rent and occupy a decent, safe and sanitary replacement dwelling **within 12 months** from the later of the following dates:

1) the date the Displacing Agency has paid the Acquisition cost of your current dwelling, or

2) the date the first comparable replacement dwelling referral has been made available to you.

You must also file all claims for replacement housing or moving payments **within 18 months** from the later of the following dates:

1) the date which you moved from your displacement dwelling, or

2) the date the Displacing Agency has paid the Acquisition cost of your current dwelling.

Failure to occupy the replacement dwelling or to submit claims within the above time limits could result in loss of moving and/or replacement housing benefits.

8. LAST RESORT HOUSING ASSISTANCE

If comparable replacement dwellings are not available when you are required to move, or if replacement housing is not available within the monetary limits described above, the Displacing Agency will provide Last Resort Housing assistance to enable you to rent or purchase a replacement dwelling on a timely basis. Last Resort Housing assistance is based on the individual circumstances of the displaced person. Your relocation representative will explain the process for determining whether or not you qualify for Last Resort assistance.

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If you are a tenant, and you choose to purchase rather than rent a comparable replacement dwelling, the entire amount of your rental assistance and Last Resort eligibility must be applied toward the down-payment and eligible incidental expenses of the home you intend to purchase.

9. RENTAL AGREEMENT

As a result of the Displacing Agency's action to purchase the property where you live, you may become a tenant of the Displacing Agency. If this occurs, you will be asked to sign a rental agreement which will specify the monthly rent to be paid, when rent payments are due, where they are to be paid and other pertinent information.

10. EVICTIONS

Eviction for cause must conform to applicable State and local law. Any person who occupies the real property and is not in unlawful occupancy on the date of initiation of negotiations, is presumed to be entitled to relocation benefits, unless the Displacing Agency determines that:

- The person received an eviction notice prior to the initiation of negotiations and, as a result, was later evicted; or
- The person is evicted after the initiation of negotiations for serious or repeated violation of material terms of the lease; and
- The eviction was not undertaken for the purpose of evading relocation assistance regulations.

Except for the causes of eviction set forth above, no person lawfully occupying property to be purchased by the Displacing Agency will be required to move without having been provided with at least 90 days written notice from the Displacing Agency.

11. APPEAL PROCEDURES - GRIEVANCE

Any person aggrieved by a determination as to eligibility for, or the amount of, a payment authorized by the Displacing Agency's Relocation Assistance Program may have the appeal application reviewed by the Displacing Agency in accordance with its appeals procedure. Complete details on appeal procedures are available upon request from the Displacing Agency.

12. TAX STATUS OF RELOCATION BENEFITS

California Government Code Section 7269 indicates no relocation payment received shall be considered as income for the purposes of the Personal Income Tax Law, Part 10 (commencing with Section 170 01) of Division 2 of the Revenue and Taxation Code, or the Bank and Corporation Tax law, Part 11 (commencing with Section 23001) of Division 2 of the Revenue and Taxation Code. Furthermore, federal regulations (49 CFR Part 24, Section 24.209) also indicate that no payment received under this part (Part 24) shall be considered as income for the purpose of the Internal Revenue Code of 1954, which has been redesignated as the Internal Revenue Code of 1986. The preceding statement is not tendered as legal advice in regard to tax consequences, and displacees should consult with their own tax advisor or legal counsel to determine the current status of such payments.

(IRS Circular 230 disclosure: To ensure compliance with requirements imposed by the IRS, we inform you that any tax advice contained in this communication (including any attachments) was not intended or written to be used, and cannot be used, for the purpose of (i) avoiding tax-related penalties under the Internal Revenue Code or (ii) promoting marketing or recommending to another party any matters addressed herein)

13. LAWFUL PRESENCE REQUIREMENT

In order to be eligible to receive relocation benefits in federally-funded relocation projects, all members of the household to be displaced must provide information regarding their lawful presence in the United States. Any member of the household who is not lawfully present in the United States or declines to provide this information may be denied relocation benefits, unless such ineligibility would result in an exceptional and extremely unusual hardship to the alien's spouse, parent, or child, any of whom is a citizen or an alien admitted for permanent residence. Exceptional and extremely unusual hardship is defined as significant and demonstrable adverse impact on the health or safety, continued existence of the family unit, and any other impact determined by the Displacing Agency to negatively affect the alien's spouse, parent or child. Relocation benefits will be prorated to reflect the number of household members with certified lawful presence in the US.

14. NON-DISCRIMINATION AND FAIR HOUSING

No person shall on the grounds of race, color, national origin or sex, be excluded from participation in, be denied the benefits of, or be subjected to discrimination under the Displacing Agency's relocation assistance program pursuant to Title VI of the Civil Rights Act of 1964, Title VIII of the Civil Rights Act of 1968, and other applicable state and federal anti-discrimination and fair housing laws. You may file a complaint if you believe you have been subjected to discrimination. For details contact the Displacing Agency.

15. ADDITIONAL INFORMATION AND ASSISTANCE AVAILABLE

Those responsible for providing you with relocation assistance hope to assist you in every way possible to minimize the hardships involved in relocating to a new home. Your cooperation will be helpful and greatly appreciated. If you have any questions at any time during the process, please do not hesitate to contact your relocation representative at Overland, Pacific & Cutler.

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EXHIBIT E
PUBLIC COMMENTS AND RESPONSES

COMMENT LETTER #1
By Hart, King & Coldren
(Received October 7, 2011)

HK&C
HART, KING & COLDREN

Boyd L. Hill
bhill@hkclaw.com

October 6, 2011

Our File Number: 36608.005/4843-6821-8123v.1

VIA FACSIMILE AND FEDERAL EXPRESS
(714) 375-5087

RECEIVED
OCT 07 2011
DEPARTMENT OF
ECONOMIC DEVELOPMENT

Ms. Tina Krause, Real Property Agent
Economic Development Department
City of Huntington Beach
2000 Main Street
Huntington Beach, CA 92648

Re: ***Atlanta Avenue Widening Project ("Project")***
Comments on draft Relocation Plan ("Plan")

Dear Ms. Krause:

We represent the owners of the Pacific Mobilehome Park, whose residents would need to be relocated under the proposed Relocation Plan. This letter constitutes the Park Owners' comments on the City's Relocation Plan for the Project. The City should not act on the Plan or approve the Plan for the following reasons:

1. The Plan does not contain the City's promised CEQA review of the physical environmental effects of relocation of the Park residents. Page 6 of the draft Plan concedes that there likely will be physical relocation of residents and of their homes under the Plan. The draft Plan does not specify replacement housing for those residents and does not study the environmental effects of removing existing homes and residents and of providing such replacement housing. The displaced residents will include four very low income households.

2. Assuming that the City did include CEQA review of the Plan, that review would still be insufficient. The City should have conducted CEQA review of the entire Project and all of its components, including the Plan, at the time of the City's review of the Project Negative Declaration. Any City review of the environmental impacts of the Plan alone would result in piecemeal review of the Project's physical environmental impacts so that their cumulative effects are not considered.

3. The City's budget of $240,000 discussed on page 20 of the Relocation Plan is woefully inadequate to fund the purchase of eight replacement mobile homes at the replacement mobile home median prices listed on page 7 of the Plan. Furthermore, that budgeted amount fails to take into consideration additional benefits such as purchase price differential payments for higher home prices, rental assistance for higher rental rates, and moving costs that will be required under the Plan (see benefits discussion on pages 11-14). The Plan expressly concedes that the budget does not include the cost of any payments for the purchase of mobile homes or the costs of any services necessary to implement the Plan or complete the relocation element of the Project. Therefore, the budget is useless as a planning tool for the City.

Rather than hastily act on an inadequate Relocation Plan without an adequate budget and without adequate environmental review, the City should instead prepare a new Plan with a realistic budget, vacate its Mitigated Negative Declaration for the Project, and study the entire Project in a complete and focused EIR. Should the City approve the Plan at its November 7, 2011 meeting, the City risks that implementation of the Plan will be enjoined once the Court overturns the City's inadequate Mitigated Negative Declaration in December 2011.

Sincerely,

HART, KING & COLDREN

Boyd L. Hill

Boyd L. Hill

36608.005/4843-6821-8123v.1

RESPONSE TO COMMENT LETTER #1

RESPONSE TO COMMENT LETTER #1

Response to Paragraph No. 1, Sentence 1: Pacific Mobile Home Park, LLC ("Pacific") is the owner of Pacific Mobile Home Park (the "Park"). Pacific's attorney is Hart, King & Coldren ("HKC"). The HKC letter states that the Relocation Plan ("Plan") for the proposed Atlanta Avenue Widening Project ("Project") should not be acted on or approved as it "does not contain the City's promised CEQA review of the physical environmental effects of relocation of the Park residents."

1. *The Plan does not propose or specify a relocation project. Therefore, there are no physical environmental effects to evaluate and no environmental review pursuant to CEQA would be necessary. On January 18, 2011, the Huntington Beach City Council approved MND No. 09-001 pursuant to CEQA for the Project.*

Response to Paragraph No. 1, Sentence 2: The HKC letter states that "Page 6 of the draft Plan concedes that there likely will be physical relocation of residents and of their homes under the Plan."

1. *It is assumed that this comment refers to Section II-B.6, entitled "Preferred Relocation Areas," of the Plan. This section states that the eight households directly affected by the proposed Project "may have to be permanently relocated from Pacific Mobile Home Park." The Plan concludes, however, that "there are adequate numbers of replacement housing units to accommodate the eight mobile home households that may be displaced" (see Section III-B.1). Although the Plan provides several possible options for the relocation of the residents that would be directly affected in the event the proposed Project is implemented, Section IV-B, entitled "Relocation Benefits," of the Plan clearly states "that current zoning and building codes in California practically make it impossible for an older mobile home to be moved and reestablished at another location." Furthermore, discussions with Pacific have made it clear to the City that it would be highly unlikely that the eight directly impacted mobile homes would be relocated to other locations within the Park. The comment is therefore inaccurate in stating that there will likely be physical relocation of homes under the Plan.*

Response to Paragraph No. 1, Sentence 3: The HKC letter states that "the draft Plan does not specify replacement housing for those residents and does not study the environmental effects of removing existing homes and residents and of providing such replacement housing."

1. *As stated on Page 5 of the Plan, "one of the primary purposes of a Relocation Plan is to demonstrate the availability of comparable, affordable, decent, safe, and sanitary housing prior to the displacement of residential occupants." Consequently, Section III-B, entitled "Replacement Housing Availability," of the Plan provides a summary of the available replacement housing as of the date the survey was*

performed by the City's relocation consultant. Replacement housing needs, as expressed in the Plan, are defined by the total number of required replacement units and distribution of those units by bedroom size. In terms of the eight households that would be displaced in the event the proposed Project is implemented, the Plan determined the replacement housing needs to be two (2) one-bedroom mobile homes, five (5) two-bedroom mobile homes, and one (1) four-bedroom mobile home. As a result of a survey of all mobile homes listed for sale and located in the City and its surrounding communities, it was determined that there were twelve (12) one-bedroom mobile homes, fifty-three (53) two-bedroom mobile homes, and eight (8) four-bedroom mobile homes available for sale at the time the survey was performed.

The environmental effects of removing existing homes and residents were analyzed in the approved MND No. 09-001 for the proposed road widening project. The MND ensured replacement housing with implementation of a mitigation measure requiring relocation in accordance with the Uniform Relocation Act. Specifically, the approved MND No. 09-001 required that, "As soon as feasibly possible, the City shall commence with acquisition and relocation in accordance with the provisions of the Uniform Relocation Act and other applicable laws. Notification to and discussions with the impacted property owner and residents shall occur as soon as feasibly possible pursuant to the Uniform Relocation Act. The City shall ensure that a relocation plan is prepared prior to final project plans and relocation is implemented in accordance with the Uniform Relocation Act." The City is proceeding as required by the approved MND No. 09-001 as evidenced by the preparation of this Plan. In the event the Plan is approved and the proposed Project is implemented, the City would provide the owners of the eight mobile homes directly affected by the proposed improvements with detailed information regarding their relocation benefits. The City's relocation consultant would then proceed to work with these mobile home owners to determine which of the Plan's relocation options would best meet the needs of each household on a case by case basis. To the extent that any relocation option would result in a project with the potential to result in adverse environmental impacts, the City would conduct an assessment of such impacts pursuant to CEQA.

Response to Paragraph No. 1, Sentence 4: The HKC letter states that "the displaced residents will include four very low income households."

1. *Comment acknowledged; see Section II-B.3 of the Plan.*

Response to Paragraph No. 2: The HKC letter states, "assuming that the City did include CEQA review of the Plan, that review would still be insufficient. The City should have conducted CEQA review of the entire Project and all of its components, including the Plan, at the

time of the City's review of the Project Negative Declaration. Any City review of the environmental impacts of the Plan alone would result in piecemeal review of the Project's physical environmental impacts so that their cumulative effects are not considered."

1. *The City did conduct a CEQA review of the entire Project and all of its components as described in the Project proposal and evidenced by the approved MND No. 09-001. Pacific and its attorney, HKC, have asserted the same claim of inadequate environmental review in Pacific's pending lawsuit regarding the MND, entitled Pacific Mobile Home Park, LLC v. City of Huntington Beach, Orange County Superior Court Case No. 30-2011-00449749. Whether Pacific is correct will be adjudicated in that case.*

Response to Paragraph No. 3: The HKC letter states, "the city's budget of $240,000 discussed on page 20 of the Relocation Plan is woefully inadequate to fund the purchase of eight replacement mobile homes at the replacement mobile home median prices listed on page 7 of the Plan." The remainder of the paragraph expands upon this point.

1. *The City's estimated relocation budget of $240,000 excludes the cost to purchase the mobile homes, land acquisition costs, and any fees for appraisals or relocation implementation services. The estimated budget discussed on page 20 of the Plan assures the availability of the funds necessary to pay eligible relocation benefits to anyone displaced from the project site and a commitment by the City to allocate these funds to the relocation process in the event the proposed Project is implemented.*

2. *The relocation budget discussed in the Plan is limited to the estimated relocation benefits for which the displacees will be eligible. These include: moving expense payments to relocate personal property from the displacement site, purchase price differential payments, incidental expense payments (related to the purchase of a replacement dwelling), mortgage interest differential payments, and rental assistance payments (related to the space rent).*

3. *The City has separately estimated the fees for appraisal, land acquisition, and relocation services, the acquisition costs related to the purchase of the eight mobile homes directly affected by the proposed Project, and eligible real estate closing costs. This together with the estimated relocation budget, construction costs, etc., gives the City a total estimated Project budget. However, the Plan was not intended to provide the overall Project budget, but specifically those costs related to relocation benefits.*

COMMENT LETTER #2
By Rod Stolk and Jim Rock
(Received October 11, 2011)

RESPOSE TO DRAFT RELOCATION PLAN
City of Huntington Beach
Submitted by Rod Stolk and Jim Rock
Pacific Mobile Home Park

City of Huntington Beach
Economic Development
Attn: Tina Krause

Tina,

After review of the draft relocation plan for Atlanta widening, we need to point some issues / flaws that are inherent to the plan, and if implemented, would allow the city to greatly reduce the quality of our housing and lives as a result of a forced relocation.

Section II, "Assesement of Relocation Needs".

In this section, the basis for replacement housing is based on the following criteria: *"Replacement housing needs, as express in this Plan, are defined by the total number of required replacement units and distribution of those units by bedroom size".* Essentially, this states, we have 8 homes to replace, and they have between 1 and 3 bedrooms, we will replace with a home with the same amount of bedroom space. Of course, we need the same number of rooms we have now, however there is much more than **MUST** be considered on our relocation requirements. We strongly disagree with this premise as the sole / primary basis for replacement housing. If this is the primary criteria, it's absolutely 100% flawed, and is extremely unfair. In our case, the amenities of our homes, such as location in the City itself, the location in the park, our lot size, and the specific features of our homes that are directly related to the quality of our lives and housing, and must be considered in this relocation plan. For example, both the Stolk and Rock residences have oversized lots,(some of the largest in the park), that allow us to have substantial yard and patio space in our homes. In addition, this space allows us substantial storage space, basically, overall much more living space, and general higher quality of life than the vast majority of the homes in the park. This is not an accident, as both the Rocks and the Stolks made very specific purchase decisions based on these features and amenities, and they do provide for a substantially enhanced living experience for our life styles and families relative to the vast majority of homes Pacific Mobile Home Park. We will not agree that relocating us in any other home in our park or any other park that simply meets the "bedroom size" criteria is acceptable….it is **not**. We should not have to downgrade our living arrangements and lifestyle in order to provide the city our homes for an unnecessary project.

Section III, <u>Relocation Resources</u>

Bottom line summary in this section, simply states that there are many mobile homes available in Huntington Beach that are for sale, and meet the criteria for relocation, and there is “more than adequate housing available for any of the residential occupants” **THIS 100%, ABSOLUTEY, POSITIVELY, *<u>NOT</u>* TRUE.** Yes, there are mobile homes for sale in the the City of Huntington Beach, and yes, there are units available for sale in Pacific Mobile Home Park, HOWEVEFR according to our knowledge of what is currently available for sale in Pacific Mobile home park, the units are far substandard to our units from many perspectives. In addition, the location and rent discrepancies of the next closest mobile home park to PMHP are 100% not acceptable to us.

It seems logical, that under the circumstances, the City needs to consider other housing, such as condominiums that are located just adjacent to Pacific Mobile home park, or replacing the units that are for sale in the park with new units, that would offer the same quality of housing, life and amenities we currently have.

It is 100% unacceptable for the City to force us into housing and a lifestyle that is substandard to what we currently have.

Please modify the relocation plan to include provisions that do not allow the City to downgrade our housing or lifestyle due to forced relocation.

Rod Stolk & Jim Rock
Pacific Mobile Home Park

RESPONSE TO COMMENT LETTER #2

RESPONSE TO COMMENT LETTER #2

Response to Section II, "Assessment of Relocation Needs": At the time a Relocation Plan is prepared, a market survey is conducted to identify dwellings available on the market for purchase that meet the basic definition of "comparable," which is "functional equivalence." Depending on how long it is between the time a Relocation Plan is prepared and when a project is authorized and moves forward resulting in actual displacements, market conditions and available housing can change. Therefore, at the time a Relocation Plan is prepared, a snapshot of available replacement housing matching the functional equivalence of the displacement dwellings is secured.

The basis for replacement housing is ***comparable*** replacement housing (as defined in Section IV-A.4 on pages 9 and 10 of the Relocation Plan) at the time of actual displacement. Criteria considered when evaluating comparable housing include the requirements listed in the federal Uniform Relocation Act:

(a) *The unit is decent, safe, and sanitary - electrical, plumbing and heating systems in good repair - no major, observable hazards or defects. The unit is adequate in size and is comparable to the acquired dwelling with respect to number of rooms, habitable living space and type and quality of construction, but not lesser in rooms or living space as necessary to accommodate the displaced person. The unit is functionally equivalent, including principle features.*

(b) *The unit is located in an area not subjected to unreasonable adverse environmental conditions from either natural, or man-made sources, and not generally less desirable with respect to public utilities, transportation, public and commercial facilities, including schools and municipal services and reasonably accessible to the displaced person's place of employment.*

(c) *The unit is available both on the private market and to all persons regardless of race, color, sex, marital status, religion, or national origin.*

Comparable housing does not include consideration of "style of living," which was specifically removed from the definition of comparable housing by the federal agencies. A comparable dwelling also need not possess every feature of the displacement dwelling per the Uniform Relocation Act.

With that being said, at the time of actual displacement, every reasonable effort will be made to identify comparable housing sharing as many attributes as the displacement dwelling as possible.

In addition, the appraised value of each of the displacement dwellings will reflect features, if applicable, such as unusually large lots, location to amenities, improvements and upgrades to the dwellings, etc., which should reflect a higher value. The money paid to an owner of a mobile home to acquire their home can be used by the owner to secure replacement housing of the owner's choice, including a conventional dwelling, with further assistance to be offered through relocation benefits.

Response to Section III, "Relocation Resources": Please refer to the Response to Section II above. In addition, assistance will be offered to the mobile home owners by the City's relocation consultant to identify available comparable housing as close to the Project site as possible, which may or may not include units within Pacific Mobile Home Park depending on availability and comparability.

Once a comparable dwelling meeting federal requirements has been identified, and a Replacement Housing Payment entitlement has been calculated based on the most comparable dwelling, a displacee may choose to ultimately move to any dwelling of his/her choice. However, relocation payments will be calculated based on the maximum eligibility established by the comparable dwelling. The desires of individual mobile home owners regarding the location and type of replacement housing will be taken into consideration within the parameters of federal relocation law.

Rent "discrepancies" at an alternate mobile home park, if a comparable unit is identified within that park, will be handled via a rental assistance payment as described in Section IV-B.3 on page 14 of the Relocation Plan.

RELOCATION GRIEVANCE PROCEDURES

I. Right of Review

Any person who believes to be unfairly aggrieved by a determination as to relocation eligibility, the amount of payment, the failure of the City to provide comparable permanent or adequate temporary replacement housing or the City's property management practices may, at their election, have their claim reviewed and reconsidered by the City or an authorized designee (other than the person who made the determination in question).

II. Notification of Decision

If the city denies or refuses to consider a claim, the City's notification to the claimant of its determination shall inform the claimant of its reasons and the applicable procedures for obtaining review of the decision. If necessary to provide the information in the language most easily understood by the recipient, such notification shall be printed in a language other than English.

III. Stages of Review

A. Request for Further Written Information

A complainant may request the City to provide him/her with a full written explanation of its determination and the basis for such determination; if he/she feels that the explanation accompanying the payment of the claim or notice of the City's determination was incorrect or inadequate.

The City shall provide such an explanation to the complainant within three (3) weeks of its receipt of their request.

B. Informal Oral Presentation

A complainant may request an informal oral presentation before seeking formal review and reconsideration. The right to formal review and reconsideration shall not be conditioned upon requesting an informal oral presentation.

Within fifteen (15) days of the request the City shall afford the complainant the opportunity to make such presentation.

The complainant may be represented by an attorney or other person of their choosing. This oral presentation shall enable the complainant to discuss the relocation claim with the City Manager or designee (designee must not be the person/relocation firm that made the initial determination) having authority to revise the initial determination on the relocation claim. The City shall make a summary of the matters discussed in the oral presentation to be included as part of its file.

C. Formal Review and Reconsideration

1. Request for Review

At any time within the period described in [Section IV herein], a complainant may file a written request for formal review and reconsideration by the City Manager or designee. The complainant may include in the request for review any statement of fact within the complainant's knowledge or belief or other material which may have a bearing on the appeal. If the complainant requests more time to gather and prepare additional material for consideration or review and demonstrates a reasonable basis for such request, the complainant may be granted additional time.

The City Manager or designee shall consider every aggrieved person's complaint regardless of form, and shall, if necessary, provide assistance in preparing the written request for review.

2. Notice of Procedures

When a complainant seeks review, the City Manager or designee shall inform him/her that he/she has the right to be represented by an attorney, to present their case by oral or documentary evidence, to submit rebuttal evidence, to conduct such cross-examination as may be required for a full and true disclosure of facts, and to seek judicial review once he/she has exhausted administrative appeal.

3. Review by City Manager or designee

The City Manager or designee shall promptly hear all complaints brought by aggrieved persons relating to relocation and shall determine if the City has complied with the Relocation Assistance Law and Guidelines, these Rules and Regulations and where applicable, with federal law and regulations.

The City Manager or designee shall, after public hearing, transmit his/her findings and recommendations to the City Council, including any recommendations for modifications of the City's initial determination.

4. Scope of Review

The City Manager or designee shall review and consider the initial determination of the City in the complainant's case in light of:

(a) All material upon which the City based its original determination, including all applicable rules and regulations, except that no evidence shall be relied upon where a complainant has been improperly denied an opportunity to controvert the evidence [or] cross-examine the witness;

(b) The reasons given by the complainant for requesting review and reconsideration of the claim;

(c) Any additional written or relevant documentary material submitted by the complainant;

(d) Any further information which the City Manager or designee in his/her discretion, obtains by request, investigation, or research, to ensure fair and full review of the claim.

5. Findings and Recommendations by City Manager or designee

The findings and recommendations of the City Manager or designee shall include:

(a) The determination of the City Manager or designee as to whether the City has complied with State law and where applicable with federal law, pertaining to the relocation;

(b) The recommendations of the City Manager or designee, including any recommendations for modification of the City's initial determination;

(c) The factual and legal basis upon which the findings and recommendations rest, including any pertinent explanation or rationale;

(d) A statement to the complainant that the findings and recommendations of the City Manager or designee will be transmitted to the City Council for final administrative decision with respect to the claim.

The findings and recommendations of the City Manager or designee shall be in writing and copies thereof shall be provided to the complainant and transmitted to the City Council.

The City Manager or designee shall issue findings and recommendations as soon as possible, but no later than six (6) weeks from receipt of the last material submitted for consideration by the complainant or the date of the hearing, whichever is later. In the case of complaints recommended for dismissal due to untimely submittal or for any other reason not based on the merits of the claim, the time limit for issuing the findings and recommendations shall be reduced to ten (10) days.

6. Final Determination by City Council

(a) Scope of Review

After receipt of the written findings and recommendations of the City Manager or designee, the City Council shall review and reconsider the initial determination of the City on the claim. The

City Council may, but is not required to, conduct a hearing de novo with respect to the claim, as it deems necessary. The complainant shall be given at least ten (10) days written notice prior to the matter being heard.

The City Council shall base its final decision on the claim upon the record compiled in connection with the proceedings of the City Manager or designee, and upon the record of the hearing (if any) conducted by the Council.

(b) Final Determination

The final determination on review by the City Council shall include, but is not limited to:

(1) The City Council's decision on reconsideration of the claim;

(2) The factual and legal basis upon which the decision rests, including any pertinent explanation or rationale;

(3) A Statement to the complainant that administrative remedies have been exhausted, if such is the case, and that judicial review may be sought.

The final determination of the City Council shall be in writing and a copy thereof shall be provided to the complainant.

The City Council shall issue its determination as soon as possible, but no later than three (3) weeks from receipt by the City Council of the written findings and recommendations of the City Manager or designee. In the case of complaints dismissed due to untimely submittal or for reason not based on the merits of the claim, the time limit for issuing such determination shall be reduced to ten (10) days.

IV. Time Limit for Requesting Review

Any request for [Informal Oral Presentation or Formal Review and Consideration] shall be filed in writing with the specified reviewing authority within thirty (30) days following the date the complainant receives notice of the decision being appealed. Such time limit may be extended for good cause by the City.

V. Stay of Displacement Pending Final Determination

If a complainant seeks to prevent displacement, the City shall not require the complainant to move until at least twenty (20) days after the City has made its final determination. In all cases the City shall notify the complainant in writing at least twenty (20) days prior to the proposed new date of displacement.

Any complaint seeking to prevent displacement must be brought within thirty (30) days of service by the City of the notice to vacate. Such notice to vacate must include notice that any complaint seeking to prevent displacement must be filed within thirty (30) days.

VI. Joint Complainants

Where more than one person is aggrieved by the failure of the City to refer them to comparable permanent or adequate temporary replacement housing the complainants may join in filing a single written request for review. A determination shall be made as herein provided for each of the complainants.

VII. Right to Counsel

Any aggrieved party has a right to representation by legal or other counsel at their expense at any and all stages of the proceedings.

VIII. Review of Files by Claimant

Except to the extent that confidentiality of material is protected by law or its disclosure is prohibited by law, the City shall permit the claimant to inspect all files and records bearing upon their claim or the prosecution of the claimant's grievance. The City may impose reasonable conditions on such right to inspect.

If a claimant is improperly denied access to any relevant material bearing on the claim, such material may not be relied upon in reviewing the initial determination.

IX. Recommendations by Third Party

Upon agreement between the claimant and the City, a mutually acceptable third party or parties may review the claim and make advisory recommendations thereon to the City for its final determination. In reviewing the claim and making recommendations to the City, the third party or parties shall be guided by the City's Rules and Regulations.

X. Effect of Determination on Other Persons

The principles established in all determinations by the City shall be considered as precedent for all eligible persons in similar situations regardless of whether or not a person has filed a written request for review. All written determinations shall be kept on file and available for public review.

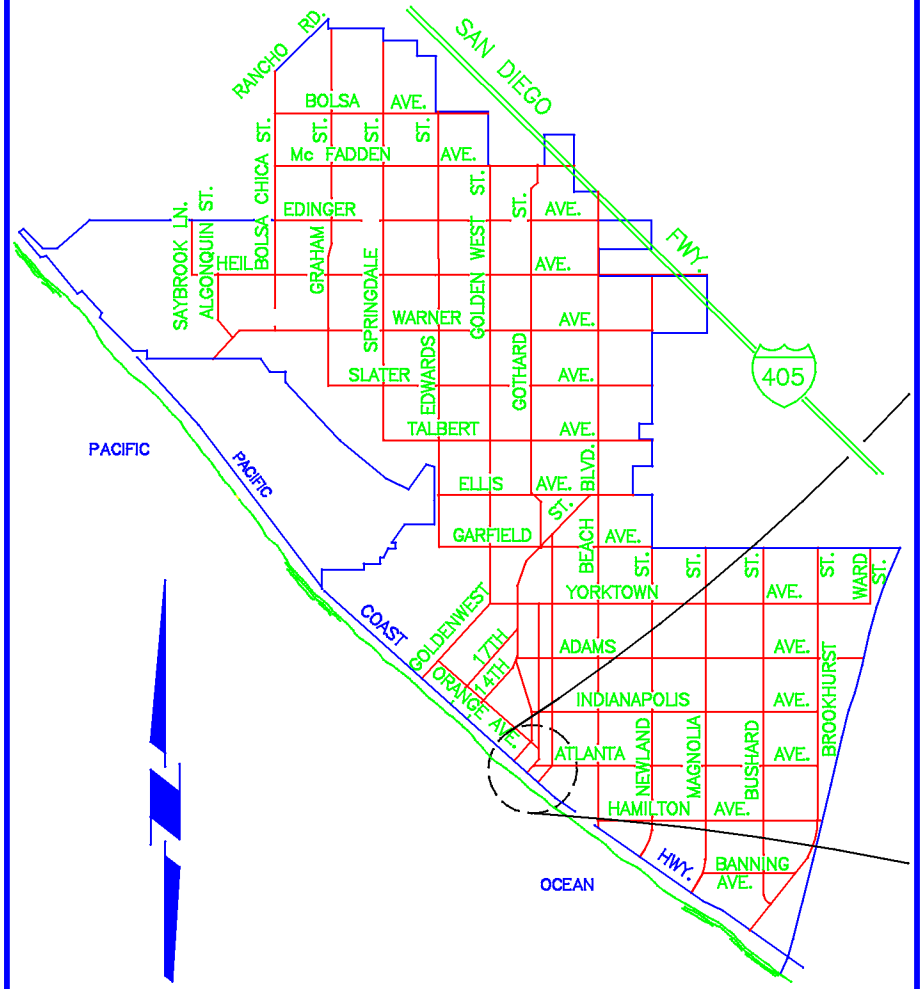
XI. Judicial Review

Nothing in these Rules and Regulations shall in any preclude or limit a claimant from seeking judicial review of the claim upon exhaustion of such administrative remedies.

MV - 11-14-11

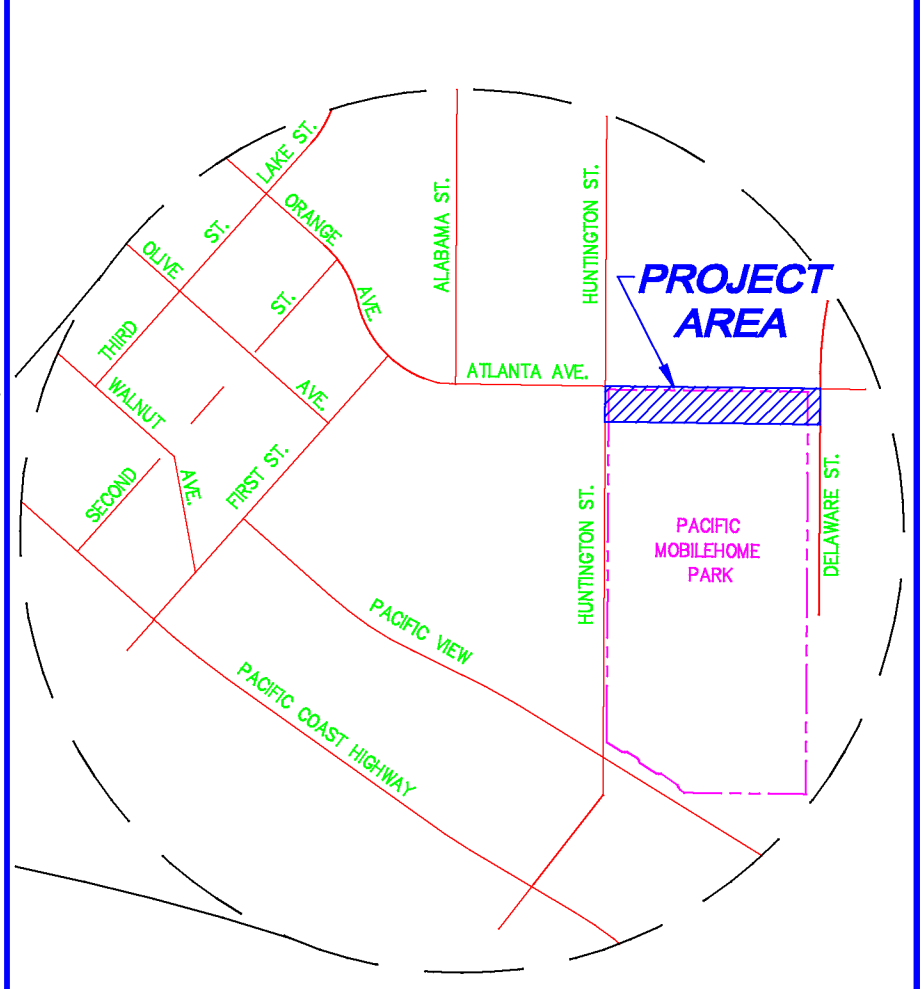
ATLANTA AVENUE WIDENING PROJECT

(HUNTINGTON ST. – DELAWARE ST.)



VICINITY MAP

N.T.S.



LOCATION MAP

N.T.S.

CITY OF HUNTINGTON BEACH
REQUEST FOR CITY COUNCIL ACTION

MEETING DATE: 11/18/2013

SUBMITTED TO: Honorable Mayor and City Council Members

SUBMITTED BY: Fred A. Wilson, City Manager

PREPARED BY: Janeen Laudenback, Director of Community Services

SUBJECT: Adopt Resolutions Nos. 2013-64 through 2013-70 requesting authorization by the City and approval from Caltrans for temporary closure of streets for certain special events in 2014

Statement of Issue: The California Department of Transportation (Caltrans) requires an approved Council resolution to close Pacific Coast Highway from Beach Boulevard to Warner Avenue, the first block of Main Street, 5th Street, and 12th Street in Sunset Beach for special events.

Financial Impact: Not applicable

Recommended Action:
A) Adopt Resolution No. 2013-64, "A Resolution of the City Council of the City of Huntington Beach Authorizing the Closing of Main Street and 5th Street to Vehicular Traffic for Certain Special Events;" and,

B) Adopt Resolution No. 2013-65, "A Resolution of the City Council of the City of Huntington Beach Approving the Temporary Closure of 12th Street in Sunset Beach for the Annual Sunset Beach Art Festival;" and,

C) Adopt Resolution No. 2013-66, "A Resolution of the City Council of the City of Huntington Beach Requesting Caltrans Approve the Closing of Pacific Coast Highway and Certain Ingress and Egress for the Surf City USA Marathon Run;" and,

D) Adopt Resolution No. 2013-67, "A Resolution of the City Council of the City of Huntington Beach Approving the Temporary Closure of Portions of Goldenwest Street, Garfield Avenue, Huntington Street, Twin Dolphin Drive, Edwards Street, Ellis Avenue, Talbert Avenue, Seapoint Street, Inlet Drive, Overlook Drive, Summit Drive, Varsity Drive, Main Street, Walnut Avenue, and Central Park Drive for the Surf City USA Marathon Run;" and,

E) Adopt Resolution No. 2013-68, "A Resolution of the City Council of the City of Huntington Beach Requesting Caltrans Approve the Closing of Pacific Coast Highway and Certain Ingress and Egress Within the City of Huntington Beach for the Annual Surf City 10 Run;" and,

F) Adopt Resolution No. 2013-69, "A Resolution of the City Council of the City of Huntington Beach Requesting Caltrans Approve the Closing of Pacific Coast Highway for the Huntington Beach Fourth of July Parade and Fireworks;" and,

G) Adopt Resolution No. 2013-70, "A Resolution of the City Council of the City of Huntington Beach Authorizing Street Closure for the Fourth of July."

Alternative Action(s): Do not adopt resolutions and direct staff accordingly.

Analysis: Certain special events require the closure of portions of Main Street and 5th Street in the downtown area in the interest of public safety, crowd access, and event operation. Caltrans requires a City Council Resolution (Attachment 1) declaring the city's intention to close the first block of Main Street and 5th Street in order to issue a permit for the closures. A Caltrans permit is needed for these locations because Pacific Coast Highway is a state highway with turn pockets onto Main Street and 5th Street.

Events occurring in 2014, which require closure of Main Street and 5th Street in downtown Huntington Beach are the Wavecrest Beach Cruiser Meet, California Cruise In, Chili at the Beach, Surfing Walk of Fame Induction, Surf City Days, Halloween Activities, and the Light a Light of Love event. Additional events may be added at a later date. The time of the day listed on the resolution, 6:00 a.m. to 10:00 p.m., does not reflect the actual times of individual events, but rather a time frame that will enable the city to fulfill the Caltrans requirement for closure. In addition, the time frame provides the city with some flexibility for accomplishing the various times for events.

Another street closure that requires a resolution for a Caltrans permit is for the closure of 12th Street in Sunset Beach for the annual Sunset Beach Art Festival (Attachment 2).

Caltrans also requires a resolution for the closure of Pacific Coast Highway from Beach Boulevard to Warner Avenue for the Surf City USA Marathon Run (Attachment 3) and the Surf City 10 (Attachment 5). Attachment 4 authorizes the temporary closure of portions of local streets along the marathon's and course. While there is some impact on city residents, extensive notification is done to minimize inconvenience. All streets are reopened as soon as public safety permits.

Also included are road closure resolutions for the 2014 Fourth of July events (Attachments 6 and 7). These closures remain unchanged from the 2013 event.

Environmental Status: Not applicable

Strategic Plan Goal:
Maintain and Enhance Public Safety

Attachment(s):
1. Resolution No. 2013-64, "A Resolution of the City Council of the City of Huntington Beach authorizing the closing of Main Street and 5th Street to vehicular traffic for certain Special Events"
2. Resolution No. 2013-65, "A Resolution of the City Council of the City of Huntington Beach approving the temporary closure of 12th Street in Sunset Beach for the Annual Sunset Beach Art Festival"
3. Resolution No. 2013-66, "A Resolution of the City Council of the City of Huntington Beach requesting Caltrans approve the closing of Pacific Coast Highway and certain Ingress and Egress for the Surf City USA Marathon Run"

4. Resolution No. 2013-67, “A Resolution of the City Council of the City of Huntington Beach approving the temporary closure of portions of Goldenwest Street, Garfield Avenue, Huntington Street, Twin Dolphin Drive, Edwards Street, Ellis Avenue, Talbert Avenue, Seapoint Street, Inlet Drive, Overlook Drive, Summit Drive, Varsity Drive, Main Street, Walnut Avenue, and Central Park Drive for the Surf City USA Marathon Run”
5. Resolution No. 2013-68, “A Resolution of the City Council of the City of Huntington Beach requesting Caltrans approve the closing of Pacific Coast Highway and certain Ingress and Egress within the City of Huntington Beach for the Annual Surf City 10 Run”
6. Resolution No. 2013-69, “A Resolution of the City Council of the City of Huntington Beach requesting Caltrans approve the closing of Pacific Coast Highway for the Huntington Beach Fourth of July Parade and Fireworks”
7. Resolution No. 2013-70, “A Resolution of the City Council of the City of Huntington Beach authorizing street closure for the Fourth of July”

RESOLUTION NO. 2013-64

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF HUNTINGTON BEACH AUTHORIZING THE CLOSING OF MAIN STREET AND 5TH STREET TO VEHICULAR TRAFFIC FOR CERTAIN SPECIAL EVENTS

WHEREAS, the City of Huntington Beach hosts several special events and related activities to promote visitation and tourism in the City; and

These special events and related activities occur on Main Street and 5th Street in the downtown area; and

These special events and related activities draw large crowds which create pedestrian and vehicle conflicts; and

In order to promote public safety, the City Council has determined that the closure of Main Street and 5th Street during the special events listed hereinbelow is necessary for the safety and protection of persons who might use said streets,

NOW THEREFORE, the City Council of the City of Huntington Beach does hereby resolve that Main Street and 5th Street shall be closed to all vehicular traffic, including bicycles, on the dates and for the Special Events listed below. Closures shall be from 6:00 a.m. on the first day of the Special Event until 10:00 p.m. on the last day of the event:

Date	Special Event
March 22-23, 2014	Wavecrest Beach Cruiser Meet
April 26, 2014	California Cruise In
June 14, 2014	Chili at the Beach
July 31, 2014	Surfing Walk of Fame Induction
September 13, 2014	Surf City Days
October 31, 2014	Halloween Activities
December 7, 2014	Light a Light of Love

PASSED AND ADOPTED by the City Council of the City of Huntington Beach at a regular meeting thereof held on the _____ day of _____, 2013.

_____
Mayor

REVIEWED AND APPROVED:

_____
City Manager

INITIATED AND APPROVED:

_____
Director of Community Services

APPROVED AS TO FORM:

_____
City Attorney 11·13·13

13-3988/102317

RESOLUTION NO. 2013-65

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF HUNTINGTON BEACH APPROVING THE TEMPORARY CLOSURE OF 12TH STREET IN SUNSET BEACH FOR THE ANNUAL SUNSET BEACH ART FESTIVAL

WHEREAS, the City Council of the City of Huntington Beach desires to support community events and bring tourism to the City; and

The City of Huntington Beach is a participating host of the Annual Sunset Beach Art Festival on May 10-11, 2014; and

The event organizers desire to continue a traditional event in the City of Huntington Beach and to showcase portions of Sunset Beach; and

The event and related activities are expected to draw crowds which create pedestrian and vehicle conflicts; and

This community event will require the closing of 12th Street to accommodate participants and for the safety and protection of persons who might use the street,

NOW, THEREFORE, the City Council of the City of Huntington Beach does hereby resolve as follows:

1. To approve the temporary closure of 12th Street in Sunset Beach as deemed necessary for event management and public safety on Saturday and Sunday, May 10-11, 2014.

2. That the Director of Public Works is hereby authorized to approve traffic control plans to implement the roadway closures and traffic restrictions.

PASSED AND ADOPTED by the City Council of the City of Huntington Beach at a regular meeting thereof held on the _____ day of _____, 20___.

_____
Mayor

REVIEWED AND APPROVED:

_____
City Manager

INITIATED AND APPROVED:

_____
Director of Community Services

APPROVED AS TO FORM:

_____
City Attorney DKO 10/18/13

13-2088/102318

RESOLUTION NO. 2013-66

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF HUNTINGTON BEACH REQUESTING CALTRANS APPROVE THE CLOSING OF PACIFIC COAST HIGHWAY AND CERTAIN INGRESS AND EGRESS FOR THE SURF CITY USA MARATHON RUN

WHEREAS, the City Council of the City of Huntington Beach desires to support community events and bring tourism to the City; and

The City of Huntington Beach is a participating host to the Surf City USA Marathon run on February 2, 2014; and

This community event will require the closing of Pacific Coast Highway ("PCH"), the left turn pocket on northbound PCH to Huntington Street, and the right and left turn pockets on PCH to Twin Dolphin Drive, all of which require approval of CalTrans,

NOW, THEREFORE, the City Council of the City of Huntington Beach does hereby resolve as follows:

1. That the City Council of the City of Huntington Beach requests that CalTrans approve the closure of Pacific Coast Highway between Beach Boulevard and Warner Avenue on February 2, 2014, to accommodate the participants in the Surf City USA Marathon.

BE IT FURTHER RESOLVED, that the City Council request that CalTrans also approve the closure of the left turn pocket on northbound Pacific Coast Highway at Huntington Street on Thursday, January 30, 2014 through Monday, February 3, 2014 to accommodate event set-up, registration and tear-down.

BE IT FURTHER RESOLVED, that the City Council requests that Cal Trans also approve the closure of the left turn pocket on southbound PCH and the right turn pocket on northbound PCH at Twin Dolphin Drive on Friday, January 31, 2014 through Monday, February 3, 2014 to accommodate event operations.

BE IT FURTHER RESOLVED, that the City Council authorizes the Director of Public Works to approve the traffic control plans to implement the roadway closures and traffic restrictions.

PASSED AND ADOPTED by the City Council of the City of Huntington Beach at a regular meeting thereof held on the _____ day of _____, 20___.

_____
Mayor

REVIEWED AND APPROVED:

_____
City Manager

INITIATED AND APPROVED:

_____
Director of Community Services

APPROVED AS TO FORM:

_____
City Attorney DKO 10/18/13

RESOLUTION NO. 2013-67

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF HUNTINGTON BEACH APPROVING THE TEMPORARY CLOSURE OF PORTIONS OF GOLDENWEST STREET, GARFIELD AVENUE, HUNTINGTON STREET, TWIN DOLPHIN DRIVE, EDWARDS STREET, ELLIS AVENUE, TALBERT AVENUE, SEAPOINT STREET, INLET DRIVE, OVERLOOK DRIVE, SUMMIT DRIVE, VARSITY DRIVE, MAIN STREET, WALNUT AVENUE AND CENTRAL PARK DRIVE FOR THE SURF CITY USA MARATHON RUN

WHEREAS, the City Council of the City of Huntington Beach desires to support community events and bring tourism to the City; and

The City of Huntington Beach is a participating host of the Surf City USA Marathon on February 2, 2014; and

The event organizers desire to build a world-class marathon in the City of Huntington Beach and to showcase portions of the City; and

This community event will require the closing of city streets to accommodate participants and protect public safety,

NOW, THEREFORE, the City Council of the City of Huntington Beach does hereby resolve as follows:

1. That the City Council of the City of Huntington Beach approves the closure of portions of Goldenwest Street, Garfield Avenue, Huntington Street, Twin Dolphin Drive, Edwards Street, Ellis Avenue, Talbert Avenue, Seapoint Street, Inlet Drive, Overlook Drive, Summit Drive, Varsity Drive and Central Park Drive, or other streets as deemed necessary for event management and public safety on Sunday, February 2, 2014.

2. That the Director of Public Works is hereby authorized to approve traffic control plans to implement the roadway closures and traffic restrictions.

PASSED AND ADOPTED by the City Council of the City of Huntington Beach at a regular meeting thereof held on the _____ day of _____, 20_____.

_____
Mayor

REVIEWED AND APPROVED:

_____
City Manager

INITIATED AND APPROVED:

_____
Director of Community Services

APPROVED AS TO FORM:

_____
City Attorney 10/18/13

13-3988/102320

RESOLUTION NO. 2013-68

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF HUNTINGTON BEACH REQUESTING CALTRANS APPROVE THE CLOSING OF PACIFIC COAST HIGHWAY AND CERTAIN INGRESS AND EGRESS WITHIN THE CITY OF HUNTINGTON BEACH FOR THE ANNUAL SURF CITY 10 RUN

WHEREAS, the City Council of the City of Huntington Beach desires to support community events and bring tourism to the City; and

The City of Huntington Beach is a participating host of Surf City 10 Run on October 26, 2014; and

This community event will require the closing of Pacific Coast Highway ("PCH") from Beach Boulevard to Warner Avenue which requires approval of CalTrans,

NOW, THEREFORE, the City Council of the City of Huntington Beach does hereby resolve as follows:

1. To request that CalTrans approve the closure of Pacific Coast Highway between Beach Boulevard and Warner Avenue on October 26, 2014, to accommodate the participants in the Annual Surf City 10 run.

2. The Director of Public Works is authorized to approve the traffic control plans to implement the roadway closures and traffic restrictions.

PASSED AND ADOPTED by the City Council of the City of Huntington Beach at a regular meeting thereof held on the _____ day of _____, 20__.

_____
Mayor

REVIEWED AND APPROVED:

_____
City Manager

INITIATED AND APPROVED:

_____
Director of Community Services

APPROVED AS TO FORM:

_____
City Attorney DKO 10/18/13

RESOLUTION NO. 2013-69

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF HUNTINGTON BEACH REQUESTING CALTRANS APPROVE THE CLOSING OF PACIFIC COAST HIGHWAY FOR THE HUNTINGTON BEACH FOURTH OF JULY PARADE AND FIREWORKS

WHEREAS, the City of Huntington Beach has organized an annual 4th of July Parade and Fireworks since 1904 and desires to use a portion of Pacific Coast Highway for the 2014 Parade; and

The community event requires the closure of Pacific Coast Highway, which requires the approval of CalTrans,

NOW, THEREFORE, IT IS HEREBY RESOLVED that the City Council of the City of Huntington Beach requests that CalTrans approve the closure of Pacific Coast Highway from Beach Boulevard to Goldenwest Street on Friday, July 4, 2014 from 5:00 a.m. to 2:00 p.m. for the parade and from 7:00 p.m. to midnight for the fireworks.

PASSED AND ADOPTED by the City Council of the City of Huntington Beach at a regular meeting thereof held on the _____ day of _____, 20___.

_____
Mayor

REVIEWED AND APPROVED:

_____
City Manager

INITIATED AND APPROVED:

_____
Director of Community Services

APPROVED AS TO FORM:

_____
City Attorney 10/18/13

13-3988/102322

RESOLUTION NO. 2013-70

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF HUNTINGTON BEACH AUTHORIZING STREET CLOSURE FOR THE FOURTH OF JULY

WHEREAS, the City of Huntington Beach sponsors an annual Fourth of July Parade and related activities; and

The Fourth of July Parade and related activities draw large crowds which create pedestrian and vehicle conflicts; and

The City Council has reviewed the submitted street-closure plan and has determined that street closures are necessary to accommodate the Fourth of July Parade and related activities and for the safety and protection of persons who might use said streets,

NOW, THEREFORE, the City Council of the City of Huntington Beach does hereby resolve, determine and find as follows:

1. That the parade / run route and parade formation areas designated below shall be closed to all vehicular traffic, including bicycles, except parade vehicles, on Friday, July 4, 2014, from 5:00 a.m. to 2:00 p.m.

PARADE FORMATION AND DISBANDING AREA

Main Street	between Clay Avenue and Garfield Avenue
Walnut Avenue	between 10th Street and Main Street
Gothard Street	between Main Street and Clay Avenue
Olive Avenue	between 10th Street and 6th Street
Orange Avenue	between 10th Street and 6th Street
Pecan Avenue	between 9th Street and 6th Street
9th Street	between Olive Avenue and Orange Avenue
8th Street	between PCH and Acacia Avenue
7th Street	between PCH and Acacia Avenue

PARADE / RUN ROUTE

Pacific Coast Highway	between Beach Boulevard and Goldenwest Street
Main Street	between PCH and Clay Avenue
Palm Avenue	between Main Street and Lake Street
11th Street	between Main Street and Lake Street
12th Street	between Main Street and Lake Street
Yorktown Avenue	between Main Street and Lake Street
17th Street	between Main Street and Adams Avenue

Goldenwest will be barricaded at Walnut Avenue, Olive Avenue, Orange Avenue, Acacia Avenue and Palm Avenue. The southbound left-turn pocket will be barricaded on Goldenwest Street at Yorktown Avenue.

Portions of the public right-of-way immediately adjacent to the parade route may be closed for crowd control, the erection of bleachers or other purposes as deemed necessary by City officials.

2. That the Director of Public Works is hereby authorized to implement traffic control plans, roadway closures and traffic restrictions.

PASSED AND ADOPTED by the City Council of the City of Huntington Beach at a regular meeting thereof held on the _____ day of _____, 20___.

_____
Mayor

REVIEWED AND APPROVED:

_____
City Manager

INITIATED AND APPROVED:

_____
Director of Community Services

APPROVED AS TO FORM:

_____
City Attorney DKO 10/18/13

CITY OF HUNTINGTON BEACH
REQUEST FOR CITY COUNCIL ACTION

MEETING DATE: 11/18/2013

SUBMITTED TO: Honorable Mayor and City Council Members

SUBMITTED BY: Fred A. Wilson, City Manager

PREPARED BY: Travis K. Hopkins, PE, Director of Public Works

SUBJECT: Adopt Resolution No. 2013-71 certifying that the City has the resources to implement the projects to be included in the 2015 Federal Transportation Improvement Program (FTIP) as required by the Orange County Transportation Authority (OCTA)

Statement of Issue: The Orange County Transportation Authority (OCTA) requires the submittal of a resolution certifying that the City has the resources to implement the projects to be included in the 2015 Federal Transportation Improvement Program.

Financial Impact: None associated with this action.

Recommended Action:
Adopt Resolution No. 2013-71, "A Resolution of the City Council of the City of Huntington Beach, California Certifying that the City has the Resources to Fund the Projects Submitted for Inclusion in the 2015 Federal Transportation Improvement Program and has the Resources to Fund the Projects in the FFY 2014/15 – 2019/20 Transportation Improvement Program and Affirms its Commitment to Implement all of its Projects Submitted to the Program."

Alternative Action(s): Do not approve the resolution, and provide staff with alternative direction.

Analysis: Previously, the City Council has committed local funding to match two Federal funded grants through the Federal Transportation Improvement Program (FTIP). The FTIP is a database that programs funding for all State and Federal funded transportation projects and projects of regional significance. The two projects previously authorized to receive these grant funds are:

1) Atlanta Avenue Widening Project (Huntington Street to Delaware Street)
2) Lake Street Bicycle Treatments and Downtown Bicycle Facilities

The Orange County Transportation Authority (OCTA), which administers these federal grants, is requiring that all Orange County agencies have their respective council or board approve a resolution re-affirming that it has the resources to fund the projects submitted for inclusion in the 2015 FTIP, in order to secure these grant funds.

Public Works Commission Action: Not required for this action.

Environmental Status: Not required for this action.

Strategic Plan Goal: Improve the City's infrastructure

Attachment(s):

1. Resolution No. 2013-71, "A Resolution of the City Council of the City of Huntington Beach, California Certifying that the City has the Resources to Fund the Projects Submitted for Inclusion in the 2015 Federal Transportation Improvement Program and has the Resources to Fund the Projects in the FFY 2014/15 – 2019/20 Transportation Improvement Program and Affirms its Commitment to Implement all of its Projects Submitted to the Program."

RESOLUTION NO. 2013-71

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF HUNTINGTON BEACH, CALIFORNIA, CERTIFYING THAT THE CITY HAS THE RESOURCES TO FUND THE PROJECTS SUBMITTED FOR INCLUSION IN THE 2015 FEDERAL TRANSPORTATION IMPROVEMENT PROGRAM AND HAS THE RESOURCES TO FUND THE PROJECTS IN THE FFY 2014/15 – 2019/20 TRANSPORTATION IMPROVEMENT PROGRAM AND AFFIRMS ITS COMMITMENT TO IMPLEMENT ALL OF ITS PROJECTS SUBMITTED TO THE PROGRAM.

WHEREAS, the City of Huntington Beach ("CITY") is located within the metropolitan planning boundaries of the Southern California Association of Governments ("SCAG"); and

CITY desires to include the projects submitted to the Orange County Transportation Authority's ("OCTA") Federal Transportation Improvement Program ("FTIP"); and

CITY warrants that it has committed funding for the CITY'S share as required and accepts responsibility to fully implement the projects submitted; and

CITY is the lead agency for projects named below and will comply with applicable local, state, and federal provisions including the Federal Transportation Improvement Program, California Environmental Quality Act, National Environmental Policy Act, Americans with Disabilities Act, and Buy America; and

CITY agrees to the amendments to the projects as shown in the 2015 FTIP; and

CITY possesses legal authority to submit the projects for inclusion in the FTIP and to finance and construct the projects as noted in the amendments; and

CITY agrees to finance and construct Transportation Control Measures projects as noted in the amendments in a timely manner.

NOW, THEREFORE, the City Council of the City of Huntington Beach, does hereby resolve as follows:

1. That it affirms the CITY's commitment to the following projects submitted in the 2015 Federal Transportation Improvement Program:

   a. Atlanta Avenue Widening Project (from Huntington Street to Delaware Street)
   b. Lake Street Bicycle Treatments and Downtown Bicycle Facilities

PASSED AND ADOPTED by the City Council of the City of Huntington Beach at a regular meeting thereof held on November 18, 2013.

Mayor

REVIEWED AND APPROVED:

City Manager

INITIATED AND APPROVED:

Director of Public Works

APPROVED AS TO FORM:

City Attorney

10/24/2013

13-3997/102436

CITY OF HUNTINGTON BEACH
REQUEST FOR CITY COUNCIL ACTION

MEETING DATE: 11/18/2013

SUBMITTED TO: Honorable Mayor and City Council Members

SUBMITTED BY: Fred A. Wilson, City Manager

PREPARED BY: Travis K. Hopkins, PE, Director of Public Works

SUBJECT: Adopt Resolution Nos. 2013-72 and 2013-73 approving the submittal of Grant Applications to the Orange County Transportation Authority (OCTA) under the Comprehensive Transportation Funding Programs (CTFP) for the Adams Ave./Bushard St. Bioswale Project, the Banning Ave. Bioswale Project, and intersection capacity enhancement at Beach Blvd. and Warner Ave.

Statement of Issue: Adoption of a resolution is required to approve the submittal of projects for grant applications to the Orange County Transportation Authority (OCTA) for funding under the Comprehensive Transportation Funding Programs (CTFP).

Financial Impact: No funding is required for this action. However, if some or all of the grant applications are approved by OCTA, the City will be responsible for up to $956,607 in local matching funds. A separate City Council action will be required at that time.

Recommended Action:
A) Adopt Resolution No. 2013-72, "A Resolution of the City Council of the City of Huntington Beach Approving the Submittal of an Improvement Project to the Orange County Transportation Authority for Funding Under the Comprehensive Transportation Funding Program," Intersection Capacity Enhancement, for the intersection of Beach Boulevard and Warner Avenue; and,

B) Adopt Resolution No. 2013-73, "A Resolution of the City Council of the City of Huntington Beach Authorizing an Application for Funds for the Environmental Cleanup, Tier 2 Grant Program, Under Orange County Local Transportation Ordinance No. 3 for Adams Avenue and Bushard Street Bioswale Project and Banning Avenue Bioswale Project."

Alternative Action(s): Deny approval of one or all of the projects listed in the resolutions and forego eligibility to receive grant funds through the CTFP.

Analysis: On August 12, 2013, the Orange County Transportation Authority (OCTA) announced a call for projects for the Comprehensive Transportation Funding Programs (CTFP). These programs are regional and competitive. As a condition of eligibility, the City is required to adopt a resolution approving the submittal of applications for CTFP funding. In general, the resolution declares the City's desire to implement the submitted projects, as well as an affirmation to follow CTFP procedures, should funding be approved and allocated. The following projects were submitted to OCTA for consideration:

Beach Boulevard and Warner Avenue widening
Adams Avenue and Bushard Street Bioswale project
Banning Avenue Bioswale project

The grant amounts requested through these applications and the corresponding local matching funds which will be required are summarized below:

	Project	***CTFP Grant***	***Local Match***
1	Beach Boulevard and Warner Avenue	$706,185	$235,396
2	Adams Avenue and Bushard Street Bioswale	$635,955	$635,955
3	Banning Avenue Bioswale Project	$85,256	$85,256

1. Beach Boulevard and Warner Avenue Intersection Improvements – Beach Boulevard is a major regional facility within Orange County and serves as one of the key north-south transportation corridors in the City of Huntington Beach. The intersection of Beach Boulevard and Warner Avenue is reaching its desirable service capacity and projected increases in traffic will result in the intersection exceeding level of service standards. The City of Huntington Beach, in cooperation with Caltrans, has identified an intersection improvement to add a westbound right turn lane to augment capacity and meet the forecast future needs. A previous OCTA grant is funding the engineering efforts which are currently underway. This grant application is for acquisition of right of way and the construction of the improvements.

2. Adams Avenue and Bushard Street Bioswale Project – This proposed project will remove approximately 35,000 square feet of asphalt from the Adams Avenue and Bushard Street frontage road medians and provide water quality treatment with the construction of bioswales. The proposed bioswales include engineered filter media and drought tolerant plants to treat dry weather flows, first flush storm flows, and transportation-related pollutants such as metals, including aluminum, copper, iron, and zinc.

3. Banning Avenue Bioswale Project – This proposed project will remove approximately 3,740 square feet of asphalt from the Banning Avenue frontage road median and provide water quality treatment with the construction of bioswales. The proposed bioswales include engineered filter media and drought tolerant plants to treat dry weather flows, first flush storm flows, and transportation-related pollutants such as metals, including aluminum, copper, iron, and zinc.

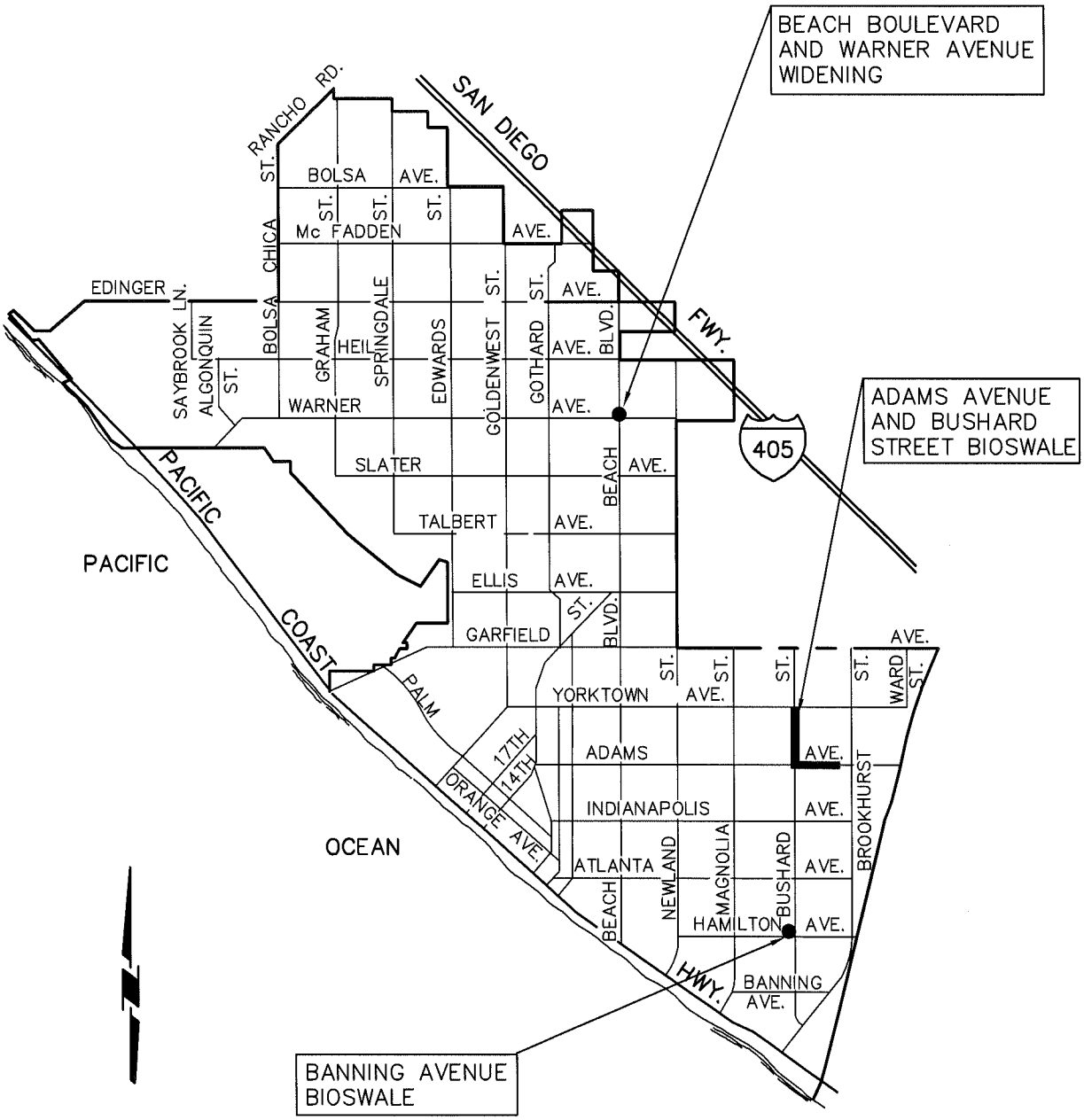
Public Works Commission Action: Not required.

Environmental Status: Not Applicable.

Strategic Plan Goal: Improve the City's infrastructure

Attachment(s):
1. Project Location Map
2. Resolution No. 2013-72, “A Resolution of the City Council of the City of Huntington Beach Approving the Submittal of an Improvement Project to the Orange County Transportation Authority for Funding Under the Comprehensive Transportation Funding Program.”
3. Resolution No. 2013-73, “A Resolution of the City Council of the City of Huntington Beach Authorizing an Application for Funds for the Environmental Cleanup, Tier 2 Grant Program, Under Orange County Local Transportation Ordinance No. 3 for Adams Avenue and Bushard Street Bioswale Project and Banning Avenue Bioswale Project.”

ATTACHMENT #1



CITY OF HUNTINGTON BEACH * PUBLIC WORKS

LOCATION MAP

ATTACHMENT 1

RESOLUTION NO. 2013-72

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF HUNTINGTON BEACH APPROVING THE SUBMITTAL OF AN IMPROVEMENT PROJECT TO THE ORANGE COUNTY TRANSPORTATION AUTHORITY FOR FUNDING UNDER THE COMPREHENSIVE TRANSPORTATION FUNDING PROGRAM

WHEREAS, the Orange County Transportation Authority intends to allocate funds for transportation improvements within the incorporated cities and the County; and

The City of Huntington Beach has been declared by the Orange County Transportation Authority to meet the eligibility requirements to receive Measure M turnback funds; and

The City Council of the City of Huntington Beach desires to implement the transportation improvement listed below; and

The City's Circulation Element is consistent with the County of Orange Master Plan of Arterial Highways; and

The City of Huntington Beach will provide matching funds for the project as required by the Orange County Comprehensive Transportation Funding Program Guidelines; and

The City of Huntington Beach will not use Measure M funds to supplant Developer Fees or other commitments; and

NOW, THEREFORE, the City Council of the City of Huntington Beach does hereby resolve as follows:

1. To request the Orange County Transportation Authority allocate funds in the amounts specified in the City's application for the Comprehensive Transportation Programs. Said funds shall be matched by funds from the City as required as shall be used as supplemental funding to aid the City in improving the following streets:

Intersection Capacity Enhancement Project: Beach Boulevard and Warner Avenue

PASSED AND ADOPTED by the City Council of the City of Huntington Beach at a regular meeting thereof held on _____, 2013.

_____
Mayor

REVIEWED AND APPROVED:

_____
City Manager

APPROVED AS TO FORM:

_____
City Attorney

10/29/2013

INITIATED AND APPROVED:

_____
Director of Public Works

13-4002/102541

RESOLUTION NO. 2013-73

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF HUNTINGTON BEACH AUTHORIZING AN APPLICATION FOR FUNDS FOR THE ENVIRONMENTAL CLEANUP, TIER 2 GRANT PROGRAM UNDER ORANGE COUNTY LOCAL TRANSPORTATION ORDINANCE NO. 3 FOR ADAMS AVENUE AND BUSHARD STREET BIOSWALE PROJECT AND BANNING AVENUE BIOSWALE PROJECT

WHEREAS, Orange County Local Transportation Ordinance No.3, dated July 24, 2006, and is known and cited as the Renewed Measure M Transportation Ordinance and Investment Plan makes funds available through the Environmental Cleanup Program to help protect Orange County beaches and waterways from transportation-generated pollution (urban runoff) and improve overall water quality.

WHEREAS, the Environmental Cleanup, Tier 2 Grant Program consists of funding regional, potentially multi-jurisdictional, capital-intensive projects, such as constructed wetlands, detention/infiltration basins and bioswales, which mitigate pollutants including litter and debris, heavy metals, organic chemicals, sediment, and nutrients.

Orange County Transportation Authority (OCTA) has established the procedures and criteria for reviewing proposals; and

The City of Huntington Beach possesses authority to nominate water quality improvement projects that have a transportation pollution nexus to finance and construct the proposed project; and

By formal action the City Council authorizes the nomination of Adams Avenue and Bushard Street Bioswale Project and Banning Avenue Bioswale Project, including all understanding and assurances contained therein, and authorizes the person identified as the official representative of the City of Huntington Beach to act in connection with the nomination and to provide such additional information as may be required; and

The City of Huntington Beach will maintain and operate the equipment acquired and installed; and

The City of Huntington Beach will give OCTA's representatives access to and the right to examine all records, books, papers or documents related to the funded Tier 2 Grant Project; and

The City of Huntington Beach will cause work on the project to be commenced within a reasonable time after receipt of notification from OCTA and that the project will be carried to completion with reasonable diligence; and

The City of Huntington Beach will comply where applicable with provisions of the California Environmental Quality Act, the National Environmental Policy Act, the American with Disabilities Act, and any other federal, state, and/or local laws, rules and/or regulations;

NOW, THEREFORE, the City Council of the Cityof Huntington Beach does hereby resolve as follows:

Travis K. Hopkins, Director of Public Works, is authorized as the official representative of the City of Huntington Beach to apply for and accept funds for the Environmental Cleanup, Tier 2 Grant Program for Adams Avenue and Bushard Street Bioswale Project and Banning Avenue Bioswale Project.

BE IT FURTHER RESOLVED that the City of Huntington Beach, agrees to fund its share of the project costs and any additional costs over the identified programmed amount.

PASSED AND ADOPTED by the City Council of the City of Huntington Beach at a regular meeting thereof held on the _____ day of _____, 20____.

_____
Mayor

REVIEWED AND APPROVED:

_____
City Manager

APPROVED AS TO FORM:

_____
City Attorney DKO 10/22/13

INITIATED AND APPROVED:

_____
Director of Public Works

CITY OF HUNTINGTON BEACH
REQUEST FOR CITY COUNCIL ACTION

MEETING DATE: 11/4/2013

SUBMITTED TO: Honorable Mayor and City Council Members

SUBMITTED BY: Fred A. Wilson, City Manager

PREPARED BY: Fred A. Wilson, City Manager

SUBJECT: Adopt Resolution No. 2013-60 opposing any bills or ballot measures that would weaken the Medical Injury Compensation Reform Act (MICRA), increase health care costs for state and local governments, and limit patient access to health care services

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Statement of Issue:
Californians Allied for Patient Protection (CAPP) has requested the City's support on a resolution that protects the Medical Injury Compensation Reform Act (MICRA). MICRA ensures that injured patients receive fair compensation while also limiting frivolous and meritless lawsuits that increase costs for consumers, local governments and others by applying a 250,000 cap on non-economic damages. If the resolution is adopted, the City of Huntington Beach would be officially opposing attempts to increase MICRA's cap on non-economic damages through the legislature or at the ballot and would become an official non-dues paying member of the Californians Allied for Patient Protection (CAPP).

Financial Impact:
None.

Recommended Action:
Adopt Resolution No. 2013-60, "A Resolution of the City Council of the City of Huntington Beach Opposing Any Bills or Ballot Measures That Would Weaken the Medical Injury Compensation Reform Act (MICRA), Increase Health Care Costs for State and Local Governments, and Limit Patient Access to Health Care Services."

Alternative Action(s):
Do not adopt resolution.

Analysis:
At the request of Mayor Pro Tem Harper, the Intergovernmental Relations Committee reviewed a request from CAPP asking the City to consider supporting MICRA by adopting a resolution that would oppose any bills or ballot measures that would weaken the MICRA. MICRA ensures that injured patients receive fair compensation while also limiting frivolous and meritless lawsuits that increase costs for consumers, local governments and others. Under MICRA, patients are awarded all economic damages, such as all past and future lost wages and all past and future medical bills, and unlimited punitive damages. MICRA also allows patients to recover up to $250,000 in non-economic damages. The $250,000 cap on

non-economic damages allows legitimate medical liability cases to move forward, but provides a disincentive for lawyers to pursue meritless claims which waste health care dollars and drive up health care costs unnecessarily.

At their October 15, 2013, meeting, the Intergovernmental Relations Committee (Council Members Carchio and Hardy present) recommended that the City Council adopt the attached resolution officially opposing attempts to increase MICRA's cap on non-economic damages through the legislature or at the ballot. The City of Huntington Beach would also become an official non-dues paying member of the Californians Allied for Patient Protection (CAPP).

CAPP has several supporters, mostly in the health care arena. However, because of the potential increase to health care costs as a result of changes to MICRA, CAPP is urging federal, state, local governments, and special districts to consider the financial impacts to their agencies and adopt a resolution opposing any changes to MICRA. The Association of California Cities Orange County informed city staff that the board will likely be considering a position on MICRA in the near future. Three cities in Los Angeles County (Azusa, Carson, and Downey) have taken action to support to protect MICRA.

Environmental Status:
None.

Strategic Plan Goal:
Improve long-term financial sustainability

Attachment(s):
1. Resolution No. 2013-60, "A Resolution of the City Council of the City of Huntington Beach Opposing Any Bills or Ballot Measures That Would Weaken the Medical Injury Compensation Reform Act (MICRA), Increase Health Care Costs for State and Local Governments, and Limit Patient Access to Health Care Services."
2. Letter from CAPP requesting Support of MICRA
3. List of CAPP Supporters

RESOLUTION NO. 2013-60

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF HUNTINGTON BEACH OPPOSING ANY BILLS OR BALLOT MEASURES THAT WOULD WEAKEN THE MEDICAL INJURY COMPENSATION REFORM ACT (MICRA), INCREASE HEALTH CARE COSTS FOR STATE AND LOCAL GOVERNMENTS AND LIMIT PATIENT ACCESS TO HEALTH CARE SERVICES

WHEREAS, California's Medical Injury Compensation Reform Act (MICRA) ensures injured patients receive fair compensation while also limiting frivolous and meritless lawsuits that increase costs for consumers, local governments and others; and

Under MICRA, patients are awarded all economic damages, such as all past and future lost wages and all past and future medical bills, and unlimited punitive damages. MICRA also allows patients to recover up to $250,000 in non-economic damages. This reasonable $250,000 cap on non-economic damages allows legitimate medical liability cases to move forward, but provides a disincentive for lawyers to pursue meritless claims which waste health care dollars and drive up health care costs unnecessarily; and

Trial lawyers and their allies are proposing quadrupling MICRA's non-economic damages cap to $1.1 million, which will make it easier and more lucrative for lawyers to file meritless lawsuits against all health care providers, including state and local governments; and

State and local governments, including schools, cities, counties and special districts would all be negatively impacted by increasing MICRA's cap because of increased costs to provide health and dental benefits for current and retired employees, and increased costs for local governments that operate clinics, hospitals and other health services and provide health care for Californians through Medi-Cal and other state-sponsored programs; and

A recent review by California's former non-partisan legislative analyst found that increasing the MICRA non-economic damages cap from $250,000 to $1.1 million would impact state and local budgets by nearly $2 billion each year, including $173 million for cities; $297 for counties; $111 million for special districts, $170 million for K-12 schools; and $25 million for community colleges; and

That same study found that overall health care costs in California would go up by $9.9 billion annually, diverting those resources away from patient care; and

This change to MICRA will increase health care costs for everyone in California, and reduce or eliminate access to health care services for many California residents; and

By joining Californians Allied for Patient Protection, the City of Huntington Beach would be joining other MICRA supporters including the California State Association of Counties, California Special Districts Association, California Association of Public Hospitals and Health Systems, and more than 800 other organizations representing doctors, hospitals, nurses, community clinics, local governments, business and taxpayer groups, labor unions, EMTs, public safety, others; and

MICRA is a critical component of California's healthcare infrastructure and must be protected; now, therefore be it,

NOW, THEREFORE, the City Council of the City of Huntington Beach does hereby resolve as follows:

That the City of Huntington Beach would like to become an official, non dues paying member of Californians Allied for Patient Protection (CAPP), a coalition which is dedicated to supporting MICRA.

BE IT FURTHER RESOLVED that the City of Huntington Beach opposes attempts to increase MICRA's cap on non-economic damages through the legislature or at the ballot as these changes would increase health care costs and reduce patient access to care.

PASSED AND ADOPTED by the City Council of the City of Huntington Beach at a regular meeting thereof held on the _____ day of _____, 20____.

_____
Mayor

REVIEWED AND APPROVED:

_____
City Manager

APPROVED AS TO FORM:

_____
City Attorney

INITIATED AND APPROVED:

_____
Assistant City Manager

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capp Californians Allied for Patient Protection
THE COALITION TO PROTECT MICRA
1215 K Street, Suite 2015, Sacramento, CA 95814
tel 916.448.7992 fax 916.448.0234 www.micra.org

October 14, 2013

Mayor Connie Boardman
City of Huntington Beach
2000 Main Street
Huntington Beach, CA 92648

Re: Support of MICRA

Dear Mayor Boardman:

Californians Allied for Patient Protection (CAPP) is the coalition created to protect patients' access to health care through California's Medical Injury Compensation Reform Act (MICRA). MICRA's limits on meritless lawsuits keeps liability rates lower, allowing more doctors and other health care providers to stay in practice and more hospitals and clinics to stay open.

MICRA has been successful in stabilizing liability costs while also preserving patients' access to fair compensation when they have a justifiable claim. Specifically, MICRA provides for unlimited economic compensation for all past and future medical care, unlimited compensation for all past and future lost wages, and unlimited punitive damages. MICRA's reasonable cap of up to $250,000 for speculative, non-economic damages helps reduce incentives for lawyers to file meritless lawsuits which drive up health care costs.

Without MICRA's protections, cutbacks to community clinics, health centers and public hospitals are inevitable because, unable to shift higher insurance costs to their patients, these providers will have no alternative but to care for fewer people. Furthermore, changes to MICRA would jeopardize access to care for low-income patients who receive care from county and UC health systems that are self-insured, as these providers would have to redirect funds from patient care to pay for increased medical liability costs.

A recent economic study by California's former non-partisan Legislative Analyst finds that changing MICRA will increase health care costs for state, federal, county, city government, special district, K-12, UC and community college budgets by $2 billion each year. These entities, 1) Provide health and dental benefits for current and retired employees; and 2) Operate clinics, hospitals and other health services, and provide health care for Californians through Medi-Cal and other state-sponsored programs. According to the analysis by the former LAO, quadrupling MICRA's non-economic damages cap would increase health care costs for California's state and local government entities by the following amounts yearly:

State Government	$1.08 billion
Higher education (UC and CSU)	$ 86 million
K-12 schools	$170 million

Community colleges	$ 25 million
Counties	$297 million
Cities (including San Francisco)	$173 million
Special districts	$111 million
Total: California State and local government	**$1.94 billion**

That is why more than 900 organizations are members of the CAPP coalition and support protect MICRA. Members in your area include:

- AltaMed Health Services Corporation
- Coalition of Orange County Community Clinics
- Children's Hospital of Orange County (CHOC)
- CHOC Clinic at the Boys and Girls Club of Santa Ana
- CHOC Health Center, Garden Grove
- CHOC Orange Clinic
- Clinica CHOC Para Niños
- F.A.C.E.S. Inc.
- Huntington Beach Hospital
- La Amistad de Jose Family Health Center
- La Palma Intercommunity Hospital
- Laguna Beach Community Clinic
- Lestonnac Free Clinic
- Mission Hospital
- Saddleback Memorial Medical Center
- St. Jude Medical Center
- West Anaheim Medical Center

Other local government members include Alameda County Health Care Services Agency, California State Association of Counties, City of Azusa, City of Carson, City of Downey, Compton Unified School District Board of Trustees, Contra Costa Health Services, County of Inyo, County of Lake, Los Angeles County Department of Health Services, Rural County Representatives of California, San Francisco Department of Public Health, Santa Clara Valley Health & Hospital System, and Sonoma County Department of Health Services.

We urge the City of Huntington Beach to pass a resolution recognizing that MICRA is a critical part of California's health care infrastructure

Please feel free to contact me at 916-448-7992 if you have any questions.

Sincerely,

Lisa Maas
Executive Director

Join our mailing list
[GO]

Home | About CAPP | History of MICRA | Specifics of MICRA | Ballot Initiative | In the News | Studies & Research | Contact

Home : About CAPP : Supporters

supporters

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DOCTORS AND HEALTHCARE PROVIDERS

American Academy of Pediatrics - CA
American College of Emergency Physicians - CA
American College of Physicians California Services
American College of Surgeons - Northern California Chapter
American College of Surgeons - San Diego Chapter
American College of Surgeons - Southern California Chapter
American Congress of Obstetricians and Gynecologists
American Nurses Association - CA
American Society for Dermatologic Surgery
American Society for Reproductive Medicine
AMN Healthcare Services
Association of California Healthcare Districts
Association of California Nurse Leaders
Association of Northern California Oncologists
Association of Orthopedic Technologists of California
Association of Women's Health Obstetric & Neonatal Nurses
California Academy of Eye Physicians & Surgeons
California Academy of Family Physicians
California Academy of Physician Assistants
California Academy of Preventative Medicine
California Ambulatory Surgery Association
California Assisted Living Association
California Association for Health Services at Home
California Association for Nurse Practitioners
California Association of Health Facilities
California Association of Marriage and Family Therapists
California Association of Neurological Surgeons
California Association of Nurse Anesthetists
California Association of Oral and Maxillofacial Surgeons
California Association of Physician Groups
California Association of Psychiatric Mental Health Nurses in Advanced Practice
California Association of Public Hospitals and Health Systems
California Association of Rural Health Clinics
California Chapter of the American College of Cardiology
California Children's Hospital Association
California Chiropractic Association
California Clinical Laboratory Association
California Dental Association
California Dental Hygienists' Association
California Medical Association
California Neurology Society
California Nurse-Midwives Association
California Optometric Association
California Orthopaedic Association
California Pharmacists Association
California Podiatric Medical Association
California Primary Care Association
California Psychiatric Association
California Radiological Society
California School Health Centers Association
California Society for Clinical Social Work
California Society of Addiction Medicine
California Society of Anesthesiologists
California Society of Dermatology & Dermatologic Surgery
California Society of Pathologists
California Society of Plastic Surgeons
California State Oriental Medical Association
California State Rural Health Association
California Thoracic Society
California Urological Association
California WIC Association

Children's Specialty Care Coalition
Heavenly Home Health
LeadingAge California
Medical Oncology Association of Southern California
National Association of Social Workers, California Chapter
Network of Ethnic Physician Organizations
NORCAP
Operation Access (60+ clinics)
Osteopathic Physicians and Surgeons of California
Society of OB/GYN Hospitalists
Southern California Public Health Association
University of California Health

LOCAL GOVERNMENT

Alameda County Health Care Services Agency
California Association of Joint Powers Authorities
California Special Districts Association
California State Association of Counties
City of Alhambra
City of Azusa
City of Carson
City of Downey
Compton Unified School District Board of Trustees
Contra Costa Health Services
County of Inyo
County of Lake
CSAC Excess Insurance Authority
Health Officers Association of California
Los Angeles County Department of Health Services
Partnership HealthPlan of California
Rural County Representatives of California
San Francisco Department of Public Health
Santa Clara Valley Health & Hospital System
Sonoma County Department of Health Services

PUBLIC SAFETY AND LABOR UNIONS

California State Firefighters' Association
Cement Masons Local 500
Cement Masons Local 600
Contra Costa Building and Construction Trades Council
District Council of Iron Workers
East Central California Chapter, NECA
Fresno, Madera, Kings & Tulare Counties Building and Construction Trades Council
Heat and Frost Insulators Local 5
IBEW 9th District
IBEW Local 11
IBEW Local 100
IBEW Local 340
IBEW Local 440
IBEW Local 441
IBEW Local 551
IBEW Local 569
IBEW Local 595
International Brotherhood of Boilermakers
Iron Workers Local 118
Iron Workers Local 155
Kern, Inyo and Mono Counties Building Trades Council
Laborers Local 185
Los Angeles and Orange Counties Building and Construction Trades Council
Los Angeles Police Protective League
Marin County Building and Construction Trades Council
Mid Valley Building and Construction Trades Council
OPCMIA California State Conference
OPCMIA Local 300
OPCMIA Local 400
Painters and Allied Trades DC #36
Plasterers Local 200
Plumbers and Fitters Local 398
Plumbers and Steamfitters Local 460
Roofers and Waterproofers Union Local 81
Sacramento-Sierra's Building and Construction Trades Council
San Diego County Building and Construction Trades Council
San Mateo County Building and Construction Trades Council
Santa Clara and San Benito Counties Building Trades Council

Southern California Pipe Trades D.C. #16
State Building & Construction Trades Council, AFL-CIO
Steamfitters Local 250
Teamsters Local 36
Tri Counties Building and Construction Trades Council, AFL-CIO
U.A. Local 62
U.A. Local 78 Plumbers
U.A. Local 114
U.A. Local 228
U.A. Local 230 Plumbers and Steamfitters
U.A. Local 246
U.A. Local 345
U.A. Local 355 Utilities/Landscape
U.A. Local 364 Plumbers and Pipefitters
U.A. Local 403
U.A. Local 442
U.A. Local 447
U.A. Local 484 Plumbers and Pipefitters
U.A. Local 582 Plumbers and Steamfitters
U.A. Local 709
U.A. Local 761
Union of American Physicians and Dentists

TRUSTS

Pipe Trades DC #36 Health & Welfare Trust Fund
San Diego County Cement Masons Health & Welfare Trust Fund
Southern California Cement Masons Health & Welfare Trust Fund

COMMUNITY CLINICS AND HEALTH CENTERS

Alameda Health Consortium
Alexander Valley Healthcare
Alliance for Rural Community Health (9 clinics)
Alliance Medical Center (2 clinics)
All for Health, Health for All (3 clinics)
Alpine Family Medicine
AltaMed Health Services Corporation
Alviso Health Center
American Indian Healing Center
Anderson Family Health & Dental Center
Arlanza Family Health Center
Asian Americans for Community Involvement
Asian Pacific Health Care Venture, Inc. (3 clinics)
BAART Community HealthCare (9 clinics)
Bell Gardens Family Medical Center
Bolinas Community Health Center
Borrego Community Health Foundation
Brookside Community Health Center (2 clinics)
Brookwood Health Center
California Consortium for Urban Indian Health
Camino Health Center
Capitol Community Health Network
Center for AIDS Research, Education & Services (CARES)
Center for Community Health and Well-Being
Central City Community Health Center (4 clinics)
Central Valley Health Network (130 clinics)
Centro de Bienestar
Centro Medico Cathedral City
Centro Medico Coachella
Centro Medico El Cajon
Centro Medico Escondido
Centro Medico Oasis
Children's Hospital of Orange County Clinic at the Boys and Girls Club of Santa Ana
Children's Hospital of Orange County, Costa Mesa Clinic
Children's Hospital of Orange County Health Center, Garden Grove
Children's Hospital of Orange County, Orange Clinic
Chinatown Service Center
Chinese Community Health Services
City Help (4 clinics)
Cleaver Family Wellness Clinic
Clinica Children's Hospital of Orange County Para Ninos
Clinica Monsenor Oscar A. Romero
Clinicas del Camino Real (10 clinics)
Coalition of Orange County Community Health Centers (53 clinics)
Coastal Health Alliance (3 clinics)
CommuniCare Health Centers (5 clinics)

Community Clinic Association of Los Angeles County (42 clinics)
Community Clinic Association of San Bernardino County
Community Clinic Consortium Serving Contra Costa and Solano Counties (21 clinics)
Community Health Alliance of Pasadena (CHAP)
Community Health Clinic Dle (8 clinics)
Community Health Partnership (12 clinics)
Community Health Systems, Inc. (5 clinics)
Community Medical Centers (12 clinics)
CompreCare Health Center
Corcoran Health Center
C.O.R.E. Medical Clinic, Inc.
Council of Community Clinics Serving San Diego, Imperial, Riverside Counties (98 clinics)
Crenshaw Community Health Center
Curry Senior Center
Daly City Health Services
Daly City Youth Health Center
Darin M. Camarena Health Centers, Inc.
Davis Street Family Resource Center
Delano District Skilled Nursing Facility
Desert Home Care
Desert Hot Springs Community Health Center
Dientes Community Dental Clinic
Doctors on Duty - Agtos
Doctors on Duty - CSUMB Health Center
Doctors on Duty - Marina
Doctors on Duty - Monterey
Doctors on Duty - Salinas South Main
Doctors on Duty - Salinas Urgent Care
Doctors on Duty - San Jose
Doctors on Duty - Santa Cruz
Doctors on Duty - Seaside
Doctors on Duty - Watsonville
East Valley Community Health Center
Earlimart Health Center
Eastside Health Center
Eisner Pediatric & Family Medical Center
El Dorado County Community Health Center
El Hogar Community Services, Inc.
Elsie Allen Health Center
Escondido Family Medicine
Excelsior Health Services
Fallbrook Family Health Center
Family Assessment, Counseling & Education Services, Inc.
Family Health Care Centers of Greater Los Angeles, Inc.
Family Healthcare Network (11 clinics)
Friends of Family Health Center
Gardner Family Health Network
Gardner Health Center
Garfield Health Center
Glide Health Services
Haight Ashbury Free Clinics - Walden House (8 sites)
Happy Valley Family Health Center
Harbor Community Clinic
Hawaiian Gardens Health Center
Health Alliance of Northern California (12 clinics)
Health For All (3 clinics)
Healthcare for the Homeless Project
Huron Health Center
Imperial Beach Health Center
Indian Health Center of Santa Clara Valley (4 clinics)
Inland Behavioral and Health Services
Inland Empire Community Health Center
Inland Family Community Health Center
Institute for Healthcare Advancement
Julian Medical Clinic
JWCH Institute (9 clinics)
Kerman Health Center
KHEIR Center (3 clinics)
Kids Come First Community Health Center
La Amistad de Jose Family Health Center
La Clinica de La Raza (23 clinics)
La Habra Family Resource Center
La Maestra Community Health Centers (9 clinics)
Laguna Beach Community Clinic
Lestonnac Free Clinic (6 clinics)

LifeLong Medical Care (9 clinics)
Livingston Community Health Services (2 clinics)
Lodi Memorial Community Clinics (4 clinics)
Los Angeles Gay and Lesbian Center (Jeffrey Goodman Special Care Clinic)
Magnolia Community Health Center
Marin Community Clinics (3 clinics)
MEND: Meet Each Need with Dignity
Mendocino Coast Clinics, Inc.
Mendota Health Center
Mission Neighborhood Health Center
Moreno Valley Family Health Center
Mountain Empire Family Medicine
Mountain Health and Community Services, Inc. (5 clinics)
Native American Health Center of Alameda
Native American Health Center Richmond Wellness Center
Native American Health Center of San Francisco
Native American Health Center of San Francisco Dental Clinic
Native American Youth Health Center
Neighborhood Healthcare (11 clinics)
Northeast Community Clinics (12 clinics)
Northeast Valley Health Corporation (13 clinics)
North Coast Clinics Network (14 clinics)
North East Medical Services (7 clinics)
Oakland Seven Directions Native American Health Center
Open Door Community Health Centers (9 clinics)
Operation Samahan Community Health Centers (6 clinics)
Orange Cove Health Center
Otay Family Health Center
Paradise Hills Family Clinic
Parlier Health Center
PDI Surgery Center
Peninsula Primary Care
Peninsula Primary Care Marina
Petaluma Health Center
Planned Parenthood Affiliates of California (116 clinics)
Point Reyes Station Community Health Center
Puente a La Salud Mobile Community Clinics
QueensCare Family Clinics (6 clinics)
Redwood Community Health Coalition
Roseland Children's Health Center
Sacramento Community Clinics (3 clinics)
Sacramento Native American Health Center
Salud Digna
Salud Para La Gente (14 clinics)
San Benito Health Foundation
San Bernardino Mountains Community Hospital District - Rural Health Clinic, Lake Arrowhead
San Bernardino Mountains Community Hospital District - Rural Health Clinic, Running Springs
San Diego Family Care (3 clinics)
San Francisco Community Clinic Consortium (10 clinics)
Sanger Health Center
San Jose Foothill Family Community Clinic
San Ysidro Health Center, Inc.
Santa Barbara Neighborhood Clinics (4 clinics)
Santa Maria's Children and Family Center
Santa Rosa Community Health Centers (8 clinics)
Shasta Community Health Center (6 clinics)
Shasta Community Health Dental Center
Shasta Lake Family Health Center
Sierra Family Medical Clinic
Silva Pediatric Medical & Dental Clinic
Social Action Community Health System
Somerset Educational Services
Sonoma County Indian Health Project, Inc.
Sonoma Valley Community Health Center
Sonrisas Community Dental Center
South Bay Child Guidance Clinic
South Bay Children's Health Center
South Bay Family Dental Clinic
South Bay Family Health Care (5 clinics)
South Central Family Health Care (4 clinics)
South County Health Center
Southside Coalition of Community Health Centers
Southwest Community Health Center at Lombardi Court
St. Anthony Free Medical Clinic
Stinson Beach Community Health Center

St. James Health Center
St. John's Well Child and Family Centers (10 clinics)
St. Luke's Adult Internal Medicine
St. Luke's Pediatric Clinic
St. Luke's Women's Center
Sunset Health Services
Tarzana Treatment Centers (10 clinics)
The Borrego Springs Children's Center
The Children's Dental Center of Greater Los Angeles
The Saban Free Clinic
The Smile Factory
Tiburcio Vásquez Health Center, Inc.
To Help Everyone (T.H.E.) Clinic, Inc.
Tri-City Health Center
Tulare Community Health Clinic (4 clinics)
Umma Community Clinic
Union City Health Center
United Health Centers of the San Joaquin Valley (8 clinics)
Valley Community Clinic
Van Nuys · Panorama Dental Center
Vista Community Clinics (6 clinics)
Vista Family Health Center
Watts Healthcare Corporation
WellSpace Health
West County Health Centers, Inc.
Western Sierra Medical Clinic
Westside Family Health Center
Westside Neighborhood Clinic
Whitney Young Family Health Clinic

ORGANIZATIONS COMMITTED TO DISEASE PREVENTION

25th Street Family Medicine
American Bone Health
Breast Cancer Connections
California Dialysis Council
California Family Health Council
Hemophilia Council of California
Infectious Disease Association of California
Latino Coalition for a Healthy California
PADRES Contra El Cancer
Southern California Alcohol and Drug Programs, Inc.

HOSPITALS

Adventist Health
Adventist Medical Center · Hanford
Adventist Medical Center · Reedley
Adventist Medical Center · Selma
AHMC Anaheim Regional Medical Center
Alameda County Medical Center
Alameda Hospital
Alhambra Hospital Medical Center
Alliance of Catholic Health Care
Alta Bates Summit Medical Center
Alvarado Hospital Medical Center
Alvarado Parkway Institute
Antelope Valley Hospital
Arrowhead Regional Medical Center
Arroyo Grande Community Hospital
Aurora Behavioral Health Care · Charter Oak
Aurora Behavioral Health Care · San Diego
Avanti Hospitals
Bakersfield Memorial Hospital
Ballard Rehabilitation Hospital
Banner Lassen Medical Center
Barlow Respiratory Hospital
Barstow Community Hospital
Barton Healthcare System
Barton Memorial Hospital
Bear Valley Community Health Care District
Bear Valley Community Hospital
Beverly Hospital
Biggs-Gridley Memorial Hospital
California Children's Hospital Association
California Hospital Association

California Hospital Medical Center
California Pacific Medical Center
Canyon Ridge Hospital
Catalina Island Medical Center
Cedars-Sinai Medical Center
Centinela Hospital Medical Center
Central Valley General Hospital
Chapman Medical Center
Children's Hospital Central California
Children's Hospital Los Angeles
Children's Hospital of Orange County
Children's Hospital & Research Center Oakland
Chinese Hospital
Chino Valley Medical Center
CHOC Children's at Mission Hospital
Citrus Valley Health Partners
Citrus Valley Medical Center - Inter Community Campus
Citrus Valley Medical Center - Queen of the Valley Campus
City of Hope
Clovis Community Medical Center
Coalinga Regional Medical Center
Coastal Communities Hospital
College Hospital, Cerritos
College Hospital, Costa Mesa
Colusa Regional Medical Center
Community Behavioral Health Center
Community Hospital Long Beach
Community Hospital of San Bernardino
Community Hospital of the Monterey Peninsula
Community Medical Centers
Community Memorial Hospital
Community Regional Medical Center
Contra Costa Regional Medical Center
Corona Regional Medical Center
Cottage Children's Hospital
Cottage Health Systems
Daughters of Charity Health System
Desert Regional Medical Center
Desert Valley Hospital
Dignity Health
Doctors Hospital of Manteca
Doctors Hospital of West Covina
Doctors Medical Center of Modesto
Doctors Medical Center San Pablo
Dominican Hospital
Downey Regional Medical Center
East Los Angeles Doctors Hospital
East Valley Hospital Medical Center
Eastern Plumas Health Care
Eden Medical Center, Castro Valley
Eden Township Healthcare District
El Camino Hospital - Los Gatos
El Camino Hospital - Mountain View
El Centro Regional Medical Center
Encino Hospital Medical Center
Enloe Medical Center
Fairchild Medical Center
Fallbrook Hospital
Feather River Hospital
Foothill Presbyterian Hospital
Fountain Valley Regional Hospital and Medical Center
Frank R. Howard Memorial Hospital
Fremont Hospital
French Hospital Medical Center
Fresno Heart & Surgical Hospital
Garden Grove Hospital and Medical Center
Garfield Medical Center
Gateways Hospital and Mental Health Center
George L. Mee Memorial Hospital
Glendale Adventist Medical Center
Glendale Memorial Hospital and Health Center
Goleta Valley Cottage Hospital
Good Samaritan Hospital Los Angeles
Good Samaritan Hospital San Jose
Greater El Monte Community Hospital

Hazel Hawkins Memorial Hospital
Healdsburg District Hospital
Healthcare Consultation Center I and II
Healthsouth Bakersfield Rehabilitation Hospital
Healthsouth Tustin Rehabilitation Hospital
Hemet Valley Medical Center
Henry Mayo Newhall Memorial Hospital
Heritage Oaks Hospital
Hi-Desert Medical Center
Hollywood Presbyterian Medical Center
Hospital Association of San Diego and Imperial Counties
Hospital Association of Southern California
Hospital Corporation of America
Hospital Council of Northern and Central California
Huntington Beach Hospital
Huntington Hospital
Inland Valley Medical Center
Integrated Healthcare Holdings, Inc.
Jerold Phelps Community Hospital
Jewish Home of San Francisco
John C. Fremont Healthcare District
John F. Kennedy Memorial Hospital
John Muir Behavioral Health Center
John Muir Health
John Muir Medical Center, Concord Campus
John Muir Medical Center, Walnut Creek Campus
Joyce Eisenberg Keefer Medical Center
Kaiser Permanente
Keck Hospital of USC
Keck Medical Center - Beverly Hills
Keck Medical Center - Downtown
Keck Medical Center - La Canada
Keck Medical Center of USC Pasadena
Kern Medical Center
Kern Valley Healthcare District
Kindred Healthcare
Kindred Hospital - Baldwin Park
Kindred Hospital - Brea
Kindred Hospital - La Mirada
Kindred Hospital - Los Angeles
Kindred Hospital - Ontario
Kindred Hospital - Rancho
Kindred Hospital - Riverside
Kindred Hospital - Sacramento
Kindred Hospital - San Diego
Kindred Hospital - San Francisco Bay Area
Kindred Hospital - San Gabriel Valley
Kindred Hospital - Santa Ana
Kindred Hospital - South Bay
Kindred Hospital - Tri-City
Kindred Hospital - Westminster
La Palma Intercommunity Hospital
Los Angeles County LAC+USC Healthcare Network
Lakewood Regional Medical Center
Lodi Memorial Hospital
Lompoc Valley Medical Center
Long Beach Memorial Medical Center
Los Alamitos Medical Center
Los Angeles County Harbor/UCLA Medical Center
Los Angeles County Olive View/UCLA Medical Center
Los Robles Hospital & Medical Center
Lucile Packard Children's Hospital
Mad River Community Hospital
Madera Community Hospital
Mammoth Hospital
Marian Regional Medical Center
Marina Del Rey Hospital
Marin General Hospital, Greenbrae
Marshall Medical Center
Martin Luther King Jr. Community Hospital
Mayers Memorial Hospital District
MemorialCare Health System
Memorial Hospital Los Banos
Memorial Hospital of Gardena
Memorial Medical Center

Mendocino Coast District Hospital
Menifee Valley Medical Center
Menlo Park Surgical Hospital
Mercy General Hospital
Mercy Hospital of Folsom
Mercy Hospitals Bakersfield - Southwest Campus
Mercy Hospitals Bakersfield - Truxton Campus
Mercy Medical Center Merced - Community Campus
Mercy Medical Center Mt. Shasta
Mercy Medical Center Redding
Mercy San Juan Medical Center
Methodist Hospital of Sacramento
Methodist Hospital of Southern California
Miller Children's Hospital
Mills-Peninsula Health Services
Mission Community Hospital
Mission Hospital
Mission Hospital Laguna Beach
Modoc Medical Center
Montclair Hospital Medical Center
Monterey Park Hospital
North Sonoma County Healthcare District
NorthBay Healthcare Corporation
NorthBay Medical Center
NorthBay VacaValley Hospital
Northern Inyo Hospital
Northridge Hospital Medical Center
Novato Community Hospital
Oak Valley Hospital
O'Connor Hospital
Olympia Medical Center
Orange Coast Memorial Medical Center
Oroville Hospital
Pacific Hospital of Long Beach
Palm Drive Hospital
Palomar Health
Palomar Medical Center
Palo Verde Hospital
Paradise Valley Hospital
Parkview Community Hospital Medical Center
Patients' Hospital of Redding
Petaluma Health Care District
Petaluma Valley Hospital
PJH Health Hospital
Pioneers Memorial Healthcare District
Placentia-Linda Hospital
Plumas District Hospital
Pomerado Hospital
Pomona Valley Hospital Medical Center
Prime Healthcare Services
Promise Hospital of San Diego
Providence Health & Services - California
Providence Holy Cross Medical Center
Providence Little Company of Mary Medical Center Torrance
Providence Little Company of Mary Medical Center San Pedro
Providence Saint Joseph Medical Center
Providence Tarzana Medical Center
Queen of the Valley Medical Center
Rady Children's Hospital - San Diego
Rancho Los Amigos National Rehabilitation Center
Rancho Springs Medical Center
Redlands Community Hospital
Redwood Memorial Hospital
Regional Medical Center of San Jose
Ridgecrest Regional Hospital
Riverside Community Hospital
Riverside County Regional Medical Center
Ronald Reagan UCLA Medical Center
Saddleback Memorial Medical Center - Laguna Hills
Saddleback Memorial Medical Center - San Clemente
Saint Agnes Medical Center
Saint Louise Regional Hopsital
Salinas Valley Memorial Healthcare System
San Antonio Community Hospital
San Bernardino Mountains Community Hospital District

San Dimas Community Hospital
San Gabriel Valley Medical Center
San Gorgonio Memorial Hospital
San Joaquin Community Hospital
San Joaquin General Hospital
San Joaquin Valley Rehabilitation Hospital
San Leandro Hospital
San Ramon Regional Medical Center
Santa Barbara Cottage Hospital
Santa Clara Valley Medical Center
Santa Rosa Memorial Hospital
Santa Ynez Valley Cottage Hospital
Scripps Green Hospital
Scripps Health
Scripps Memorial Hospital Encinitas
Scripps Memorial Hospital La Jolla
Scripps Mercy Hospital
Seneca Healthcare District
Seton Coastside
Seton Medical Center, Daly City
Sequoia Hospital
Sharp Chula Vista Medical Center
Sharp Coronado Hospital
Sharp Grossmont Hospital
Sharp HealthCare
Sharp Mary Birch Hospital for Women & Newborns
Sharp McDonald Center
Sharp Memorial Hospital
Sharp Memorial Outpatient Pavilion
Sharp Mesa Vista Hospital
Shasta Regional Medical Center
Sherman Oaks Hospital
Sierra Nevada Memorial Hospital
Sierra View District Hospital
Sierra Vista Hospital
Sierra Vista Regional Medical Center
Simi Valley Hospital
Sonoma Valley Hospital
Sonora Regional Medical Center
Southern Humboldt Community Healthcare District
Southern Inyo Hospital
Southern Mono Healthcare District
Southwest Healthcare System
Stanford Hospital & Clinics
St. Bernardine Medical Center
St. Elizabeth Community Hospital
St. Francis Medical Center
St. Helena Hospital, Center for Behavioral Health
St. Helena Hospital, Clear Lake
St. Helena Hospital Napa Valley/Adventist Health
St. John's Pleasant Valley Hospital
St. John's Regional Medical Center
St. Joseph Health System
St. Joseph Hospital, Eureka
St. Joseph Hospital, Orange
St. Joseph's Behavioral Health Center
St. Joseph's Medical Center
St. Jude Medical Center, Fullerton
St. Luke's Campus, California Pacific Medical Center
St. Mary Medical Center
St. Mary Medical Center, Apple Valley
St. Mary's Medical Center
St. Rose Hospital
St. Vincent Medical Center
Surprise Valley Health Care District
Sutter Amador Hospital
Sutter Auburn Faith Hospital
Sutter Center for Psychiatry
Sutter Coast Hospital
Sutter Davis Hospital
Sutter Delta Medical Center
Sutter Lakeside Hospital
Sutter Maternity and Surgery Center of Santa Cruz
Sutter Medical Center - Sacramento
Sutter Medical Center of Santa Rosa

Sutter Roseville Medical Center
Sutter Solano Medical Center
Sutter Tracy Community Hospital
Tahoe Forest Hospital District
Tehachapi Valley Healthcare District
Telecare Corporation
Tenet Healthcare
Torrance Memorial Medical Center
Totally Kids Rehabilitation Hospital
Trinity Hospital
Tri-City Medical Center
Tri-City Regional Medical Center
Tulare Regional Medical Center
Twin Cities Community Hospital
UCLA Santa Monica Medical Center
UC San Diego Health System
UCSF Medical Center
Ukiah Valley Medical Center
University of California, Davis, Medical Center
University of California, Irvine, Medical Center
University of Southern California Medical Center
USC Norris Comprehensive Cancer Center and Hospital
USC Norris Westside Cancer Center
USC Verdugo Hills Hospital
ValleyCare Health System
Valley Presbyterian Hospital
Victor Valley Global Medical Center
Washington Hospital Healthcare System
Watsonville Community Hospital
West Anaheim Medical Center
West Hills Hospital & Medical Center
Western Medical Center - Anaheim
Western Medical Center - Santa Ana
White Memorial Medical Center
Whittier Hospital Medical Center
Woodland Healthcare

MEDICAL AND DENTAL SOCIETIES

Alameda-Contra Costa Medical Association
Alameda County Dental Society
Angel City Dental Society
Arab-American Dental Society
Armenian American Medical Society
Berkeley Dental Society
Butte-Glenn Medical Society
Butte Sierra District Dental Society
Central Coast Dental Society
Contra Costa Dental Society
Fresno-Madera Dental Society
Fresno-Madera Medical Society
Harbor Dental Society
Humboldt Del-Norte County Medical Society
Humboldt Del-Norte Dental Society
Imperial County Medical Society
Indian Dental Association of California
Inyo-Mono County Medical Society
Iranian Dental Association of California
Kern County Dental Society
Kern County Medical Society
Kings County Medical Society
Lassen-Plumas-Modoc-Sierra County Medical Society
Los Angeles County Medical Association
Los Angeles Dental Society
Marin County Dental Society
Marin Medical Society
Mendocino-Lake County Medical Society
Merced-Mariposa County Medical Society
Mid-Peninsula Dental Society
Monterey Bay Dental Society
Monterey County Medical Society
Napa County Medical Society
Napa-Solano Dental Society
North Valley Medical Association
Northern California Dental Society
Orange County Dental Society

Orange County Medical Association
Placer Nevada County Medical Society
Redwood Empire Dental Society
Riverside County Medical Association
Sacramento District Dental Society
San Benito County Medical Society
San Bernardino County Medical Society
San Diego County Dental Society
San Diego County Medical Society
San Fernando Valley Dental Society
San Francisco Dental Society
San Francisco Medical Society
San Gabriel Valley Dental Society
San Joaquin Dental Society
San Joaquin Medical Society
San Luis Obispo County Medical Association
San Mateo County Dental Society
San Mateo County Medical Association
Santa Barbara County Medical Society
Santa Barbara-Ventura County Dental Society
Santa Clara County Dental Society
Santa Clara County Medical Association
Santa Cruz County Medical Society
Sierra Sacramento Valley Medical Society
Solano County Medical Society
Sonoma County Medical Association
Southern Alameda County Dental Society
Southern California Filipino Dental Society
Stanislaus Dental Society
Stanislaus Medical Society
Tri-County Dental Society
Tulare County Medical Society
Tulare-Kings Dental Society
Tuolumne County Medical Society
Ventura County Medical Association
Western Los Angeles Dental Society
Yosemite Dental Society
Yuba-Sutter-Colusa Medical Society

MEDICAL GROUPS

Affiliated Doctors of Orange County
Affinity Medical Group
Alta Bates Medical Group
AppleCare Medical Group
Arch Health Partners
Bakersfield Family Medical Center
Bay Valley Medical Group
Beaver Medical Group
Brown & Toland Physicians
Cedars-Sinai Medical Group
Children's Physicians Medical Group
Chinese Community Health Care Association
Choice Medical Group
Coastal Communities Physician Network
Desert Oasis Health Care
Facey Medical Group
Golden Empire Managed Care, Inc.
HealthCare Partners Medical Group
Heritage Provider Network
Heritage Victor Valley Medical Group
High Desert Medical Group
Hill Physicians Medical Group
Lakeside Medical Group
MemorialCare Medical Foundation
MemorialCare Medical Group
Mercy Medical Group
Mills-Peninsula Medical Group
Monarch HealthCare
NAMM California
Physicians Medical Group of Santa Cruz County
Pioneer Medical Group
PrimeCare Medical Network, Inc.
Regal Medical Group
Sansum Clinic
Santé Health System, Inc.

Sharp Community Medical Group
Sharp Rees-Stealy Medical Group
Sierra Medical Group
Sutter Gould Medical Foundation
Sutter Independent Physicians
SynerMed, Inc.
Talbert Medical Group
The Permanente Medical Group, Inc.
UCLA Medical Group

HEALTHCARE PROVIDER-OWNED PROFESSIONAL LIABILITY CARRIERS

BETA Healthcare Group
California Healthcare Insurance Company
Cooperative of American Physicians
Med America Mutual
Medical Insurance Exchange of California
Medical Protective Group
NORCAL Mutual Insurance Company
Ophthalmic Mutual Insurance Company
Physicians Reimbursement Fund, Inc.
Podiatry Insurance Company of America
The Dentists Insurance Company
The Doctors Company

Photo credits: (top) Operation Access, photographer Bill Horton, (right) PDC Surgery Center

11/4/13
Item #7

Esparza, Patty

From: Surf City Pipeline [noreply@user.govoutreach.com]
Sent: Monday, November 04, 2013 4:02 PM
To: CITY COUNCIL; Agenda Alerts
Subject: Surf City Pipeline: Comment on an Agenda Item (notification)

Request # 16319 from the Government Outreach System has been assigned to Agenda Alerts.

Request type: Comment
Request area: City Council - Agenda & Public Hearing Comments
Citizen name: Tim Ryan
Description: To the Honorable Mayor and City Council:

You have an important item on the consent calendar. Essentially, you are being asked to adopt Resolution No. 2013-60.

It is my opinion that more information be provided to you folks regarding MICRA before any vote is taken. I am providing just a few salient points that need to be considered.

I respectfully request that the proposed resolution be taken off the consent calendar until a further review is undertaken.

Thank you for your consideration. I look forward to meeting each of you in the very near future to discuss this very important item.

Tim Ryan

We are changing our emails! My new email will be Tim@tjryanlaw.com

Timothy J. Ryan Esq.

Timothy J. Ryan & Associates
8072 Warner Avenue
Huntington Beach, CA 92647
Ph: (714) 898 – 4444
Fx: (714) 891 – 5802
www. TJRyanLaw.com

Expected Close Date: November 5, 2013

Click here to access the request

Note: This message is for notification purposes only. Please do not reply to this email. Email replies are not monitored and will be ignored.

CITY OF HUNTINGTON BEACH
REQUEST FOR CITY COUNCIL ACTION

MEETING DATE: 11/18/2013

SUBMITTED TO: Honorable Mayor and City Council Members

SUBMITTED BY: Fred A. Wilson, City Manager

PREPARED BY: Michele Warren, Director of Human Resources

SUBJECT: Adopt Resolution No. 2013-63 establishing salary range, CalPERS retirement contribution, and correcting the effective date to December 7, 2013 for the position of Police Chief

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Statement of Issue: At the November 4, 2013, Council meeting, Council adopted a resolution establishing the salary range and CalPERS retirement contributions for Non-Represented Employees – Police Chief. The effective date should be December 7, 2013; a corrected resolution is hereby submitted to make the change.

Financial Impact: The FY 2012/13 Police Department budget will not require additional appropriation to facilitate this change.

Recommended Action:
Adopt Resolution No. 2013-63, "A Resolution of the City Council of the City of Huntington Beach Establishing the Salary Range and Employee-Paid Portion of Cal-PERS Contribution for Police Chief"

Alternative Action(s): Do not adopt Resolution No. 2013-63, and continue the compensation and retirement contribution for the position of Police Chief at the current effective date.

Analysis: As stated in the November 4, 2013 Request for Council Action, the City launched a nationwide recruitment for the position of Police Chief utilizing the services of executive recruitment firm, Bob Murray and Associates. Robert Handy was the #1 candidate recommended and the employment contract was approved at the November 4, 2013 Council meeting. Unfortunately, the effective date for Resolution No. 2013-63 was off by one week and therefore a new resolution is required to be adopted setting the effective date as December 7, 2013. No other changes have been made.

Environmental Status: NA

Strategic Plan Goal:
Improve the City's infrastructure

Attachment(s):
1. Resolution No. 2013-63, "A Resolution of the City Council of the City of Huntington Beach Establishing the Salary Range and Employee-Paid Portion of Cal-PERS Contribution for Police Chief"

RESOLUTION NO. 2013-63

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF HUNTINGTON BEACH ESTABLISHING THE SALARY RANGE AND EMPLOYEE-PAID PORTION OF CAL-PERS CONTRIBUTION FOR POLICE CHIEF

WHEREAS, the City Council of the City of Huntington Beach desires to increase the Employee-Paid portion of CalPERS Contribution upon adoption of this resolution.

NOW, THEREFORE, the City Council of the City of Huntington Beach does hereby resolve as follows:

1. Establish salary range 725.

2. CalPERS Contribution by Non-Represented employees shall be as reflected in Exhibit A, attached hereto and incorporated by this reference.

3. Except as modified herein, existing benefits shall remain in effect.

4. Any resolution in conflict herewith, whether by minute action or resolution of the City Council heretofore approved, is hereby repealed.

PASSED AND ADOPTED by the City Council of the City of Huntington Beach at a regular meeting thereof held on the _____ day of _____, 20__.

_____
Mayor

REVIEWED AND APPROVED:

_____
City Manager

INITIATED AND APPROVED:

_____
Director of Human Resources

APPROVED AS TO FORM:

_____
City Attorney

13-3996/102479

EXHIBIT A

NON-ASSOCIATED EMPLOYEES PAY AND BENEFIT RESOLUTION

Effective December 7, 2013, salary range for the position of Police Chief is established at pay grade 725:

Annual Salary Range:

Pay Grade 725 168,688.00 177,965.84 187,753.96 198,099.20 208,994.66

Job Type	Description	Pay Grade	Starting Point		Control Point		High Point
0011	Police Chief	725	$81.10		$90.27		$100.48

Three Percent (3%) at Age 50 Formula

Effective December 7, 2013, "Safety" employees hired after December 1, 2013 shall pay nine (9%) of the employee share of PERS.

IN WITNESS WHEREOF, the parties executed this document on the dates written below.

_____
City Manager

Dated: _____

APPROVED AS TO FORM:

_____
City Attorney

Dated: 11.13.13

CITY OF HUNTINGTON BEACH
REQUEST FOR SUCCESSOR AGENCY ACTION

MEETING DATE: 11/18/2013

SUBMITTED TO: Honorable Chair and Board Members

SUBMITTED BY: Fred A. Wilson, Executive Director

PREPARED BY: Fred A. Wilson, Executive Director

SUBJECT: Adopt Successor Agency Resolution 2013-05 – A Resolution of the Successor Agency to the Redevelopment Agency of the City of Huntington Beach Regarding Rules and Regulations for the Operations of the Successor Agency and taking certain action in connection therewith

---

Statement of Issue: The Successor Agency is requested to adopt the attached Resolution regarding rules and regulations that apply to the governance and operations of the Successor Agency. The adoption of the Resolution is in furtherance of Resolution No. 2012-01 adopted on January 9, 2012, electing for the City to serve as the successor agency to the former Redevelopment Agency due to the dissolution of Redevelopment.

Financial Impact: Not Applicable.

Recommended Action:

Adopt Resolution No. 2013 - 05 "A Resolution of the Successor Agency to the Redevelopment Agency of the City of Huntington Beach Regarding Rules and Regulations for the Operations of the Successor Agency and Taking Certain Action in Connection Therewith."

Alternative Action(s): Do not adopt the Resolution and provide direction to staff.

Analysis: Pursuant to Assembly Bill 1x 26, all Redevelopment Agencies were dissolved on February 1, 2012. Prior to the City's Redevelopment Agency being dissolved, on January 9, 2012, the City Council of Huntington Beach elected to become the Successor Agency to the former Redevelopment Agency. Pursuant to AB 1x 26, the Successor Agency oversees the "winding" down of all former redevelopment activities. In addition to AB 1x 26, AB 1484 made changes to the role of successor agencies and how they function. In review of Resolution 2012-01 and based on the new legislation, it is necessary to create a new Resolution providing clarification on the governance of the Successor Agency, including indemnification and liability and designating the City Manager as the Executive Director, the City Attorney as Agency Counsel and the City Clerk as the Agency Secretary.

As part of the winding down of the former redevelopment activities, the Successor Agency will be requested to amend Agreements or close escrows on previous redevelopment projects, such as the Residence at Bella Terra. The revised Resolution will assist in the future activities to wind down the former redevelopment activities.

Environmental Status: Not Applicable

Strategic Plan Goal:
Improve long-term financial sustainability

Attachment(s):

1) Resolution No. 2013–05, "A Resolution of the Successor Agency to the Redevelopment Agency of the City of Huntington Beach Regarding Rules and Regulations for the Operations of the Successor Agency and Taking Certain Action in Connection Therewith."

RESOLUTION NO. 2013-05

A RESOLUTION OF THE SUCCESSOR AGENCY TO THE REDEVELOPMENT AGENCY OF THE CITY OF HUNTINGTON BEACH REGARDING RULES AND REGULATIONS FOR THE OPERATIONS OF THE SUCCESSOR AGENCY AND TAKING CERTAIN ACTIONS IN CONNECTION THEREWITH

WHEREAS, the former Redevelopment Agency of the City of Huntington Beach ("Former Agency") was a redevelopment agency in the City of Huntington Beach ("City"), duly created pursuant to the California Community Redevelopment Law (Part 1 (commencing with Section 33000) of Division 24 of the California Health and Safety Code); and

AB x1 26 was signed by the Governor of California on June 28, 2011, making certain changes to the California Community Redevelopment Law and the California Health and Safety Code by adding Part 1.8 (commencing with Section 34161) and Part 1.85 (commencing with Section 34170) ("Part 1.85") to Division 24 of the California Health and Safety Code, and was amended by Assembly Bill No. 1484 (Chapter 26, Statutes 2012) which was signed by the Governor of California on June 27, 2012, and was further amended by Assembly Bill No. 1585 which was signed by the Governor of California on September 29, 2012 (collectively, the "Dissolution Act"); and

The City Council of the City adopted Resolution No. 2012-01 on January 9, 2012, pursuant to the Dissolution Act, electing to serve as the successor agency to the Former Agency ("Successor Agency") upon the dissolution of the Former Agency under the Dissolution Act; and

Health and Safety Code Section 34173 provides, in part:

> (a) Successor agencies, as defined in this part, are hereby designated as successor entities to the former redevelopment agencies.
>
> (b) Except for those provisions of the Community Redevelopment Law that are repealed, restricted, or revised pursuant to the act adding this part, all authority, rights, powers, duties, and obligations previously vested with the former redevelopment agencies, under the Community Redevelopment Law, are hereby vested in the successor agencies.
>
> ...
>
> (g) A successor agency is a separate public entity from the public agency that provides for its governance and the two entities shall not merge. The liabilities of the former redevelopment agency shall not be transferred to the sponsoring entity and the assets shall not become assets of the sponsoring entity. A successor agency has its own name, can be sued, and can sue. All litigation involving a redevelopment agency shall automatically be transferred to the successor agency. The separate former redevelopment agency employees shall not automatically become sponsoring entity employees of the sponsoring entity and the successor

agency shall retain its own collective bargaining status. As successor entities, successor agencies succeed to the organizational status of the former redevelopment agency, but without any legal authority to participate in redevelopment activities, except to complete any work related to an approved enforceable obligation. Each successor agency shall be deemed to be a local entity for purposes of the Ralph M. Brown Act (Chapter 9 (commencing with Section 54950) of Part 1 of Division 2 of Title 5 of the Government Code); and the Successor Agency, hereby desires to adopt a name for the Successor Agency as a separate legal entity and establish rules and regulations that will apply to the governance and operations of the Successor Agency; and

The Successor Agency hereby desires to adopt this Resolution regarding rules and regulations that apply to the governance and operations of the Successor Agency and taking certain actions in connection therewith; and

All of the prerequisites with respect to the approval of this Resolution have been met.

NOW, THEREFORE, the Successor Agency to the Redevelopment Agency of the City of Huntington Beach does hereby resolve as follows:

1. The Successor Agency hereby finds and determines that the foregoing recitals are true and correct.

2. Separate Legal Entity. The Successor Agency is a distinct and separate legal entity from the City, and is named the "Successor Agency to the Redevelopment Agency of the City of Huntington Beach".

3. Governance.

A. Board of Directors. The Successor Agency shall be governed by a Board of Directors ("Board"), which shall exercise the powers and perform the duties of the Successor Agency. The Board shall consist of the members of the City Council of the City.

B. Board Officers. The Board shall have a Chair to preside at and conduct all meetings and a Vice Chair who shall act in the absence of the Chair. The offices of the Chair and Vice Chair shall be filled by the Mayor and Mayor Pro Tem, respectively, of the City Council of the City.

C. Meetings of the Board. The Board may adopt such rules and procedures for conducting meetings and other business as the Board deems appropriate.

D. Quorum. A majority of the Board members shall constitute a quorum for the transaction of Successor Agency business. Less than a quorum may adjourn or continue meetings from time to time.

E. Voting. Except as otherwise provided by applicable law or resolution of the Board, decisions of the Board shall be made by a majority of a quorum.

F. Executive Director. The City Manager of the City shall serve as Executive Director of the Successor Agency. The Executive Director may appoint officers and employees as necessary to perform the duties of the Successor Agency. The Executive Director also may delegate the performance of his/her duties to other officers or employees.

G. Secretary. The City Clerk of the City shall serve as Secretary of the Successor Agency.

H. Successor Agency Counsel. The City Attorney of the City shall serve as Successor Agency Counsel.

I. Additional Duties. The officers of the Successor Agency shall perform such other duties and functions as may from time to time be required or directed by the Board of the Successor Agency. The Chair, or Vice Chair in the absence of the Chair, and the Executive Director, or any other person or persons designated by formal action of the Board, may sign deeds, contracts and other instruments made by the Successor Agency.

4. Indemnification and Liability.

A. Indemnification. The Successor Agency shall defend, indemnify, and hold harmless the City, and its City Council, boards, commissions, officers, employees and agents, from any and all claims, losses, damages, costs, injuries and liabilities of every kind arising directly or indirectly from the conduct, activities, operations, acts, and omissions of the Successor Agency and its boards, commissions, officers, employees and agents.

B. Liability. In accordance with the Dissolution Act (as it now exists or may be amended from time to time in the future), the liability of the Successor Agency, acting pursuant to the powers granted under Part 1.85, shall be limited to the extent of the total sum of property tax revenues it receives pursuant to Part 1.85 and the value of assets transferred to it as a successor agency for a dissolved redevelopment agency. The debts, assets, liabilities, and obligations of the Successor Agency shall be solely the debts, assets, liabilities, and obligations of the Successor Agency and not of the City.

5. To the extent the Successor Agency Executive Director has already executed any documents or taken any actions in connection with the closing of the "escrow" under that certain Affordable Housing Agreement by and between the Successor Agency and Bella Terra Villas LLC dated October 11, 2010, the execution of such documents and the taking of such actions are hereby ratified, approved, confirmed and adopted in all respects.

6. Without limiting any of the foregoing, the Successor Agency Executive Director and his or her designee are specifically authorized to execute and deliver on behalf of the Successor Agency all of the documents and to take on behalf of the Successor Agency all of the

actions for which authority was previously given to the Former Agency's Executive Director and his or her designee by the Former Agency's Board of Directors.

7. The Successor Agency does not intend, by adoption of this Resolution, to waive any constitutional, legal and/or equitable rights of the Successor Agency or the City of Huntington Beach under law and/or in equity by virtue of the adoption of this Resolution and actions approved and taken pursuant to this Resolution and, therefore, reserves all such rights of the Successor Agency and the City of Huntington Beach under law and/or in equity.

PASSED AND ADOPTED by the Successor Agency to the Redevelopment Agency of the City of Huntington Beach at a regular meeting thereof held on the _____ day of November, 2013.

_____
CHAIRMAN

REVIEWED AND APPROVED:

_____
Executive Director

INITIATED AND APPROVED:

_____
Deputy Executive Director

APPROVED AS TO FORM:

_____
Agency Counsel NW 11-7-13

CITY OF HUNTINGTON BEACH
REQUEST FOR CITY COUNCIL ACTION

MEETING DATE: 11/18/2013

SUBMITTED TO: Honorable Mayor and City Council Members

SUBMITTED BY: Fred A. Wilson, City Manager

PREPARED BY: Ken Domer, Assistant City Manager

SUBJECT: Approve and authorize execution of an Agreement for Acquisition and Escrow Instructions for the purchase of two encyclopedia parcels (APNs 110-153-04 and 110-164-21) in the vicinity of Goldenwest St. and Ellis Ave.

Statement of Issue: City Council is asked to approve an agreement in the amount of $30,000, along with escrow fees not to exceed $3,500, with Lewie and June Derigo for the purchase of two encyclopedia parcels (APNs 110-153-04 and 110-164-21) on the north side of Ellis Avenue between Edwards Street and Goldenwest Street.

Financial Impact: Funds not to exceed $33,500 are budgeted in the Park Acquisition and Development Fund Land Purchase Account (20945101.81000).

Recommended Action:

A) Authorize the Mayor and City Clerk to execute the "Agreement for Acquisition and Escrow Instructions;" and,

B) Authorize the City Manager to execute any other related escrow documents.

Alternative Action(s): Do not approve the Agreement and direct staff accordingly.

Analysis:

There are 305 encyclopedia parcels in the designated Huntington Central Park area north of Ellis Avenue, between Goldenwest Street and Edwards Street. The City has acquired all but 43 parcels over the last 20 years. The parcels are being acquired as the owners come forward offering to sell to the City or by way of tax sales. Purchases are also made based on availability of City funding for acquisitions through the Park Acquisition and Development Fund. The City Council approved $60,000 of funding for the purchase of Central Park encyclopedia parcels in the FY 2013/14 budget.

The City negotiated the purchase price based on previous sale prices and current market values for open space land. The balance of the costs necessary to acquire these parcels, including title and escrow fees, will be covered by funds allocated in the Park Acquisition and Development Fund.

Staff recommends approval of the proposed purchase agreement in support of the City's goal to have full ownership and control of this section of Central Park.

Environmental Status: Not applicable.

Strategic Plan Goal: Improve the City's infrastructure

Attachment(s):
1. Agreement for Acquisition and Escrow Instructions
2. Site Map of Encyclopedia Lots

AGREEMENT FOR ACQUISITION
AND ESCROW INSTRUCTIONS

This AGREEMENT FOR ACQUISITION AND ESCROW INSTRUCTIONS ("Agreement") is made and entered into as of this _____ day of _____ 2013, and constitutes an agreement by which Lewie P. Derigo and June C. Derigo, Trustees of the L. P. Derigo Family Trust, dated March 14, 2002 ("Sellers") agrees to sell, and the CITY OF HUNTINGTON BEACH, a California municipal corporation ("Buyer"), agrees to purchase on the terms and conditions hereinafter set forth:

That certain real property described in Exhibit "A" attached hereto, bearing Orange County Assessor's Parcel Numbers 110-153-04 and 110-164-21 ("Property").

The terms and conditions of this Agreement and the instructions to Lawyers Title Company ("Escrow Holder") with regard to the escrow ("Escrow") created pursuant hereto are as follows:

1. Purchase and Sale. For valuable consideration, the receipt and sufficiency of which are hereby acknowledged, Sellers agrees to sell the Property to Buyer, and Buyer agrees to purchase the Property from Sellers, upon the terms and conditions herein set forth.

2. Purchase Price. The purchase price ("Purchase Price") for the Property shall be THIRTY THOUSAND DOLLARS ($30,000). This sum shall be full payment for the Property and for all damages of every kind and nature, including, but not limited to, pre-condemnation damages, loss of rental income and severance damages suffered, any and all claims suffered, or to be suffered, by reason of the acquisition of the Property.

3. Acknowledgment of Full Benefits and Release.

a. By execution of this Agreement, Sellers, on behalf of their self and their respective successors and assigns, hereby acknowledges that this Agreement provides full payment for the acquisition of the Property by Buyer, and Sellers hereby expressly and unconditionally waives any and all claims for damages, relocation assistance benefits, severance damages, interest, loss of goodwill, claims for inverse condemnation or unreasonable pre-condemnation conduct, or any other compensation or benefits, other than as already expressly provided for in this Agreement, it being understood that this is a complete and full settlement of all acquisition claims, liabilities or benefits of any type or nature whatsoever relating to or in connection with Buyer's acquisition of the Property.

b. This Agreement arose out of Buyer's efforts to acquire the Property on a voluntary basis. Sellers acknowledge and agree that said purchase price is just compensation at fair market value for said real property and includes any and all fixtures and equipment, goodwill (if any) and severance. Sellers, on behalf of their self and their successors and assigns, hereby fully releases Buyer, its successors, agents, representatives, and assigns,

LPD JCD _____/_____
Sellers Initials' Buyer's Initials

and all other persons and associations, known or unknown, from all claims and causes of action by reason of any damage which has been sustained, or may be sustained, as a result of Buyer's efforts to acquire the Property or to construct works of improvement thereon, or any preliminary steps thereto. Sellers further release and agree to hold Buyer harmless from any and all claims by reason of any leasehold interest in the Property. This release shall survive the Close of Escrow.

c. The parties hereto hereby agree that all rights under Section 1542 of the Civil Code of the State of California are hereby waived. Civil Code Section 1542 provides as follows:

> "A general release does not extend to claims which the creditor does not know or suspect to exist in his/her favor at the time of executing the release, which if known by him/her must have materially affected his/her settlement with the debtor."

Notwithstanding the provisions of Civil Code Section 1542, Sellers hereby irrevocably and unconditionally releases and forever discharges the Buyer and each and all of its officers, agents, directors, supervisors, employees, representatives, and its successors and assigns and all persons acting by, through, under, or in concert with the Buyer from any and all charges, complaints, claims, and liabilities of any kind or nature whatsoever, known or unknown, suspected or unsuspected (hereinafter referred to as "claim" or "claims") which Sellers at any time heretofore had or claimed to have or which Sellers at any time hereafter may have or claim to have, including, without limitation, any and all claims related or in any manner incidental to this transaction.

I HAVE READ AND UNDERSTOOD PARAGRAPH 3 Acknowledgment of Full Benefits and Release.

Sellers' Initials LPD JCD _____

4. Payment of Purchase Price. The Purchase Price for the Property shall be payable by Buyer as follows: Upon the Close of Escrow, Buyer shall deposit or cause to be deposited with Escrow Holder, in cash or by a certified or bank cashier's check made payable to Escrow Holder or a confirmed wire transfer of funds, the Purchase Price plus or minus Escrow Holder's estimate of Buyer's closing costs, prorations and charges payable pursuant to this Agreement. All escrow, recording and title insurance costs to be paid by Buyer.

5. Escrow.

a. Opening of Escrow. For purposes of this Agreement, the Escrow shall be deemed opened on the date Escrow Holder shall have received an executed counterpart of this Agreement from both Buyer and Sellers ("Opening Date"). Escrow Holder shall notify Buyer and Sellers, in writing, of the date Escrow is opened and the Closing Date, as

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Sellers Initials' Buyer's Initials

defined in Paragraph 5(b), below. In addition, Buyer and Sellers agree to execute, deliver, and be bound by any reasonable or customary supplemental escrow instructions of Escrow Holder, or other instruments as may reasonably be required by Escrow Holder, in order to consummate the transaction contemplated by this Agreement. Any such supplemental instructions shall not conflict with, amend, or supersede any portion of this Agreement. If there is any inconsistency between such supplemental instructions and this Agreement, this Agreement shall control.

b. Close of Escrow. For purposes of this Agreement, "Close of Escrow" shall be defined as the date that the Grant Deed, conveying the Property to Buyer, is recorded in the Official Records of Orange County, California. This Escrow shall close within **sixty (60) days** of the Opening Date ("Closing Date").

6. Conditions of Title. It shall be a condition to the Close of Escrow and a covenant of Sellers that title to the Property shall be conveyed to Buyer by Sellers by the Grant Deed, subject only to the following Approved Conditions of Title ("Approved Condition of Title"):

a. A lien to secure payment of real estate taxes, not delinquent.

b. The lien of supplemental taxes assessed pursuant to Chapter 3.5, commencing with Section 75 of the California Revenue and Taxation Code ("Code"), but only to the extent that such supplemental taxes are attributable to the transaction contemplated by this Agreement. Sellers shall be responsible for, and hereby indemnifies Buyer and the Property against, any supplemental taxes assessed pursuant to the Code, to the extent that such taxes relate to events (including, without limitation, any changes in ownership and/or new construction) occurring prior to the Close of Escrow.

c. Matters affecting the Approved Condition of Title created by or with the written consent of Buyer.

d. Exceptions which are disclosed by the Report described in Paragraph 8a(1) hereof and which are approved or deemed approved by Buyer in accordance with Paragraph 8a(1) hereof.

Sellers covenant and agree that during the term of this Escrow, Sellers will not cause or permit title to the Property to differ from the Approved Condition of Title described in this Paragraph 6. Any liens, encumbrances, easements, restrictions, conditions, covenants, rights, rights-of-way, or other matters affecting the Approved Condition of Title which may appear of record or be revealed after the date of the Report described in Paragraph 8a(1) below, shall also be subject to Buyer's approval and must be eliminated or ameliorated to Buyer's satisfaction by Sellers prior to the Close of Escrow as a condition to the Close of Escrow for Buyer's benefit. Buyer hereby objects to all liens evidencing monetary encumbrances affecting the Property (other than liens for non-delinquent property taxes) and Sellers agrees to cause all such liens to be eliminated at Sellers' sole cost and expense prior to the Closing Date.

Sellers Initials' _____ Buyer's Initials _____/_____

7. Title Policy. Title shall be evidenced by the willingness of the Title Company to issue its CLTA Standard Form Policy or Binder of Title Insurance ("Title Policy") in the amount of the Purchase Price showing title to the Property vested in Buyer subject only to the Approved Condition of Title.

8. Conditions to Close of Escrow.

a. Conditions to Buyer's Obligations. The Close of Escrow and Buyer's obligation to consummate the transaction contemplated by this Agreement are subject to the satisfaction of the following conditions for Buyer's benefit on or prior to the dates designated below for the satisfaction of such conditions:

(1) Preliminary Title Report and Exceptions. Immediately after escrow is opened as provided herein, City agrees to cause Lawyers Title Company to issue a Preliminary Title Report relating to the Property. Within fifteen (15) days after escrow has been opened, the City will cause Lawyers Title Company to issue an Amendment to Escrow Instructions, which indicates those title exceptions that the City will accept. Sellers will have ten (10) days after receipt of such amendment to review and approve it. In the event of non-approval, escrow will fail and each party will instruct Lawyers Title Company to cancel the escrow.

(2) Representations, Warranties, and Covenants of Sellers. Sellers shall have duly performed each and every agreement to be performed by Sellers hereunder and Sellers' representations, warranties, and covenants set forth in Paragraph 14 shall be true and correct as of the Closing Date.

(3) No Material Changes. At the Closing Date, there shall have been no material adverse changes in the physical or financial condition of the Property and there shall have been no material adverse change in the financial condition of Sellers or any general partners of Sellers.

(4) Inspections and Studies. On or before **thirty (30) days** after Opening Date ("Due Diligence Period"), Buyer shall have approved the results of any and all inspections, investigations, tests and studies (including, without limitation, investigations with regard to governmental regulations, engineering tests, soil and structure investigation and analysis, seismic and geologic reports) with respect to the Property (including all structural and mechanical systems and leased areas) as Buyer may elect to make or obtain. The failure of Buyer to disapprove said results on or prior to the expiration of the Due Diligence Period shall be deemed to constitute Buyer's approval of the results. The cost of any such inspections, tests and studies shall be borne by Buyer. During the term of this Escrow, Buyer, its agents, contractors and subcontractors shall have the right to enter upon the Property, at reasonable times during ordinary business hours, to make any and all

Sellers Initials' Buyer's Initials

inspections and tests as may be necessary or desirable in Buyer's sole judgment and discretion. Buyer shall use care and consideration in connection with any of its inspections. Buyer shall indemnify and hold Sellers and the Property harmless from any and all damage arising out of, or resulting from the negligence of Buyer, its agents, contractors and/or subcontractors in connection with such entry and/or activities upon the Property.

(5) Council Approval. The completion of this transaction, and the escrow created hereby, is contingent upon the specific acceptance and approval of the Buyer by action of the Buyer's City Council.

b. Conditions to Sellers' Obligation. For the benefit of Sellers, the Close of Escrow shall be conditioned upon the occurrence and/or satisfaction of each of the following conditions (or Sellers' waiver thereof, it being agreed that Sellers may waive any or all of such conditions):

(1) Buyer's Obligations. Buyer shall have timely performed all of the obligations required by the terms of this Agreement to be performed by Buyer, and

(2) Buyer's Representations. All representations and warranties made by Buyer to Sellers in this Agreement shall be true and correct as of the Close of Escrow.

9. Deposits by Sellers. At least **one (1) business day prior** to the Close of Escrow, Sellers shall deposit or cause to be deposited with Escrow Holder the following documents and instruments:

a. Sellers' Certificate Federal. A Certificate of Nonforeign Status (Sellers' Certificate), duly executed by Sellers in the form attached hereto as Exhibit "C."

b. California Withholding Exemption Certificate. A California Withholding Exemption Certificate (or in the event the Sellers are a non-California resident, a certificate issued by the California Franchise Tax Board) pursuant to the Revenue and Taxation Code Sections 18805 and 26131, as may be amended, stating either the dollar amount of withholding required from Sellers' proceeds or that Sellers are exempt from such withholding requirement.

c. Grant Deed. The Grant Deed conveying the Property to Buyer duly executed by Sellers, acknowledged and in recordable form.

10. Deposits by Buyer. Buyer shall deposit, or cause to be deposited with Escrow Holder, the funds which are to be applied toward the payment of the Purchase Price in the amounts and at

Sellers Initials' Buyer's Initials

the times designated in Paragraph 4 above (as reduced or increased by the prorations, debits and credits hereinafter provided).

11. Costs and Expenses. The cost and expense of the Title Policy attributable to CLTA coverage shall be paid by Buyer. The escrow fee of Escrow Holder shall be paid by Buyer. Buyer shall pay all documentary transfer taxes, if any, payable in connection with the recordation of the Grant Deed. The amount of such transfer taxes shall not be posted on the Grant Deed, but shall be supplied by separate affidavit. Buyer shall pay the Escrow Holder's customary charges to Buyer and Sellers for document drafting, recording, and miscellaneous charges. If, as a result of no fault of Buyer or Sellers, Escrow fails to close, Buyer shall pay all of Escrow Holder's fees and charges. Penalties for prepayment of bona fide obligations secured by any existing deed of trust or mortgage shall be waived pursuant to Civil Code Procedures Section 1265.240.

12. Prorations. The following prorations shall be made between Sellers and Buyer on the Closing Date, computed as of the Closing Date:

a. Taxes. Real and personal property taxes and assessments on the Property shall be prorated on the basis that Sellers are responsible for (i) all such taxes for the fiscal year of the applicable taxing authorities occurring prior to the "Current Tax Period," and (ii) that portion of such taxes for the Current Tax Period determined on the basis of the number of days which have elapsed from the first day of the Current Tax Period to the Closing Date, inclusive, whether or not the same shall be payable prior to the Closing Date. The phrase "Current Tax Period" refers to the fiscal year of the applicable taxing authority in which the Closing Date occurs. In the event that as of the Closing Date the actual tax bills for the year or years in question are not available, and the amount of taxes to be prorated as aforesaid cannot be ascertained, then rates and assessed valuation of the previous year, with known changes, shall be used, and when the actual amount of taxes and assessments for the year or years in question shall be determinable, then such taxes and assessments will be reprorated between the parties to reflect the actual amount of such taxes and assessments.

b. No Rental Pro-rations. Pursuant to Paragraph 22(n) Sellers warrant that there are no tenants or written or oral leases on all or any portion of the Property and the Escrow Holder is hereby instructed not to perform any rental pro-rations at the Close of Escrow.

13. Disbursements and Other Actions by Escrow Holder. Upon the Close of Escrow, the Escrow holder shall promptly undertake all of the following in the manner indicated:

a. Prorations. Prorate all matters referenced herein, based upon the statement delivered into Escrow signed by the parties.

b. Recording. Cause the Grant Deed and any other documents, which the parties hereto may mutually direct, to be recorded in the Official Records of Orange County, California, in the order set forth in this subparagraph. Escrow Holder is instructed not to

Sellers Initials' _____ Buyer's Initials _____/_____

affix the amount of documentary transfer tax on the face of the Deed, but to supply same by separate affidavit.

c. Funds. Disburse from funds deposited by Buyer with Escrow Holder toward payment of all items chargeable to the account of Buyer, pursuant thereto in payment of such costs, and disburse the balance of such funds, if any, to Buyer.

d. Documents to Buyer. Deliver the Sellers' Certificate and Bill of Sale, executed by Sellers, and, when issued, the Title Policy to Buyer.

e. Pay demands of existing lienholders. Escrow Holder is hereby authorized and instructed to cause the reconveyance, or partial reconveyance, as the case may be, of any such monetary exceptions to Buyer's title to the Property at or prior to the Close of Escrow.

14. Sellers' Representations and Warranties. In consideration of Buyer entering into this Agreement, and as an inducement to Buyer to purchase the Property, Sellers makes the following representations and warranties, each of which is material and is being relied upon by Buyer (and the continued truth and accuracy of which shall constitute a condition precedent to Buyer's obligations hereunder):

a. Authorization. This Agreement has been duly and validly authorized, executed and delivered by Sellers, and no other action is requisite to the execution and delivery of this Agreement by Sellers.

b. Threatened Actions. There are no actions, suits or proceedings pending against, or, to the best of Sellers' knowledge, threatened or affecting the Property in law or equity.

c. Third Party Consents. No consents or waivers of, or by, any third party are necessary to permit the consummation by Sellers of the transactions contemplated pursuant to this Agreement.

d. No Violation of Law. To the best of Sellers' knowledge, there is no violation of law or governmental regulation by Sellers with respect to the Property.

e. Condemnation. There is no pending, or, to the best of Sellers' knowledge, threatened proceedings in eminent domain or otherwise, which would affect the Property or any portion thereof.

f. Compliance with Law. To the best of Sellers' knowledge, all laws, ordinances, rules, and requirements and regulations of any governmental agency, body, or subdivision thereof bearing on the Property have been complied with by Sellers.

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Sellers Initials' Buyer's Initials

g. Agreements. There are no agreements (whether oral or written) affecting or relating to the right of any party with respect to the possession of the Property, or any portion thereof, which are obligations which will affect the Property or any portion thereof subsequent to the recordation of the Grant Deed, except as may be reflected in the Condition of Title, which shall have been approved by Buyer pursuant to the terms of this Agreement.

h. Documents. To the best of Sellers' knowledge, all documents delivered to Buyer and Escrow Holder pursuant to this Agreement are true and correct copies of originals, and any and all information supplied to Buyer by Sellers is true and accurate.

i. Licensed Permits. To the best of Sellers' knowledge, Sellers has acquired all licenses, permits, easements, rights-of-way, including without limitation, all building and occupancy permits from any governmental authority having jurisdiction.

j. Hazardous Substances. Except as revealed by Sellers to Buyer herein, Sellers have no actual knowledge that there are hazardous substances (as defined below) in existence on or below the surface of the Property, including without limitation, contamination of the soil, subsoil or groundwater, which constitutes a violation of any law, rule, or regulation of any governmental entity having jurisdiction thereof, or which exposes Buyer to liability to third parties. Sellers has not used the Property, or any portion thereof, for the production, disposal, or storage of any hazardous substances, and Sellers has no actual knowledge that there has been such prior use of the Property, or any portion thereof; or that there has been any proceeding or inquiry by any governmental authority with respect to the presence of such hazardous substances on the Property or any portion thereof. Without limiting the other provisions of this Agreement, Sellers shall cooperate with Buyer's investigation of matters relating to the foregoing provisions of this paragraph, and provide access to, and copies of, any data and/or documents dealing with potentially hazardous substances used at the Property and any disposal practices followed. Sellers agree that Buyer may, with Sellers' prior approval, make inquiries of governmental agencies regarding such matters, without liability to Sellers for the outcome of such discussions. For purposes of this Agreement, the term "hazardous substances" means: (i) any substance, product, waste, or other material of any nature whatsoever which is or becomes listed, regulated, or addressed pursuant to the Comprehensive Environment Response, Compensation and Liability Act (CERCLA), 42 United States Code Section 9601 et seq.; the Hazardous Material Transportation Conservation and Recovery Act, 42 United States Code Section 1801 et seq.; the Resources Conservation and Recovery Act, 42 United States Code Section 6901 et seq.; the Clean Water Act, 33 United States Code Section 1251 et seq.; the Toxic Substances Control Act, 15 United States Code Section 2601 et seq.; the California Hazardous Waste Control Act, Health and Safety Code Section 25100 et seq.; the California Hazardous Substance Account Act, Health and Safety Code Section 25330 et seq.; the California Safe Drinking Water and Toxic Enforcement Act, Health and Safety Code Section 25249.5 et seq.; California Health and Safety Code Section 25280 et seq. (Underground

Sellers Initials' _____/_____ Buyer's Initials

Storage or Hazardous Substances); the California Hazardous Waste Management Act, Health and Safety Code Section 25170.1 et seq.; California Health and Safety Code Section 25501 et seq. (Hazardous Materials Release Response Plans and Inventory); or the California Porter-Cologne Water Quality Control Act, Water Code Section 13000 et seq., all as amended (the above-cited California state statue are hereinafter collectively referred to as "the State Toxic Substances Laws") or any other federal, state, or local statute, law, ordinance, resolution, code, rule, regulation, order or decree regulating, relating to, or imposing liability or standards of conduct concerning any hazardous or toxic substance hereafter in effect; (ii) any substance, product, waste, or other material of any nature whatsoever which may give rise to liability under any of the above statutes or under any statutory or common law theory based on negligence, trespass, intentional tort, nuisance or strict liability or under any reported decisions of a state or federal court; (iii) petroleum or crude oil other than petroleum and petroleum products which are contained within regularly operated motor vehicles; and (iv) asbestos.

k. Indemnity. Sellers agree to indemnify, defend with counsel selected by Buyer, protect and hold harmless Buyer, its City Council members, its directors, officers, staff, employees, agents, contractors, assigns, and any successor or successors to Buyer's interest from and against all claims, actual damages (including, but not limited to, special and consequential damages), punitive damages, injuries, costs, response costs, losses, demands, debts, liens, liabilities, causes of action, suits, legal or administrative proceedings, interest, fines, charges, penalties, and expenses (including, but not limited to, attorneys' and expert witness' fees and costs incurred in connection with defending against any of the foregoing or in enforcing this indemnity) of any kind whatsoever paid, incurred or suffered by, or asserted against, the Property, or any indemnified party directly or indirectly arising from or attributable to: (i) any breach by Sellers of any of its agreement warranties or representations set forth in this Agreement; or (ii) any repair, cleanup or detoxification, or preparation and implementation of any removal, remedial, response, closure, or other plan concerning any hazardous substance on, under, or about the Property, regardless of whether undertaken due to governmental action. To the fullest extent permitted by law, the foregoing indemnification shall apply regardless of the fault, active or passive negligence, breach of warranty or contract of Buyer. The foregoing indemnity is intended to operate as an agreement pursuant to CERCLA Section 107(e), of 42 United States Code Section 9607(E), and California Health and Safety Code Section 25364, to insure, protect, hold harmless and indemnify Buyer from any liability pursuant to such sections.

l. Pollutants. No pollutants or waste materials from the Property have ever been discharged by Sellers into any body of water, and Sellers have no actual knowledge of any such pollution emission by any other person or entity.

m. Waste Disposal. No portion of the Property has ever been used by Sellers as a waste storage or disposal site, and Sellers are not aware of any such prior uses.

Sellers Initials' Buyer's Initials

n. No Notices. Sellers have received no written notice of any change contemplated in any applicable laws, ordinances or restrictions, or any judicial or administrative action, or any action by adjacent landowners, or natural or artificial conditions upon the Property which would prevent, impede, limit, or render more costly Buyer's contemplated use of the Property.

15. Buyer's Representations and Warranties. In consideration of Sellers entering into this Agreement, and as an inducement to Sellers to sell the Property to Buyer, Buyer makes the following representations and warranties, each of which is material and is being relied upon by Sellers (the continued truth and accuracy of which shall constitute a condition precedent to Sellers' obligations hereunder):

a. This Agreement and all documents executed by Buyer under this Agreement which are to be delivered to Sellers are, or at the time of Close of Escrow will be, duly authorized, executed, and delivered by Buyer, and are, or at the Close of Escrow will be legal, valid, and binding obligations of Buyer, and do not, and at the Close of Escrow will not violate any provisions of any agreement or judicial order to which Buyer is a party or to which it is subject.

b. The representations and warranties of Buyer set forth in this Agreement shall be true on and as of the Close of Escrow as if those representations and warranties were made on and as of such time.

16. Damage or Condemnation Prior to Closing. Sellers shall promptly notify Buyer of any knowledge by Sellers of casualty to the Property or any condemnation proceeding commenced prior to the Close of Escrow. If any such damage or proceeding relates to, or may result in, the loss of any material portion of the Property, Sellers or Buyer may, at their option, elect either to:

(a) terminate this Agreement, in which event all funds deposited into Escrow by Buyer shall be returned to Buyer and neither party shall have any further rights or obligations hereunder, or

(b) continue the Agreement in effect, in which event upon the Close of Escrow Buyer shall be entitled to any compensation, awards, or other payments or relief resulting from such casualty or condemnation proceeding.

17. Notices. All notices or other communications required or permitted hereunder shall be in writing, and shall be personally delivered or sent by registered or certified mail, postage prepaid, return receipt requested, telegraphed, delivered, or sent by telex, telecopy, or cable, and shall be deemed received upon the earlier of (a) if personally delivered, the date of delivery to the address of the person to receive such notice, (b) if mailed, four business days after the date of posting by the United States post office, (c) if given by telegraph or cable, when delivered to the telegraph company with charges prepaid, or (d) if given by telex or facsimile, when sent. Any notice,

Sellers Initials' Buyer's Initials

request, demand, direction, or other communication sent by cable, telex, or facsimile must be confirmed within 48 hours by letter mailed or delivered in accordance with the foregoing.

The Buyer's mailing address is:

City of Huntington Beach
Economic Development
Attn: Kellee Fritzal
2000 Main Street, P.O. Box 190
Huntington Beach, CA 92648

The Sellers' mailing address is:

Lewie P. Derigo
807 Main Street
Huntington Beach, CA 92648

Notice of change of address shall be given by written notice in the manner detailed in this paragraph. Rejection or other refusal to accept, or the inability to deliver because of changed address of which no notice was given, shall be deemed to constitute receipt of the notice, demand, request, or communication sent.

18. Legal Fees. In the event suit is brought by either party to construe, interpret and/or enforce the terms and/or provisions of this Agreement or to secure the performance hereof, each party shall bear its own attorney's fees, such that the prevailing party shall not be entitled to recover its attorney's fees from the non-prevailing party.

19. Assignment. Sellers may not assign, transfer or convey its rights or obligations under this Agreement without the prior written consent of Buyer, and then only if Sellers' assignee assumes in writing all of Sellers' obligations hereunder; provided, however, Sellers shall in no event be released from its obligations hereunder by reason of such assignment.

20. Sellers' Indemnification. Sellers hereby agree to indemnify, defend and hold harmless Buyer from and against any and all obligations, liabilities, claims, liens, encumbrances, losses, damages, costs and expenses, including without limitation, attorneys' fees, whether direct, contingent, or consequential, incurred by Buyer relating to the Property and arising or accruing from acts, occurrences, or matters that take place on or before the Close of Escrow or resulting from any breach by Sellers of their representations, warranties and covenants contained in this Agreement.

L.P.Dig c.D. _____/_____
Sellers Initials' Buyer's Initials

21. Brokerage Commissions. Sellers represent to Buyer that there has been no broker, real estate agent, finder or similar entity engaged in connection with this Agreement or the sale of the Property from the Sellers to Buyer, if consummated as contemplated hereby. Sellers agree that should any claim be made for brokerage commissions or finder's fees by any broker, agent, finder or similar entity, by, through or on account of any acts of Sellers or its agent, employees or representatives, Sellers will indemnify, defend and hold the Buyer free and harmless from and against any and all loss, liability, cost, damage and expense (including attorneys' fees and court costs) in connection therewith. Sellers agree to pay, at its sole cost and expense, when due, any and all brokerage commissions incurred by Sellers heretofore or hereafter incurred prior to close of escrow.

22. Miscellaneous.

a. Survival of Covenants. The covenants, representations and warranties of both Buyer and Sellers set forth in this Agreement shall survive the recordation of the Grant Deed and the Close of Escrow.

b. Required Actions of Buyer and Sellers. Buyer and Sellers agree to execute such instruments and documents and to diligently undertake such actions as may be required in order to consummate the purchase and sale herein contemplated, and shall use their best efforts to accomplish the Close of Escrow in accordance with the provisions hereof.

c. Time of Essence. Time is of the essence of each and every term, condition, obligation, and provision hereof.

d. Counterparts. This Agreement may be executed in multiple counterparts, each of which shall be deemed an original, but all of which, together, shall constitute one and the same instrument.

e. Captions. Any captions to, or headings of, the paragraphs or subparagraphs of this Agreement are solely for the convenience of the parties hereto, are not a part of this Agreement, and shall not be used for the interpretation or determination of the validity of this Agreement or any provision hereof.

f. No Obligations to Third Parties. Except as otherwise expressly provided herein, the execution and delivery of this Agreement shall not be deemed to confer any rights upon, nor obligate any of the parties hereto, to any person or entity other than the parties hereto.

g. Exhibits and Schedules. The Exhibits and Schedules attached hereto are hereby incorporated herein by this reference.

Sellers Initials' _____/_____ Buyer's Initials

h. Amendment to this Agreement. The terms of this Agreement may not be modified or amended except by an instrument in writing executed by each of the parties hereto.

i. Waiver. The waiver or failure to enforce any provision of this Agreement shall not operate as a waiver of any future breach of any such provision or any other provision hereof.

j. Applicable Law. This Agreement shall be governed by and construed in accordance with the laws of the State of California, with the exception of definitions to be construed under Federal laws cited in Paragraph 14(j).

k. Fees and Other Expenses. Except as otherwise provided herein, each of the parties shall pay its own fees and expenses in connection with this Agreement.

l. Entire Agreement. This Agreement supersedes any prior agreements, negotiations, and communications, oral or written, and contains the entire agreement between Buyer and Sellers as to the subject matter hereof. No subsequent agreement, representation, or promise made by either party hereto, or by or to an employee, officer, agent or representative of either party shall be of any effect unless it is in writing and executed by the party to be bound thereby.

m. Successors and Assigns. This Agreement shall be binding upon and shall inure to the benefit of the successors and assigns of the parties hereto.

n. Leases. Sellers warrant that there are no tenants or written or oral leases on all or any portion of the property and Sellers further agree to hold Buyer harmless and reimburse Buyer for any and all of its losses and expenses, including relocation assistance costs, occasioned by reason of any lease of said property held by any tenant of Sellers.

Sellers Initials' _____ Buyer's Initials _____/_____

IN WITNESS WHEREOF, the parties hereto have executed this Agreement as of the day and year first above written.

DATED: Oct. 14, 2013

Sellers:

Lewie P. Derigo, Trustee

Crystal June Derigo, Trustee

DATED: _____

Buyer:

CITY OF HUNTINGTON BEACH
A California municipal corporation

Mayor

City Clerk

APPROVED AS TO FORM:

City Attorney

10/7/13 10.14.13 10/3/2013

REVIEWED AND APPROVED:

City Manager

INITIATED AND APPROVED:

Assistant City Manager

Sellers Initials' Buyer's Initials

E.1/2, SW.1/4, NE.1/4, SEC. 34, T.5S., R.11W.

1" = 100'

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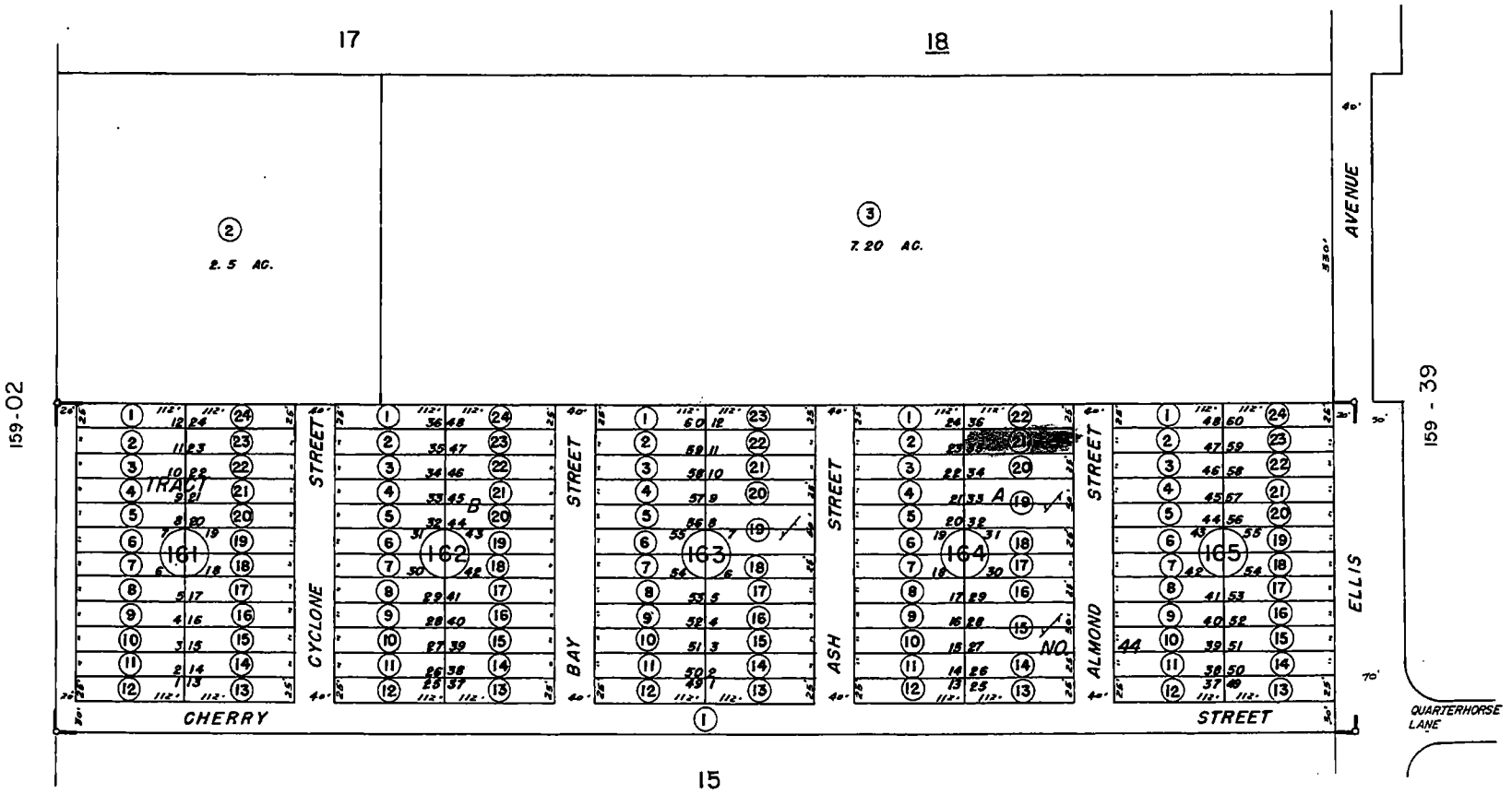

MARCH 1951 TR. NO. 44 M. M. 9-45

NOTE - ASSESSOR'S BLOCK & PARCEL NUMBERS SHOWN IN CIRCLES

ASSESSOR'S MAP BOOK 110 PAGE 16 COUNTY OF ORANGE

Orange, CA, 2013-2014 - 110-153-04... CA . Sheet: 1 of

THIS MAP WAS PREPARED FOR ORANGE COUNTY ASSESSOR DEPT. PURPOSES ONLY. THE ASSESSOR MAKES NO GUARANTEE AS TO ITS ACCURACY NOR ASSUMES ANY LIABILITY FOR OTHER USES. NOT TO BE REPRODUCED. ALL RIGHTS RESERVED. ©COPYRIGHT ORANGE COUNTY ASSESSOR 1993

W.1/2, SW.1/4, NE.1/4, SEC. 34, T. 5 S., R. 11 W.

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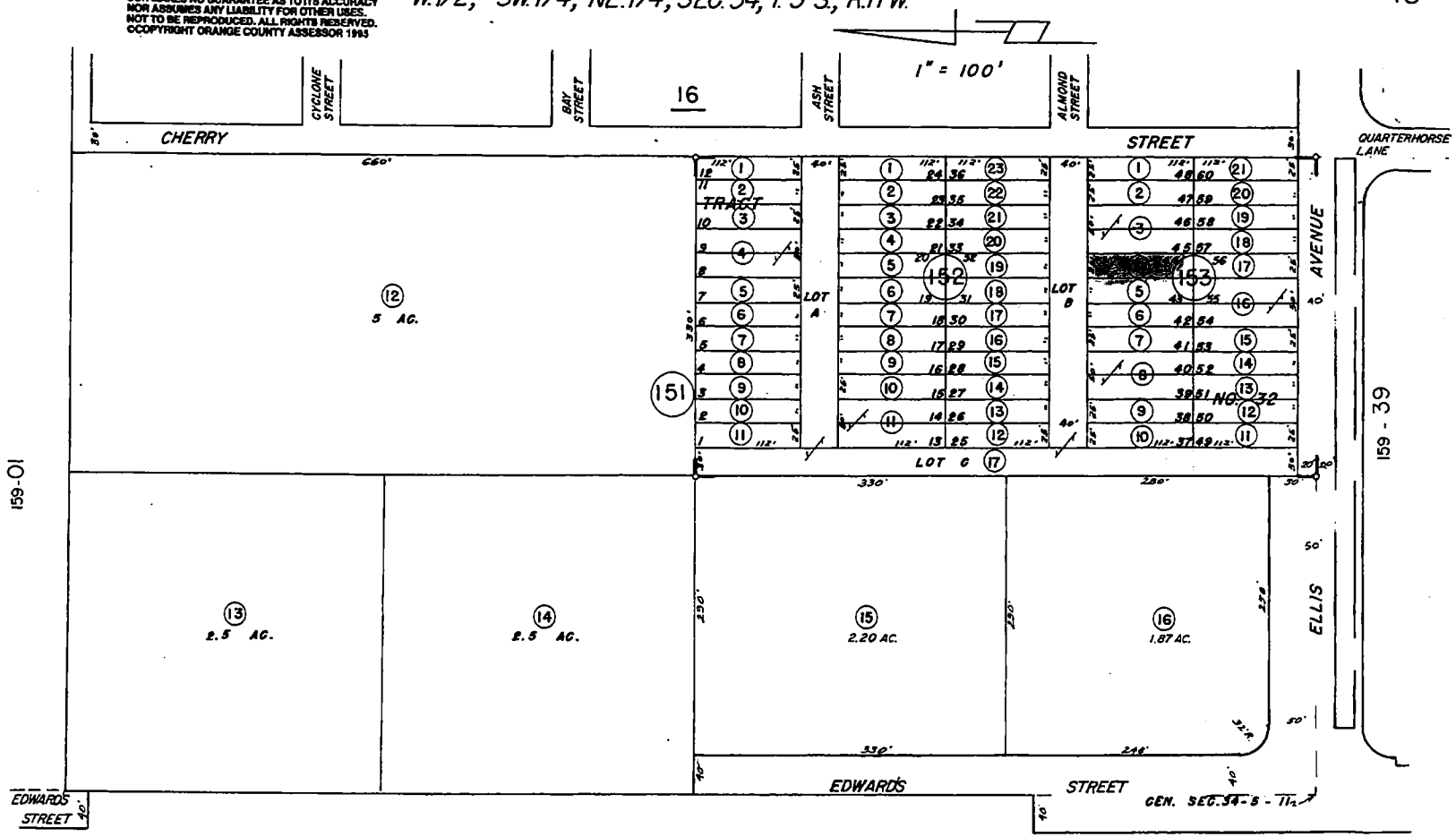
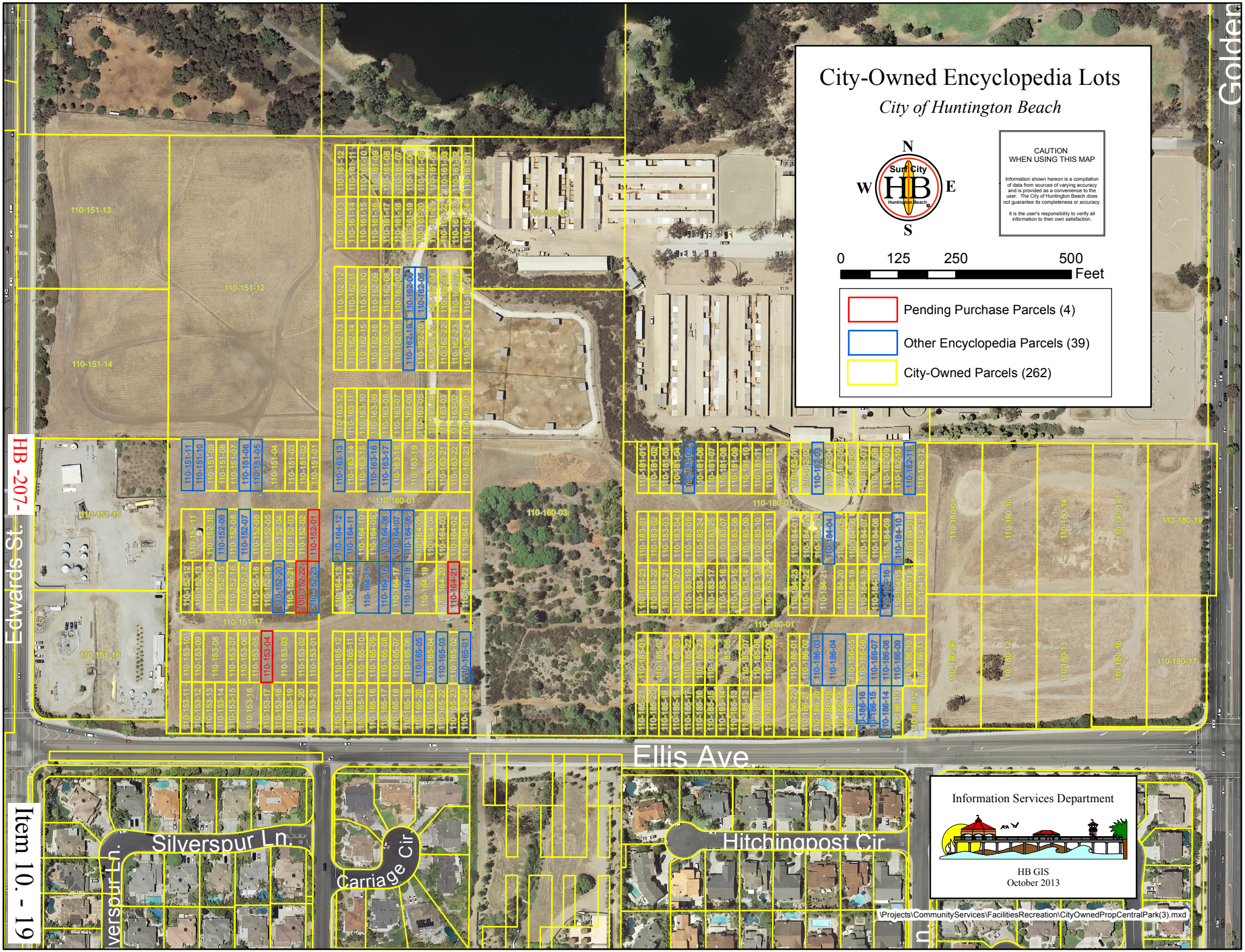


01

MARCH 1951 TR. NO. 32 M. M. 9 - 31

NOTE - ASSESSOR'S BLOCK & PARCEL NUMBERS SHOWN IN CIRCLES

ASSESSOR'S MAP BOOK 110 PAGE 15 COUNTY OF ORANGE


City-Owned Encyclopedia Lots
City of Huntington Beach
N
W
E
S
Surf City
HB
Huntington Beach
CAUTION
WHEN USING THIS MAP
Information shown hereon is a compilation of data from sources of varying accuracy and is provided as a convenience to the user. The City of Huntington Beach does not guarantee its completeness or accuracy.
It is the user's responsibility to verify all information to their own satisfaction.
0
125
250
500
Feet
Pending Purchase Parcels (4)
Other Encyclopedia Parcels (39)
City-Owned Parcels (262)
Edwards St.
Golden
Ellis Ave.
Silverspur Ln.
Carriage Cir.
Hitchingpost Cir.
Information Services Department
HB GIS
October 2013
\Projects\CommunityServices\FaciliesRecreation\CityOwnedPropCentralPark(3).mxd

CITY OF HUNTINGTON BEACH
REQUEST FOR CITY COUNCIL ACTION

MEETING DATE: 11/18/2013

SUBMITTED TO: Honorable Mayor and City Council Members

SUBMITTED BY: Fred A. Wilson, City Manager

PREPARED BY: Janeen Laudenback, Director of Community Services

SUBJECT: Approve and authorize execution of a License Agreement between the City and VF Outdoor, Inc. for use of the Central Park Sports Complex parking lot for temporary parking for skate park events

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Statement of Issue:
As part of an Agreement between VF Outdoor, Inc. and the City of Huntington Beach, there is a need to approve a License Agreement for use of the Central Park Sports Complex Parking Lot for temporary parking for skate park events.

Financial Impact:
Special event patrons will pay the approved Huntington Central Park Sports Complex parking fee or VF Outdoor, Inc. may choose to pay a flat rate of $625 for the licensed temporary parking area.

Recommended Action:
Approve and authorize the Mayor and City Clerk to execute the "License Agreement Between the City of Huntington Beach and VF Outdoor, Inc. for Use of the Central Park Sports Complex Parking Lot for Temporary Parking for Skate Park Events."

Alternative Action(s):
Do not approve the License Agreement and direct staff accordingly.

Analysis:
VF Outdoor, Inc., entered into an Agreement with the City to develop an area within the City known as "Vans Skate Park." VF Outdoor, Inc., will operate the skate park seven days a week utilizing on-site parking for patrons and will also conduct special events at the skate park which may require additional parking facilities to accommodate those events. The City agreed to provide temporary, overflow parking on City property located at the Huntington Central Park Sports Complex (Complex) to accommodate parking needs for the special events.

The License Agreement will allow VF Outdoor, Inc., the nonexclusive right to use a portion of the Complex parking lot for temporary, short term parking. The license will allow VF Outdoor, Inc., up to fifteen days per year, the use of up to 625 parking spaces in the 850 space lot on dates, times, and locations approved by the Community Services Department. It is important to note that City events and programs at the Complex take priority over Vans Skate Park special events which may require additional parking. As such, the City at its sole discretion may not permit overflow parking even if there is a special event scheduled by VF Outdoor, Inc. Patrons parking at the Complex for skate park special events will pay the approved daily rate fee as approved by City Council.

Environmental Status:
Entitlements and environmental clearance for the Vans Skate Park project, including off-site parking for events were previously approved under Environmental Impact Report No. 10-009 and Conditional Use Permit No. 2012-009.

Strategic Plan Goal:
Enhance economic development

Attachment(s):
1. "License Agreement Between The City of Huntington Beach and VF Outdoor, Inc. for Use of the Central Park Sports Complex Parking Lot for Temporary Parking for Skate Park Events."

ATTACHMENT #1

LICENSE AGREEMENT BETWEEN THE CITY OF HUNTINGTON BEACH AND VF OUTDOOR, INC. FOR USE OF THE CENTRAL PARK SPORTS COMPLEX PARKING LOT FOR TEMPORARY PARKING FOR SKATE PARK EVENTS

THIS LICENSE (the "License") is made and entered into effective _____, 2013 by and between the CITY OF HUNTINGTON BEACH, a municipal corporation of the State of California ("City") and VF OUTDOOR, INC., a California corporation (hereinafter "Licensee") for the purpose herein specified upon the terms and conditions set forth below. By execution hereof, the Licensee agrees to comply with all such terms.

RECITALS

WHEREAS, Licensee has entered into an Agreement with the City to develop an area within the City known as "Skate Park;" and

Licensee will operate the skate park seven days a week utilizing on-site parking for patrons. Licensee will also conduct special events at the skate park and which may require additional parking facilities to accommodate those events.

City has agreed to provide temporary, overflow parking on City property located at the Huntington Central Park Sports Complex (hereinafter "Complex") to accommodate parking needs for Licensee's special events ("Program").

1 **Terms and Condition of Use.** This License allows Licensee the non-exclusive right use a portion of the Complex parking lot for temporary, short term parking on a portion of the Complex ("specifically identified as "License Area"). The License Area shall be as described and depicted on the Exhibit A, attached hereto and incorporated herein by this reference. The License Area may sometimes hereafter be referred to as "the Premises."

Licensee agrees not to use the License Area for any other purpose nor to engage in or permit any other activity within or from the License Area. Licensee further agrees not to conduct or permit to be conducted any public or private nuisance in, on, or from the License Area, not to commit or permit to be committed waste on the License Area, and to comply with all governmental laws and regulations in connection with its use of the License Area.

Licensee expressly agrees and understands this is a License Agreement for a temporary use and any terms and conditions created herein are of a temporary nature and as such, create no legal or equitable obligations of City or property rights beyond those specifically identified herein.

Dates, times and locations regarding temporary parking at the Complex will be determined at the sole discretion of the Community Services Department. Dates times and

locations of parking will be set forth in writing and may be modified by the City at its sole discretion. However, City's consent for use of the Complex parking spaces will not be unreasonably withheld.

Licensee understands and accepts that City events and programs at the Complex take priority over Licensee's special events that may require additional parking. As such the City at its sole discretion may not permit overflow parking even if there is a special event scheduled by Licensee.

Up to fifteen days per year, Licensee may use up to 625 parking spaces in the 850 space lot on dates, times and locations approved by the Community Services Department.

The City will endeavor to accommodate parking for Licensee if Licensee has smaller events at the Skate Park providing that combined with Complex activities the number of required spaces does not exceed 850 parking spaces.

Licensee's special event patrons will pay the approved Complex parking fee which is currently $1.00 per parking space per day. Licensee recognizes that the fee of $1.00 per parking space per day is the standard parking fee as adopted by City Council and City Council has the option to increase the fee in the future. If the Council increases the fee, or City decides to charge an increased amount for use of the parking spaces identified herein, Licensee patrons will be required to pay the additional amount. Licensee may choose to pay a flat per day rate of $625 for use of the lot. Should the standard per space parking fee be amended, the flat fee rate will be adjusted accordingly.

With prior approval of City, Licensee may use a professional car parking service within the lot in the License Area. The City must pre approve any such agreement and may impose insurance and indemnification requirements on the third party car parking service.

Licensee will be responsible for providing any temporary signage and complying with all City ordinances and conditions of approval regarding designated off-site parking area and shuttle stops. All signage shall have the prior written approval of City's Director of Planning and Building at his/her sole discretion. All signage must be removed from the Complex and other locations at the conclusion of each event.

As further provided herein, Licensee is responsible for all damages to City property relating to use of the Complex pursuant to this License agreement.

The License Area is also used for park purposes by the public. Licensee's non-exclusive use of the License Area is determined by City at its sole discretion. However, in no event, may the program operate on July 4th.

2. Term. This License is effective beginning _____, 2013, and ending _____. This License shall be effective for the period as stated above and may be terminated and/or revoked by either party at any time with or without cause.

Parties will attempt to give each other thirty (30) days written notice to prior to terminating or revoking this License.

3. Maintenance and Operations. Licensee shall designate in writing to City an on-site representative who shall be responsible for the operation and level of maintenance, cleanliness, and general order.

A. Maintenance. While using the License Area Licensee shall, to the satisfaction of the City, keep and maintain the License Area in good condition and substantial repair. It shall be Licensee's responsibility to take all steps necessary or appropriate to maintain such standard of conditions and repair. Licensee expressly agrees to maintain the License Area in a safe, clean, wholesome, and sanitary' condition to the complete satisfaction of the City and in compliance with all applicable laws. Licensee further agrees to keep the License Area free and clear of rubbish and litter. City shall have the right to enter upon and inspect the License Area at any time for cleanliness and safety.

If Licensee fails to maintain or make repairs or replacements as required herein, City may notify Licensee in writing of said failure. Should Licensee fail to correct the situation within a reasonable time thereafter as established by the City, the City may have the necessary correction made and the cost thereof, including but not limited to the cost of labor, materials, and equipment and administration, shall be paid by Licensee within ten (10) days of receipt of a statement of said cost from the City. City may, at its option, choose other remedies available herein, or by law.

B. Operations. Licensee agrees to manage the program in a competent and efficient manner at least comparable to other well-managed programs of a similar type. Licensee agrees to provide all necessary employees to provide parking and will be further responsible for the condition of the License Area. Any equipment brought to the License Area each day for parking use shall be removed each day unless prior storage arrangements have been approved by the City.

Licensee shall retain active, qualified, competent and experienced personnel to service Licensee's operation and represent and act for Licensee.

Licensee shall require attendants and employees to be properly dressed, clean, courteous, efficient, and neat in appearance at all times. Staff shall have name badges or ID cards identifying them as associated with Licensee.

No beverages, food, products or merchandise of any kind may be sold to program participants or the general public upon City parking area property during Licensee's use of the Premises without the prior written consent of the City. If merchandise or other sales are approved, the gross sales receipts will additionally be added to the percentage License fee.

NO ALCOHOLIC BEVERAGES OR TOBACCO PRODUCTS SHALL BE SOLD OR CONSUMED WITHIN THE LICENSE AREA.

4. Notices. Unless specifically providing for verbal or electronic notice, all notices, certificates, or other communications required to be given hereunder shall be in writing and made in the following manner, and shall be sufficiently given and deemed received when (a) personally delivered; or (b) three (3) business days after being sent via United States certified mail – return receipt requested; or (c) one (1) business day after being sent by reputable overnight courier, in each case to the addresses specified below; provided that City and Licensee, by notice given hereunder, may designate different addresses to which subsequent notices, certificates or other communications will be sent:

CITY:

City of Huntington Beach
ATTN: Director of Community Services
2000 Main Street, P.O. Box 190
Huntington Beach, CA 92648

LICENSEE:

VF Outdoor, Inc
6550 Katella Avenue
Cypress, CA 90630

5. Permits and Licenses. Licensee shall be required to obtain any and all permits and/or licenses which may be required in connection with the operation of the License Area as set out herein. No permit, approval, or consent given hereunder by City, in its governmental capacity shall affect or limit Licensee's obligations hereunder, nor shall any approvals or consents given by City, as a party to this License, be deemed approval as to compliance or conformance with applicable governmental codes, laws, rules, or regulations.

6. Utilities. The use by Licensee of utilities not already in place for normal visitor use is not anticipated; but in the event that extension and use of added utilities becomes necessary, Licensee shall be responsible for and pay, prior to the delinquency date, all charges for such added utilities supplied to the License Area.

7. Indemnification, Defense and Hold Harmless. Licensee hereby agrees to protect, defend, indemnify and hold harmless City, its officers, elected or appointed officials, employees, agents and volunteers from and against any and all claims, damages, losses, expenses, judgments, demands and defense costs (including, without limitation, costs and fees of litigation (including arbitration) of every nature or liability of any kind or nature) arising out of or in connection with (1) the use or occupancy of the Premises by Licensee, its officers, employees or agents, including any damage to vehicles or persons caused by the Lessee or (2) the death or injury of any person or the damage to property caused by a condition of the Premises, or (3) the death or injury of any person or the damage to property caused by any act or omission of Licensee, its officers, employees or agents, or (4) any failure by Licensee to keep the Premises in a safe condition, (5) any damage to vehicles, property theft vandalism or otherwise to third party property or (6) Licensee's (or Licensee's agents) performance of this License or its failure to comply with any of its obligations contained in this License by Licensee, its officers, agents or employees except such loss or damage which was caused by the sole negligence or willful misconduct of City. Licensee shall hold all Trade Fixtures, personal property and trade inventory on the Premises at the sole risk of Licensee and save City harmless from any loss or damage thereto by any cause whatsoever, except such loss or

damage which was caused by the sole negligence or willful misconduct of City. Licensee will conduct all defense at its sole cost and expense and City shall approve selection of Licensee's counsel. This indemnity shall apply to all claims and liability regardless of whether any insurance policies are applicable. The policy limits do not act as limitation upon the amount of indemnification to be provided by Licensee.

8. Insurance.

A. Workers' Compensation And Employers' Liability Insurance. Licensee acknowledges awareness of Section 3700 *et seq*. of the California Labor Code, which requires every employer to be insured against liability for workers' compensation. Licensee covenants that it shall comply with such provisions prior to the commencement of this License. Licensee shall obtain and furnish to City workers' compensation and employers' liability insurance in amounts not less than the State statutory limits. Licensee shall require all subleases and contractors to provide such workers' compensation and employers' liability insurance for all of the subleases' and contractors' employees. Licensee shall furnish to City a certificate of waiver of subrogation under the terms of the workers' compensation and employers' liability insurance and Licensee shall similarly require all subleases and contractors to waive subrogation.

B. General Public Liability Insurance. In addition to the workers' compensation and employers' liability insurance and Licensee's covenant to defend, hold harmless and indemnify City, Licensee shall obtain and furnish to City, a policy of general public liability insurance, including motor vehicle coverage against any and all claims arising out of or in connection with the Premises. This policy shall indemnify Licensee, its officers, employees and agents, while acting within the scope of their duties, against any and all claims arising out of or in connection with the Premises, and shall provide coverage in not less than the following amount: combined single limit bodily injury and property damage, including products/completed operations liability and blanket contractual liability, of Two Million Dollars ($2,000,000.00) per occurrence. If coverage is provided under a form which includes a designated general aggregate limit, the aggregate limit must be no less than Two Million Dollars ($2,000,000.00) for the Premises. This policy shall name City, its officers, elected or appointed officials, employees, agents, and volunteers as Additional Insureds, and shall specifically provide that any other insurance coverage which may be applicable to the License shall be deemed excess coverage and that Licensee's insurance shall be primary.

Under no circumstances shall said above-mentioned insurance contain a self-insured retention, or a "deductible" or any other similar form of limitation on the required coverage.

C Property Insurance. Licensee shall provide before commencement of this License and shall obtain and furnish to City, at Licensee's sole cost and expense, property and fire insurance with extended coverage endorsements thereon, by a company acceptable to City authorized to conduct insurance business in California, in an amount insuring for the full insurable value of all Improvements, Trade Fixtures, personal property, automobiles valet parked by Lessee or other personal property whether or not owned or Licensed by Licensee,

and all trade inventory in or on the Premises against damage or destruction by fire, theft accidental damage or the elements. This policy shall contain a full replacement cost endorsement naming Licensee as the insured and shall not contain a coinsurance penalty provision. The policy shall also contain an endorsement naming City as an Additional Insured. The policy shall contain a special endorsement that such proceeds shall be used to repair, rebuild or replace any such Improvements, Trade Fixtures, personal property whether or not owned or Licensed by Licensee, and all trade inventory so damaged or destroyed; and if not so used, such proceeds (excluding any insurance proceeds for Trade Fixtures, personal property whether or not owned or Licensed by Licensee, and trade inventory, but only to the extent the insurance proceeds specifically cover those items) shall be paid to City. The policy shall also contain a special endorsement that if the Premises are so destroyed triggering the parties' ability to terminate as set forth in Section 52 (Destruction) below, and either party elects to terminate the License, the entire amount of any insurance proceeds (excluding such proceeds for Trade Fixtures, personal property whether or not owned or Licensed by Licensee and trade inventory, but only to the extent the insurance proceeds specifically cover those items) shall be paid to City. The proceeds of any such insurance payable to City may be used, in the sole discretion of City, for rebuilding or repair as necessary to restore the Premises or for any such other purpose(s) as City sees fit.

This policy shall also contain the following endorsements:

(a) The insurer shall not cancel or reduce the insured's coverage without (30) days prior written notice to City;

(b) City shall not be responsible for premiums or assessments on the policy.

A complete and signed certificate of insurance with all endorsements required by this Section shall be filed with City prior to the execution of this License. At least thirty (30) days prior to the expiration or termination of any such policy, a signed and complete certificate of insurance showing that coverage has been renewed shall be filed with City.

D. Increase In Amount Of General Public Liability And Property Insurance. Not more frequently than once every two (2) years, if, in the sole opinion of City, the amount and/or scope of general public liability insurance in Section 21 above and/or property insurance coverage in Section 22 above at that time is not adequate, Licensee shall increase the insurance coverage as reasonably required by City.

E. Certificates Of Insurance; Additional Insured Endorsements. Prior to commencement of this License, Licensee shall furnish to City certificates of insurance subject to approval of the City Attorney evidencing the foregoing insurance coverages as required by this License; these certificates shall:

(a) provide the name and policy number of each carrier and policy;

(b) shall state that the policy is currently in force; and

(c) shall promise to provide that such policies shall not be canceled or modified without thirty (30) days' prior written notice of City; however ten (10) days' prior

written notice in the event of cancellation for nonpayment of premium, which 10-day notice provision shall not apply to property insurance.

Licensee shall maintain the foregoing insurance coverages in force during the entire term of the License or any renewals or extensions thereof or during any holdover period.

The requirement for carrying the foregoing insurance coverages shall not derogate from Licensee's defense, hold harmless and indemnification obligations as set forth in this License. City or its representatives shall at all times have the right to demand the original or a copy of any or all the policies of insurance. Licensee shall pay, in a prompt and timely manner, the premiums on all insurance hereinabove required.

9. **Signs.** Licensee agrees not to construct, maintain, or allow any signs, banners, flags, etc., upon License Area except as approved by City. Unapproved signs, banners, flags, etc., may be removed by City without prior notice to Licensee.

10. **Construction and/or Alteration by Licensee.** No structures, improvements, or facilities shall be constructed, erected, altered, or made within the License Area.

11. **Limitations of License.** This License and the rights and privileges granted Licensee in and to the License Area are subject to all covenants, conditions, restrictions, and exceptions of record or apparent from a physical inspection of the License Area. Nothing contained in this License or in any document related hereto shall be construed to imply the conveyance to Licensee of rights in the License Area which exceed those owned by City or set forth herein.

12. **License Organization.** The various headings and numbers herein, the grouping of provisions of this License into separate clauses and paragraphs, and the organization hereof, are for the purpose of convenience only and shall not be considered otherwise.

13. **Amendments.** This License is the sole and only agreement between the parties regarding the subject matter hereof; other agreements, either oral or written, are void. Any changes to this License shall be in writing and shall be properly executed by both parties. Additions to this License for future park locations for day camp operations shall be approved by the City.

14. **Unlawful Use.** Licensee agrees no improvements shall be erected, placed upon, operated, or maintained on the License Areas nor any business conducted or carried on therein of therefrom, in violation of the terms of this License, or of any regulation, order of law, statute, bylaw, or ordinance of a governmental agency having jurisdiction.

15. **Inspection.** City or its authorized representatives shall have the right at all reasonable times to inspect the operation to determine if the activities conducted by the program are in compliance with the License agreement.

16. Taxes and Assessments. Should this License create a possessory interest which is subject to the payment of taxes levied on such interest, it is understood and agreed that all taxes and assessments including) but not limited to said possessory interest tax) which become due and payable in connection with this License or upon fixtures, equipment, or other property used in connection with this License, shall be the full responsibility of Licensee, and Licensee shall cause said taxes and assessments to be paid promptly.

17. Partial Invalidity. If any term, covenant, condition or provision of this License is held by a court of competent jurisdiction to be invalid, void, or unenforceable, the remainder of the provisions hereof shall remain in full force and effect and shall in no way be affected, impaired, or invalidated thereby.

18. Waiver of Rights. The failure of City to insist upon strict performance of any of any of the terms, covenants, or conditions of this License shall not be deemed a waiver of any right or remedy that City may have, and shall not be deemed a waiver of the right to require strict performance of all the terms covenants and conditions of the License thereafter, nor a waiver of any remedy for the subsequent breach or default of any term, covenant, or condition or the License Any waiver, in order to be effective, must be signed by the party whose right or remedy is being waived.

19. Condition of License Area Upon Termination. Except as otherwise agreed to herein, upon termination of this License, Licensee shall redeliver possession of said License Area to City in substantially the same condition that existed immediately prior to Licensee's entry thereon, reasonable wear and tear, flood, earthquakes, war, and any act of war excepted.

20. Disposition of Abandoned Personal Property. If Licensee abandons the License Area or is dispossessed thereof by process of law or otherwise title to any personal property belonging to Licensee left on the License Area ten (10) days after such event shall be deemed, at City option, to have been transferred to City. The City shall have the right to remove and to dispose of such property without liability therefor to Licensee or to any person claiming under Licensee, and shall have no need to account for the property.

21. Time of Essence. Time is the essence of the License. Failure to comply with any time requirements of this License shall constitute a material breach of this License.

22. No Assignment. The License granted hereby is personal to Licensee and any assignment of said License by Licensee, voluntarily or by operation of law, shall automatically terminate the License granted hereby.

23. Nondiscrimination. Licensee agrees not to discriminate against any person or class of persons by reason of sex, age, race, color, creed, physical handicap, or national origin. Licensee shall make its accommodations and services available to the public on fair and reasonable terms

24. Governing Law and Venue. This License Agreement has been negotiated and executed in the State of California and shall be governed by and construed under the laws of the State of California. In the event of any legal action to enforce or interpret this agreement, the sole and exclusive venue shall be a court of competent jurisdiction located in Orange City, California, and the parties hereto agree to do and hereby submit to the jurisdiction of such court, notwithstanding Code of Civil Procedure section 394.

IN WITNESS WHEREOF, the parties hereto have caused this License to be executed by and through their authorized officers the day, month and year first above written. Each undersigned represents and warrants that its signature hereinbelow has the power, authority and right to bind their respective parties to each of the terms of this Agreement, and shall indemnify City fully for any injuries or damages to City in the event that such authority or power is not, in fact, held by the signatory or is withdrawn.

VF OUTDOOR, INC.

By: _____

Kevin D Bailey

print name

ITS: *(circle one)* Chairman/President/Vice President

AND

By: _____

David Lin

print name

ITS: *(circle one)* Secretary/Chief Financial Officer/Asst. Secretary - Treasurer

REVIEWED AND APPROVED:

_____

City Administrator

CITY OF HUNTINGTON BEACH, a municipal corporation of the State of California

_____

Mayor

_____

City Clerk

INITIATED AND APPROVED:

_____ 10/25/13

Director of Community Services

APPROVED AS TO FORM:

_____

City Attorney NOV-10-15-13

EXHIBIT A

Huntington Central Park Sports Complex
License Area
Exhibit A

* Specific location and number of parking spaces within the License Area will be at the discretion of the City per the conditions of Section 1.

CERTIFICATE OF LIABILITY INSURANCE

DATE (MM/DD/YYYY) 06/12/2013

THIS CERTIFICATE IS ISSUED AS A MATTER OF INFORMATION ONLY AND CONFERS NO RIGHTS UPON THE CERTIFICATE HOLDER. THIS CERTIFICATE DOES NOT AFFIRMATIVELY OR NEGATIVELY AMEND, EXTEND OR ALTER THE COVERAGE AFFORDED BY THE POLICIES BELOW. THIS CERTIFICATE OF INSURANCE DOES NOT CONSTITUTE A CONTRACT BETWEEN THE ISSUING INSURER(S), AUTHORIZED REPRESENTATIVE OR PRODUCER, AND THE CERTIFICATE HOLDER.

IMPORTANT: If the certificate holder is an ADDITIONAL INSURED, the policy(ies) must be endorsed. If SUBROGATION IS WAIVED, subject to the terms and conditions of the policy, certain policies may require an endorsement. A statement on this certificate does not confer rights to the certificate holder in lieu of such endorsement(s).

PRODUCER
Marsh USA Inc.
1717 Arch Street
Philadelphia, PA 19103-2797
Attn: PHILADELPHIA.CERTS@MARSH.COM/212-948-0360 FAX

J24545-ALL-GAWU-12-13 VANS GW

CONTACT NAME:
PHONE (A/C, No, Ext): FAX (A/C, No):
E-MAIL ADDRESS:

INSURER(S) AFFORDING COVERAGE	NAIC #
INSURER A : ACE American Insurance Company	22667
INSURER B : N/A	N/A
INSURER C :	
INSURER D :	
INSURER E :	
INSURER F :	

INSURED
VANS, A DIVISION OF VF OUTDOOR, INC.
ATTN: RALPH SHANK
105 CORPORATE CENTER BLVD.
GREENSBORO, NC 27408

COVERAGES **CERTIFICATE NUMBER:** CLE-003327892-27 **REVISION NUMBER:** 6

THIS IS TO CERTIFY THAT THE POLICIES OF INSURANCE LISTED BELOW HAVE BEEN ISSUED TO THE INSURED NAMED ABOVE FOR THE POLICY PERIOD INDICATED. NOTWITHSTANDING ANY REQUIREMENT, TERM OR CONDITION OF ANY CONTRACT OR OTHER DOCUMENT WITH RESPECT TO WHICH THIS CERTIFICATE MAY BE ISSUED OR MAY PERTAIN, THE INSURANCE AFFORDED BY THE POLICIES DESCRIBED HEREIN IS SUBJECT TO ALL THE TERMS, EXCLUSIONS AND CONDITIONS OF SUCH POLICIES. LIMITS SHOWN MAY HAVE BEEN REDUCED BY PAID CLAIMS.

INSR LTR	TYPE OF INSURANCE	ADDL INSR	SUBR WVD	POLICY NUMBER	POLICY EFF (MM/DD/YYYY)	POLICY EXP (MM/DD/YYYY)	LIMITS	
A	GENERAL LIABILITY			HDOG27020318	06/01/2013	06/01/2014	EACH OCCURRENCE	$ 2,000,000
	X COMMERCIAL GENERAL LIABILITY						DAMAGE TO RENTED PREMISES (Ea occurrence)	$ 2,000,000
	CLAIMS-MADE X OCCUR						MED EXP (Any one person)	$ N/A
							PERSONAL & ADV INJURY	$ 2,000,000
							GENERAL AGGREGATE	$ 10,000,000
	GEN'L AGGREGATE LIMIT APPLIES PER:						PRODUCTS - COMP/OP AGG	$ 5,000,000
	X POLICY PRO-JECT LOC							$
	AUTOMOBILE LIABILITY						COMBINED SINGLE LIMIT (Ea accident)	$ 2,000,000
A	X ANY AUTO			ISAH08719755	06/01/2013	06/01/2014	BODILY INJURY (Per person)	$
	ALL OWNED AUTOS / SCHEDULED AUTOS			SELF INSURED FOR			BODILY INJURY (Per accident)	$
	HIRED AUTOS / NON-OWNED AUTOS			PHYSICAL DAMAGE			PROPERTY DAMAGE (Per accident)	$
								$
	UMBRELLA LIAB / OCCUR						EACH OCCURRENCE	$
	EXCESS LIAB / CLAIMS-MADE						AGGREGATE	$
	DED / RETENTION $							$
A	WORKERS COMPENSATION AND EMPLOYERS' LIABILITY			WLRC4731902A (AOS)	06/01/2013	06/01/2014	X WC STATU-TORY LIMITS / OTH-ER	
A	ANY PROPRIETOR/PARTNER/EXECUTIVE OFFICER/MEMBER EXCLUDED? (Mandatory in NH) Y/N: N	N / A		SCFC47319031 (WI)	06/01/2013	06/01/2014	E.L. EACH ACCIDENT	$ 1,000,000
	If yes, describe under DESCRIPTION OF OPERATIONS below						E.L. DISEASE - EA EMPLOYEE	$ 1,000,000
							E.L. DISEASE - POLICY LIMIT	$ 1,000,000
A	EXCESS WORKER'S COMPENSATION			WCUC47319043	06/01/2013	06/01/2014	STAT. BENEFITS IN XS OF SELF INS. PER ACC. RET.	500,000

DESCRIPTION OF OPERATIONS / LOCATIONS / VEHICLES (Attach ACORD 101, Additional Remarks Schedule, if more space is required)

RE: VANS PIER CLASSIC EVENT

THE CITY OF HUNTINGTON BEACH, ITS OFFICERS, ELECTED OR APPOINTED OFFICIALS, EMPLOYEES, AGENTS AND VOLUNTEERS ARE INCLUDED AS ADDITIONAL INSURED AS REQUIRED BY WRITTEN CONTRACT BUT ONLY AS RESPECTS OPERATIONS OF THE NAMED INSURED, EXCEPT FOR WORKERS COMPENSATION.

APPROVED AS TO FORM:
JENNIFER McGRATH, City Attorney
9/20/13

CERTIFICATE HOLDER

THE CITY OF HUNTINGTON BEACH,
ITS AGENTS, OFFICERS AND EMPLOYEES
COMMUNITY SERVICE DEPARTMENT - SPECIFIC EVENTS
2000 MAIN STREET
HUNTINGTON BEACH, CA 92648

CANCELLATION

SHOULD ANY OF THE ABOVE DESCRIBED POLICIES BE CANCELLED BEFORE THE EXPIRATION DATE THEREOF, NOTICE WILL BE DELIVERED IN ACCORDANCE WITH THE POLICY PROVISIONS.

AUTHORIZED REPRESENTATIVE
of Marsh USA Inc.
Manashi Mukherjee

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POLICY NUMBER: HDO G27020318 Endorsement Number: 34

COMMERCIAL GENERAL LIABILITY
CG 20 12 04 13

THIS ENDORSEMENT CHANGES THE POLICY. PLEASE READ IT CAREFULLY.

ADDITIONAL INSURED – STATE OR GOVERNMENTAL AGENCY OR SUBDIVISION OR POLITICAL SUBDIVISION – PERMITS OR AUTHORIZATIONS

This endorsement modifies insurance provided under the following:

COMMERCIAL GENERAL LIABILITY COVERAGE PART

SCHEDULE

State Or Governmental Agency Or Subdivision Or Political Subdivision: City of Huntington Beach Its Elected or Appointed Official Officers, Employees and Volunteers. City of Huntington Beach, 200 Main Street Huntington Beach, CA 92648
Information required to complete this Schedule, if not shown above, will be shown in the Declarations.

A. Section II – Who Is An Insured is amended to include as an additional insured any state or governmental agency or subdivision or political subdivision shown in the Schedule, subject to the following provisions:

1. This insurance applies only with respect to operations performed by you or on your behalf for which the state or governmental agency or subdivision or political subdivision has issued a permit or authorization.

   However:

   a. The insurance afforded to such additional insured only applies to the extent permitted by law; and

   b. If coverage provided to the additional insured is required by a contract or agreement, the insurance afforded to such additional insured will not be broader than that which you are required by the contract or agreement to provide for such additional insured.

2. This insurance does not apply to:

   a. "Bodily injury", "property damage" or "personal and advertising injury" arising out of operations performed for the federal government, state or municipality; or

   b. "Bodily injury" or "property damage" included within the "products-completed operations hazard".

B. With respect to the insurance afforded to these additional insureds, the following is added to **Section III – Limits Of Insurance:**

If coverage provided to the additional insured is required by a contract or agreement, the most we will pay on behalf of the additional insured is the amount of insurance:

1. Required by the contract or agreement; or
2. Available under the applicable Limits of Insurance shown in the Declarations;

whichever is less.

This endorsement shall not increase the applicable Limits of Insurance shown in the Declarations.

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ORDINANCE NO. 4006

AN ORDINANCE OF THE CITY OF HUNTINGTON BEACH AMENDING THE HUNTINGTON BEACH ZONING AND SUBDIVISION ORDINANCE BY CHANGING THE ZONING DESIGNATION FROM RM (RESIDENTIAL MEDIUM DENSITY) TO CG (COMMERCIAL GENERAL) ON A ±1.1 GROSS ACRE PORTION AND TO IG (GENERAL INDUSTRIAL) ON A ±3.3 GROSS ACRE PORTION OF REAL PROPERTY LOCATED ON THE SOUTHEAST CORNER OF WARNER AVENUE AND NICHOLS STREET (ZONING MAP AMENDMENT NO. 05-001)

WHEREAS, pursuant to the State Planning and Zoning Law, the Huntington Beach Planning Commission and Huntington Beach City Council have held separate public hearings relative to Zoning Map Amendment No. 05-001, wherein both bodies have carefully considered all information presented at said hearings, and after due consideration of the findings and recommendations of the Planning Commission and all evidence presented to said City Council, the City Council finds that such zone change is proper, and consistent with the General Plan.

The City Council of the City of Huntington Beach does hereby ordain as follows:

SECTION 1. That the real property located on the southeast corner of Warner Avenue and Nichols Street and more particularly described in the legal description and sketch collectively attached hereto as Exhibit A and incorporated by this reference as though fully set forth herein is hereby changed from RM (Residential Medium Density) to CG (Commercial General) on a ±1.1 gross acre portion and to IG (General Industrial) on a ±3.3 gross acre portion.

SECTION2. That the Director of Planning and Building is hereby directed to amend Sectional District Map 31 of the Huntington Beach Zoning and Subdivision Ordinance to reflect the changes contained in this ordinance. The Director of Planning and Building is further directed to file the amended map. A copy of such map, as amended, shall be available for inspection in the Office of the City Clerk.

SECTION 3. This ordinance shall become effective 30 days after its adoption.

PASSED AND ADOPTED by the City Council of the City of Huntington Beach at a regular meeting thereof held on the _____ day of _____, 20____

_____
Mayor

ATTEST:

_____
City Clerk

INITIATED AND APPROVED:

_____
Director of Planning and Building

REVIEWED AND APPROVED:

_____
City Manager

APPROVED AS TO FORM:

_____
For City Attorney

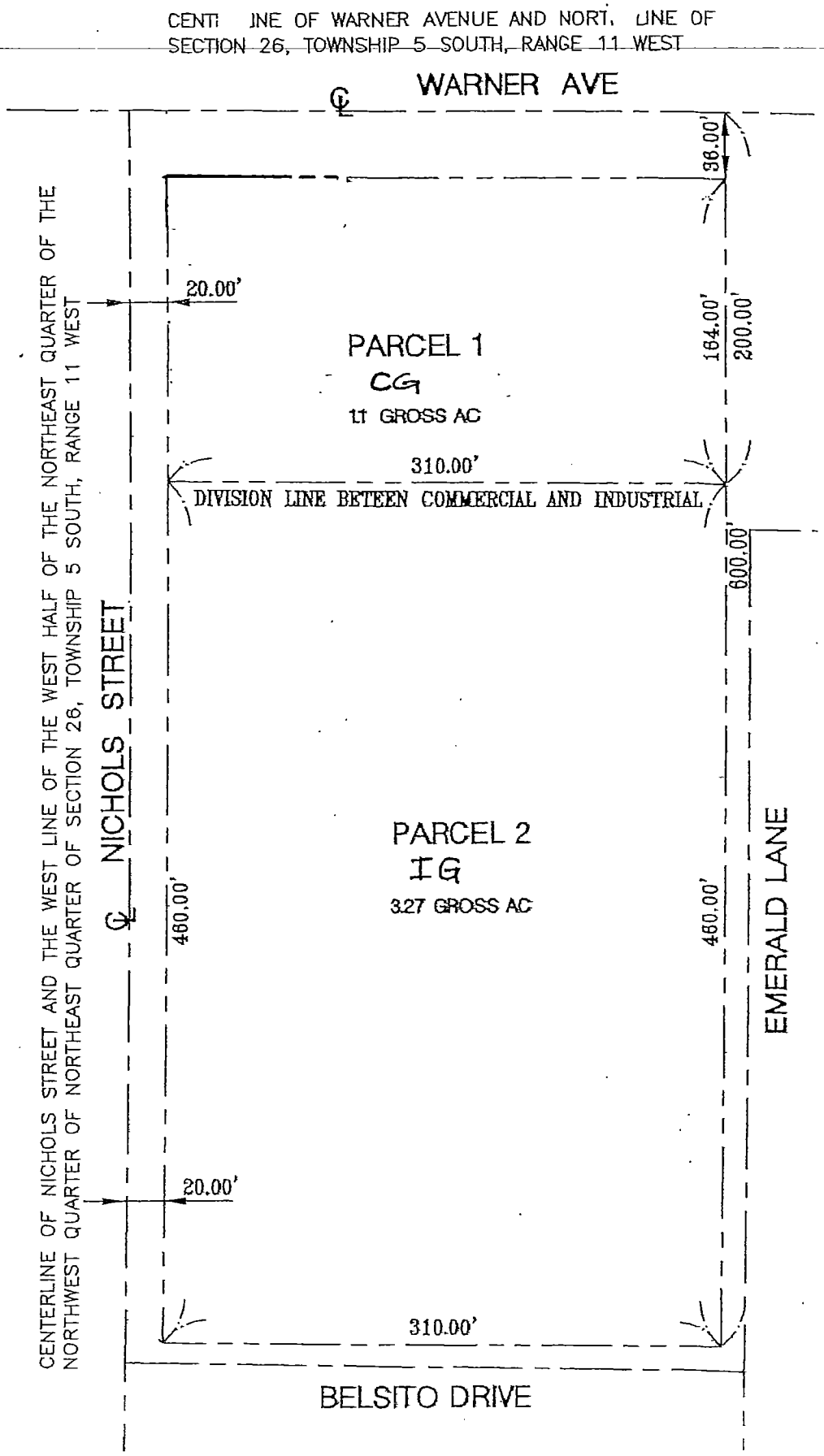
CENTERLINE OF WARNER AVENUE AND NORTHWEST LINE OF SECTION 26, TOWNSHIP 5 SOUTH, RANGE 11 WEST
WARNER AVE
36.00'
20.00'
164.00'
200.00'
PARCEL 1
CG
11 GROSS AC
310.00'
DIVISION LINE BETEEN COMMERCIAL AND INDUSTRIAL
600.00'
CENTERLINE OF NICHOLS STREET AND THE WEST LINE OF THE WEST HALF OF THE NORTHEAST QUARTER OF THE NORTHWEST QUARTER OF NORTHEAST QUARTER OF SECTION 26, TOWNSHIP 5 SOUTH, RANGE 11 WEST
NICHOLS STREET
PARCEL 2
IG
3.27 GROSS AC
460.00'
460.00'
EMERALD LANE
20.00'
310.00'
BELSITO DRIVE

EXHIBIT A

EXHIBIT A

LEGAL DESCRIPTION
(COMMERICAL PARCEL FRONTING WARNER AVENUE)

THE WEST HALF OF THE NORTHEAST QUARTER OF THE NORTHWEST QUARTER OF THE NORTHEAST QUARTER OF SECTION 26, TOWNSHIP 5 SOUTH, RANGE 11 WEST, IN THE RANCHO LA BOLSAS, AS SAID NORTHEAST QUARTER OF SECTION 26 IS INDICATED ON A MAP OF THE TRACT NO. 436, RECORDED IN BOOK 16, PAGE 28 OF MISCELLANEOUS MAPS, RECORDS OF SAID COUNTY.

EXCEPTING THEREFROM THE SOUTH 460 FEET.

EXHIBIT A

LEGAL DESRIPTION
(INDUSTRIAL PARCEL FRONTING NICHOLS STREET)

THE WEST HALF OF THE NORTHEAST QUARTER OF THE NORTHWEST QUARTER OF THE NORTHEAST QUARTER OF SECTION 26, TOWNSHIP 5 SOUTH, RANGE 11 WEST, IN THE RANCHO LA BOLSAS, AS SAID NORTHEAST QUARTER OF SECTION 26 IS INDICATED ON A MAP OF TRACT NO. 436, RECORDED IN BOOK 16, PAGE 28 OF MISCELLANEOUS MAPS, RECORDS OF SAID COUNTY.

EXCEPTING THEREFROM THE NORTH 200 FEET.

CITY OF HUNTINGTON BEACH
REQUEST FOR CITY COUNCIL ACTION

MEETING DATE: 11/18/2013

SUBMITTED TO: Honorable Mayor and City Council Members

SUBMITTED BY: Fred A. Wilson, City Manager

PREPARED BY: Scott Hess, AICP, Director of Planning and Building

SUBJECT: Adopt Ordinance Nos. 3993 through 4003 approving the Huntington Beach Building and Safety Codes

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Statement of Issue: The construction codes that regulate the health and safety of the structures in our community were adopted by the State of California on July 1, 2013. State law mandates that these codes be enforced starting January 1, 2014. In order to amend the codes to meet our local conditions, we are required to officially adopt the codes. Companion codes and ordinances are also included.

Financial Impact: **Not applicable**

Recommended Action:
A) Adopt Ordinance No. 3993, "An Ordinance of the City of Huntington Beach Amending Chapter 17.04 of The Huntington Beach Municipal Code titled The Huntington Beach Building Code;" and,

B) Adopt Ordinance No. 3994, "An Ordinance of the City of Huntington Beach Amending Chapter 17.06 of The Huntington Beach Municipal Code titled Green Building Standards Code;" and,

C) Adopt Ordinance No.3995, "An Ordinance of The City of Huntington Beach Amending Chapter 17.07 of the Huntington Beach Municipal Code titled Residential Code;" and,

D) Adopt Ordinance No. 3996, "An Ordinance of The City of Huntington Beach Amending Huntington Beach Municipal Code Chapter 17.08 titled Housing Code;" and,

E) Adopt Ordinance No. 3997, "An Ordinance of The City of Huntington Beach Amending Huntington Beach Municipal Code Chapter 17.10 Huntington Beach Nuisance Code;" and,

F) Adopt Ordinance No. 3998, "An Ordinance of The City of Huntington Beach Amending Huntington Beach Municipal Code Chapter 17.24 titled Sun Decks--Windscreens Code;" and,

G) Adopt Ordinance No. 3999, "An Ordinance of The City of Huntington Beach Amending Huntington Beach Municipal Code Chapter 17.40 titled Mechanical Code;" and,

H) Adopt Ordinance No. 4000, "An Ordinance of The City of Huntington Beach Amending Huntington Beach Municipal Code Chapter 17.44 titled Plumbing Code;" and,

I) Adopt Ordinance No. 4001, "An Ordinance of The City of Huntington Beach Amending Chapter 17.46 of The Huntington Beach Municipal Code titled Uniform Swimming Pool, Spa and Hot Tub Code;" and,

J) Adopt Ordinance No. 4002, "An Ordinance of The City of Huntington Beach Amending Huntington Beach Municipal Code Chapter 17.48 titled Electrical Code;" and,

K) Adopt Ordinance No. 4003, "An Ordinance of The City of Huntington Beach Amending Chapter 17.60 titled Solar Energy Code."

Alternative Action(s): The City Council may make the following alternative motion(s):

A. Do not approve the adoption of ordinances amending 2013 editions of the California Building and Safety Construction Codes and related ordinances; however, that would result in the State Codes becoming law by default without local amendments.

B. Continue the item and direct staff accordingly.

Analysis: Construction codes that regulate the health and safety of the structures in our city are published every 3 years to keep up with current design technology and construction materials. The California Building Standards Commission is charged with approving and publishing the State Codes under Title 24. The 2013 editions of the California Building, Green Building Standards, Residential, Mechanical, Plumbing, and Electrical Codes were published on July 1, 2013. In accordance with Section 18941.5 of the State Health and Safety Code, the City is mandated to enforce the codes starting on January 1, 2014.

Official adoption of the codes by reference allows the City of Huntington Beach to amend the codes for administrative purposes and for special conditions and hazards that do not exist in all jurisdictions. The specific findings are also required to be adopted since the State requires us to justify that the amendments are reasonably necessary because of local climatic, geological or topographic conditions. If the codes are not adopted, they will become law by default without amendments.

The Uniform Swimming Pool, Spa and Hot Tub Code and Uniform Solar Energy Code are not mandated by the State; however, new editions are proposed to be adopted to reflect changes in and to stay current with industry standards.

The proposed Huntington Beach amendments to the various codes are contained in the legislative drafts and are summarized below.

2013 California Building Code

No significant amendments to this code. Changes are administrative in nature.

2013 California Green Building Standards Code

- **17.06.030 Residential Electric vehicle (EV) charging, Subsection A4.106.8** -- Added to establish minimum standards for all new residential dwelling electric vehicle charging equipment.

Amendment is to address city council directive to provide electric vehicle supply equipment standards for all new developments.

- **17.06.040 Nonresidential Electric vehicle (EV) charging, Subsection A5.106.5.3** -- Added to establish minimum standards for all new nonresidential electric vehicle charging equipment.

Amendment is to address City Council directive to provide electric vehicle supply equipment standards for all new developments.

2013 California Residential Code

- **17.07.090 Chapter 45 Building security** – Added to establish minimum standards of construction for protection of unlawful entry.

Amendment is consistent with past practice and is included in the current Huntington Beach Building Code.

There is an insignificant change in Ordinance No. 3995 that was introduced at City Council on October 21, 2013. We have changed the term Building Code to Residential Code in the Ordinance, for the November 18, 2013 California Building and Safety Codes and related Ordinances. A memo will be provided by the City Attorney reflecting this change.

Housing Code

No significant amendments to this code. Changes are administrative in nature.

Huntington Beach Nuisance Code

- **17.10.050 Nuisance Designated, Subsection (b)**--Amended

No significant amendments to this code. Changes are administrative in nature.

- **17.10.050 Nuisance Designated, Subsection (dd)**—Amended

California Health and Safety Code 17920.3 was added to establish minimal standards for enforcement of substandard housing and to be consistent with State Law.

Sun Decks—Windscreens

No significant amendments to this code. Changes are administrative in nature.

2013 California Mechanical Code

- **17.40.040 Commercial Kitchen Hoods, Subsection 508.1** -- Repealed.

The 2013 California Mechanical Code includes this subsection in code language.

2013 California Plumbing Code

- **Subsection 701.1.2 §701** – Repealed.

The 2013 California Plumbing Code includes this subsection in code language.

- **Subsection 701.1.2.2** – Repealed.

The 2013 California Plumbing Code and the 2013 California Building Code includes this subsection in code language.

- **17.44.035 Protection of piping, materials, and structures, Subsection 312.1, §312**
  Added to clarify and establish minimum standards for underground potable water system installations.

Amendment is to address the corrosive soil in parts of Huntington Beach. A sleeve is required on all underground copper and PEX piping installed for potable water systems.

2013 California Electric Code

No significant amendments to this code. Changes are administrative in nature.

2012 Uniform Swimming Pool, Spa and Hot Tub Code

No significant amendments to this code. Changes are administrative in nature.

2012 Uniform Solar Energy Code

No significant amendments to this code. Changes are administrative in nature.

Environmental Status: Not applicable

Strategic Plan Goal:
Enhance and maintain public safety

Attachment(s):
1. Ordinance No. 3993 through 4003
2. Legislative Drafts
3. Findings of fact for code amendments
4. PowerPoint

ORDINANCE NO. 3993

AN ORDINANCE OF THE CITY OF HUNTINGTON BEACH AMENDING CHAPTER 17.04 OF THE HUNTINGTON BEACH MUNICIPAL CODE RELATING TO THE BUILDING CODE

The City Council of the City of Huntington Beach does hereby ordain as follows:

SECTION 1. Section 17.04.020 of the Huntington Beach Municipal Code is hereby amended to read as follows:

17.04.020 Adoption. There is herby adopted by the City Council by reference that certain code known as the 2013 California Building Code, and the whole thereof, including Appendix I entitled "Patio Covers," and excepting all other appendices save and except those portions as are hereafter modified or amended. Such code, and amendments thereto, are hereby adopted and incorporated, pursuant to California Government Code § 50022.2 et seq., and Health and Safety Code § 18941.5, as fully as though set forth at length herein, for the purpose of regulating and administering the erection, construction, enlargement, alteration, repair, moving, removal, conversion, demolition, occupancy, equipment, use, height, area, and maintenance of buildings or structures in the City of Huntington Beach, and repealing all ordinances and parts of ordinances in conflict herewith. From the date on which this chapter takes effect the provisions of such code, together with amendments thereto shall be controlling within the corporate limits of the City of Huntington Beach.

SECTION 2. This ordinance shall become effective 30 days after its adoption.

PASSED AND ADOPTED by the City Council of the City of Huntington Beach at a regular meeting thereof held on the _____ day of _____, 2013.

_____
Mayor

ATTEST:

_____
City Clerk

APPROVED AS TO FORM:

_____
City Attorney 8/29/13

REVIEWED AND APPROVED:

_____
City Manager

INITIATED AND APPROVED:

_____
Director of Planning and Building

13-3876/100500.doc

ORDINANCE NO. 3994

AN ORDINANCE OF THE CITY OF HUNTINGTON BEACH AMENDING CHAPTER 17.06 OF THE HUNTINGTON BEACH MUNICIPAL CODE RELATING TO THE GREEN BUILDING STANDARDS CODE

The City Council of the City of Huntington Beach does hereby ordain as follows:

SECTION 1. Section 17.06.010 of the Huntington Beach Municipal Code is hereby amended to read as follows:

17.06.010 Adoption. There is hereby adopted by the City Council by reference that certain code known as the 2013 California Green Building Standards Code, and the whole thereof, excluding appendices. Such code, and amendments thereto, is hereby adopted and incorporated, pursuant to California *Government Code* §50022.2 et seq., and *Health and Safety Code* §18941.5, as fully as though set forth at length herein, for the purpose of improving public health, safety and general welfare by enhancing the design and construction of buildings through the use of building concepts having a reduced negative impact or positive environmental impact and encouraging sustainable construction practices. From the date on which this chapter takes effect, the provisions thereof shall be controlling within the corporate limits of the City of Huntington Beach.

SECTION 2. Section 17.06.030 of the Huntington Beach Municipal Code is hereby added to read as follows:

17.06.030 Residential electric vehicle (EV) charging, Subsection A4.106.8. Dwellings shall comply with the following requirements for the future installation of electric vehicle supply equipment (EVSE):

A4.106.8.1 One-and two-family dwellings. Install a listed raceway to accommodate a dedicated branch circuit. The raceway shall not be less trade size 1 (nominal 1-inch inside diameter). The raceway shall be securely fastened at the main service or subpanel and shall terminate in close proximity to the proposed location of the charging system into a listed cabinet, box or enclosure. Raceways are required to be continuous at enclosed or concealed areas and spaces. A raceway may terminate in an attic or other approved location when it can be demonstrated that the area is accessible and no removal of materials is necessary to complete the final installation.

Exception: Other pre-installation methods approved by the local enforcing agency that provide sufficient conductor sizing and service capacity to install Level 2 electric vehicle supply equipment (EVSE).

Note: Utility companies may have additional requirements for metering and EVSE installation, and should be consulted during the project design and installation.

A4.106.8.1.1 Labeling requirements. A label stating "EV CAPABLE" shall be posted in a conspicuous place at the service panel or subpanel and next to the raceway termination point.

A4.106.8.2 Multifamily dwellings. At least 3 percent of the total parking spaces, but not less than one, shall be capable of supporting future electric vehicle supply equipment (EVSE).

A4.106.106.8.2.1 Single charging space required. When only a single charging space is required, install a listed raceway capable of accommodating a dedicated branch circuit. The raceway shall not be less trade size 1 (nominal 1-inch inside diameter). The raceway shall be securely fastened at the main service or subpanel and shall terminate in close proximity to the proposed location of the charging system into a listed cabinet, box or enclosure.

Exception: Other pre-installation methods approved by the local enforcing agency that provide sufficient conductor sizing and service capacity to install Level 2 electric vehicle supply equipment (EVSE).

A4.106.8.2.2 Multiple charging spaces required. When multiple charging spaces are required, plans shall include the location(s) and type of the EVSE, raceway method(s), wiring schematics and electrical calculations to verify that the electrical system has sufficient capacity to simultaneously charge all the electrical vehicles at all designated EV charging spaces at their full rated amperage. Plan design shall be based upon Level 2 EVSE at its maximum operating ampacity. Only underground raceways and related underground equipment are required to be installed at the time of construction.

Note: Utilities may have additional requirements for metering and EVSE installation, and should be consulted during the project design and installation.

A4.106.8.2.3 Labeling requirements. A label stating "EV CHARGE CAPABLE" shall be posted in a conspicuous place at the service panel or subpanel and the EV charging space.

SECTION 3. Section 17.06.040 of the Huntington Beach Municipal Code is hereby added to read as follows:

17.06.040 Nonresidential electric vehicle charging, Subsection A5.106.5.3. Provide facilities meeting Section 406.9 (Electric Vehicle) of the California Building Code and as follows:

A5.106.5.3.1 Single charging space requirements. When only a single charging space is required, install a listed raceway capable of accommodating a dedicated branch circuit. The raceway shall not be less than trade size 1. The raceway shall be securely fastened at

the main service or subpanel and shall terminate in close proximity to the proposed location of the charging system into a listed cabinet, box or raceway.

> Exception: Other pre-installation methods approved by the local enforcing agency that provide sufficient conductor sizing and service capacity to install Level 2 electric vehicle supply equipment (EVSE).

A5.106.5.3.2 Multiple charging spaces required. When multiple charging spaces are required, plans shall include the location(s) and type of the EVSE, raceway method(s), wiring schematics and electrical calculations to verify that the electrical system has sufficient capacity to simultaneously charge all the electrical vehicles at all designated EV charging spaces at their full rated amperage. Plan design shall be based upon Level 2 EVSE at its maximum operating ampacity. Only underground raceways and related underground equipment are required to be installed at the time of construction.

> Note: Utilities may have additional requirements for metering and EVSE installation, and should be consulted during the project design and installation.

A5.106.5.3.3 Tier 1. At least 3 percent of the total parking spaces, but not less than one, shall be capable of supporting future electric vehicle supply equipment (EVSE).

A5.106.5.3.5 Labeling requirements. A label stating "EV CHARGE CAPABLE" shall be posted in a conspicuous place at the service panel or subpanel and the EV charging space.

SECTION 2. This ordinance shall become effective 30 days after its adoption.

PASSED AND ADOPTED by the City Council of the City of Huntington Beach at a regular meeting thereof held on the _____ day of _____, 2013.

_____
Mayor

ATTEST:

_____
City Clerk

APPROVED AS TO FORM:

9.3.13 City Attorney DKO 8/29/13

REVIEWED AND APPROVED:

_____
City Manager

INITIATED AND APPROVED:

_____
Director of Planning and Building

ORDINANCE NO. 3995

AN ORDINANCE OF THE CITY OF HUNTINGTON BEACH
AMENDING CHAPTER 17.07 OF THE HUNTINGTON BEACH MUNICIPAL
CODE RELATING TO THE RESIDENTIAL CODE

The City Council of the City of Huntington Beach does hereby ordain as follows:

SECTION 1. Section 17.07.020 of the Huntington Beach Municipal Code is hereby amended to read as follows:

17.07.020 Adoption. There is hereby adopted by the City Council by reference that certain code known as the 2013 California Residential Code, and the whole thereof, including Appendix H, entitled "Patio Covers," and excepting all other appendices save and except those portions as are hereafter modified or amended. Such code, and amendments thereto, is hereby adopted and incorporated, pursuant to California Government Code § 50022.2 et seq., and Health and Safety Code § 18941.5, as fully as though set forth at length herein, for the purpose of regulating and administering the erection, construction, enlargement, alteration, repair, moving, removal, conversion, demolition, occupancy, equipment, use, height, area, and maintenance of residential one- and two-family dwellings or structures in the City of Huntington Beach, and repealing all ordinances and parts of ordinances in conflict herewith. From the date on which this chapter takes effect the provisions of such code, together with amendments thereto shall be controlling within the corporate limits of the City of Huntington Beach.

SECTION 2. Section 17.07.090 of the Huntington Beach Municipal Code is hereby added to read as follows:

17.07.090 Chapter 45 added--Building security. The Residential Code is hereby amended by adding thereto new Chapter 45 entitled, "Building Security," to read as follows:

§ 3601. Purpose. The purpose of this chapter is to establish minimum standards of construction for protection against unlawful entry.

§ 3602. Alternative security provisions. When approved by the building official, site security systems may be provided in lieu of the specific security provisions of section 3608, 'Garages--Multiple dwellings.'

§ 3603. Definitions. For the purpose of this chapter, certain terms used herein are defined as follows:

> 'Cylinder guard' means a hardened ring surrounding the exposed portion of the lock cylinder or other device which is so fastened as to protect the cylinder from wrenching, prying, cutting or pulling by attack tools.

'Deadlocking latch' means a latch in which the latch bolt is positively held in the projected position by a guard bolt, plunger or auxiliary mechanism.

'Dead bolt' means a bolt which has no automatic spring action and which is operated by a key cylinder, thumb turn, or level, and is positively held fast when in the projected position.

'Latch' means a device for automatically holding a door shut after being closed.

'Light' means any glazed opening whether glazed with glass, plastic, metal, wood or composition sheets or panels, or similar materials, and shall include windows, skylights, view ports or view panels and similar openings.

§ 3604. Entry vision. All main or front entry doors to R occupancies shall be arranged so that the occupant has a view of the area immediately outside without opening the door. Such view may be provided by a door viewer or view port or by window or other opening located and constructed as required by this chapter. Such area shall be provided with a light.

§ 3605. Doors.

(a) General. A door forming a part of the enclosure of a dwelling unit or of an area of a building occupied by one tenant shall be constructed, installed, and secured as set forth in this section.

(b) Swinging doors.

(1) Swinging wooden doors which can be opened from the inside without using a key shall be of solid core construction. Lights in doors shall be as set forth in this chapter.

(2) A single swinging door, the active leaf of a pair of doors, and the bottom leaf of Dutch doors shall be equipped with a dead bolt and deadlocking latch. The dead bolt and latch may be activated by one lock or by individual locks. Dead bolts shall contain hardened inserts, or equivalent, designed to repel cutting tool attack. The lock or locks shall be key operated from the exterior side of the door and engaged or disengaged from the interior side of the door by a device which requires no key, special knowledge or effort.

(3) A straight dead bolt shall have a minimum throw of one (1) inch and the embedment shall be not less than five-eighths (5/8) inch into the holding device receiving the projected bolt. All dead bolts of locks which automatically activate two (2) or more dead bolts shall embed at least one-half (1/2) inch but need not exceed three-fourths (3/4) inch into the holding devices receiving the projected bolts.

(4) A deadlocking latch shall be provided with a bolt projecting not less than five-eighths (5/8) inches from the edge of the door in which it is installed.

(5) The inactive leaf of a pair of doors and the upper leaf of Dutch doors shall be equipped with a dead bolt or dead bolts as set forth in subsection (b)(2) above.

Exceptions:

(a) The bolt or bolts need not be key operated but shall not be otherwise activated, from the exterior side of the door.

(b) The bolt or bolts may be engaged or disengaged automatically with the dead bolt or by another device on the active leaf or lower leaf.

(c) Manually-operated hardened bolts at the top and bottom of the leaf and which embed a minimum of one-half (1/2) inch into the device receiving the projected bolt may be used when not prohibited by the Building Code or other laws and regulations.

(6) Doorstops on wooden jambs for in-swinging doors shall be of one piece construction with the jamb or joined by a rabbet.

(7) Nonremovable pins shall be used in pin-type hinges which are accessible from the outside when the door is closed.

(8) Cylinder guards shall be installed on all mortise or rim-type cylinder locks installed in doors whenever the cylinder projects beyond the face of the door or when otherwise accessible to gripping tools.

(9) Unframed glass doors shall be of fully tempered glass not less than one-half (1/2) inch thick.

(10) Narrow-framed glass doors shall be of fully tempered glass not less than one-quarter (1/4) inch thick.

(c) Sliding glass doors. Sliding glass doors shall be equipped with locking devices. Cylinder guards shall be installed on all mortise or rim-type cylinder locks installed in doors whenever the cylinder projects beyond the face of the door or is otherwise accessible to gripping tools.

§ 3606. Windows, or other openings.

(a) General. Windows, or other similar openings shall be constructed, installed and secured as set forth in this section.

(b) Materials. Only fully-tempered glass or approved metal bars, screens, or grills shall be used for any opening in which glass is utilized which is located within forty (40) inches of the locking device on a door.

(c) Locking devices. All windows or other openings which are designed to be opened shall be provided with locking devices.

§ 3608. Garages--Multiple dwellings. Whenever a development includes three (3) or more dwelling units, all covered parking required by other provisions of the Huntington Beach Ordinance Code shall be provided by fully-enclosed garages. Garage space for each tenant shall be separated by partitions of three-eighths (3/8) inch plywood or any approved equivalent with studs set not more than twenty-four (24) inches apart on one side. Doors and windows in such garages shall be constructed, equipped and secured as required by this chapter.

SECTION 3. This ordinance shall become effective 30 days after its adoption.

PASSED AND ADOPTED by the City Council of the City of Huntington Beach at a regular meeting thereof held on the _____ day of _____, 2013.

_____
Mayor

ATTEST:

_____
City Clerk

APPROVED AS TO FORM:

_____
City Attorney DKO 4/10/13

REVIEWED AND APPROVED:

_____
City Manager

INITIATED AND APPROVED:

_____
Director of Building and Planning

ORDINANCE NO. 3996

AN ORDINANCE OF THE CITY OF HUNTINGTON BEACH
AMENDING CHAPTER 17.08 OF THE HUNTINGTON BEACH MUNICIPAL
CODE RELATING TO THE HOUSING CODE

The City Council of the City of Huntington Beach does hereby ordain as follows:

SECTION 1. Section 17.08.020 of the Huntington Beach Municipal Code is hereby amended to read as follows:

17.07.020 Adoption. There is hereby adopted by the City Council by reference that certain code known as the 2013 California Residential Code, and the whole thereof except as hereafter provided. The purpose of such code is to arrest, remedy and prevent the decay and deterioration of places of habitation and to eliminate slums and blighted neighborhoods by providing minimum requirements for places of habitation for the protection of life, health, welfare, safety and property of the general public and of the owners and occupants of places of habitation in the City; and to provide penalties for the violation thereof, and repealing all ordinances and parts of ordinances in conflict herewith. Such code is adopted and incorporated as fully as though set out at length herein, as provided by California Government Code sections 50022.2 et seq., and Health and Safety Code §18941.5. From the date on which this chapter takes effect, the provisions of said code together with amendments thereto shall be controlling within the corporate limits of the city of Huntington Beach.

SECTION 2. This ordinance shall become effective 30 days after its adoption.

PASSED AND ADOPTED by the City Council of the City of Huntington Beach at a regular meeting thereof held on the _____ day of _____, 2013.

_____
Mayor

ATTEST:

_____
City Clerk

APPROVED AS TO FORM:

_____
City Attorney DIW 8/29/13

9.3.13

REVIEWED AND APPROVED:

_____
City Manager

INITIATED AND APPROVED:

_____
Director of Planning and Building

ORDINANCE NO. 3997

AN ORDINANCE OF THE CITY OF HUNTINGTON BEACH AMENDING CHAPTER 17.10 OF THE HUNTINGTON BEACH MUNICIPAL CODE RELATING TO THE HUNTINGTON BEACH NUISANCE CODE

The City Council of the City of Huntington Beach does hereby ordain as follows:

SECTION 1. Section 17.10.050 of the Huntington Beach Municipal Code is hereby amended to read as follows:

17.10.050 Nuisance Designated. It is hereby declared a public nuisance, or an act in the nature of a public nuisance, for any person or party to cause, permit, abet or otherwise allow any premises in this City to be used in such a manner that any one or more of the activities or conditions described in the following subsections are found to occur thereon.

(a) Any condition or activity which is a "nuisance" or a "public nuisance" as defined in Sections 3479 and 3480 of the Civil Code of the State of California or which is specifically declared to constitute a nuisance or public nuisance by any statute of the State of California or by any ordinance of the City of Huntington Beach.

(b) The violation of any provisions of the following California Codes which have been adopted, as amended, by the City of Huntington Beach:

(1) California Building Code;
(2) California Electrical Code;
(3) California Fire Code;
(4) California Residential Code;
(5) California Plumbing Code;
(6) California Mechanical Code;
(7) Uniform Code for the Abatement of Dangerous Buildings;
(8) Uniform Swimming Pool, Spa and Hot Tub Code.

(c) The violation of any provision of the Huntington Beach Municipal Code, or the Huntington Beach Zoning and Subdivision Ordinance Code, or any code adopted by reference.

(d) The operation or maintenance of any business, trade or profession in violation of Title 5 of this Code, or lack of a proper certificate of occupancy.

(e) The frequent gathering, or coming and going, of people who have an intent to purchase or use controlled substances on or at any premises in this City.

(f) Participation in a criminal street gang as proscribed by California *Penal Code* Section 186.22.

(g) The making or continuing, or causing to be made or continued, of any loud, unnecessary or unusual noise which disturbs the peace and quiet of the neighborhood or which causes discomfort or annoyance to any reasonable person of normal sensitiveness residing in the area.

(h) The occurrence of criminal activity at any premises which threatens the life, health, safety or welfare of the residents of the premises, neighbors or the public.

(i) Buildings which are abandoned, boarded up, partially destroyed or left unreasonably in a state of partial construction.

(j) Land, the topography or configuration of which, whether in a man-made state or as a result of grading operations, excavation or fill, causes erosion, subsidence, or surface water drainage problems of such magnitude as to be injurious to the public health, safety and welfare or to adjacent properties.

(k) The failure to secure and maintain from public access all doorways, windows and other openings into vacant structures.

(l) Overgrown vegetation on developed property which:

(1) Harbors rats, vermin, and other disease carriers; or

(2) Causes detriment to neighboring properties or property values; or

(3) Causes a hazardous condition to pedestrian and/or vehicular traffic.

(m) Dead, decayed, diseased or hazardous trees, weeds and other vegetation on developed property which:

(1) Constitutes an unsightly appearance; or

(2) Creates danger to public safety and welfare; or

(3) Is detrimental to nearby property or property values.

(n) Abandoned, broken, neglected machinery or equipment which poses a potential hazard to the general public.

(o) Unprotected or hazardous excavations, swimming pools, and ponds.

(p) Broken or discarded furniture, household equipment and appliances on the premises which causes damage or is a detriment to neighboring properties.

(q) Packing boxes, lumber, dirt and other trash or debris outside commercial and industrial buildings which is visible from public streets and causes detriment to neighboring properties.

(r) Accumulation of dirt, litter or debris in doorways, adjoining sidewalks, parking lots and landscaped areas.

(s) Deteriorated parking lots which have pot holes, cracks and ridges.

(t) Fences in a state of disrepair or in a dilapidated condition.

(u) Premises including, but not limited to, building exteriors which are maintained in such condition as to become so defective, unsightly or in such condition of deterioration or disrepair that the same causes diminution of the property values of surrounding property or is materially detrimental to proximal properties and improvements. This includes, but is not limited to, the keeping and disposing of or the scattering over the property or premises of any of the following: (i) lumber, junk, trash or debris; (ii) abandoned or discarded or unused objects or equipment such as automobiles, furniture, stoves, refrigerators, freezers, cans or containers; (iii) stagnant water or excavation(s); (iv) any device, decoration, design, fence, structure, clothesline or vegetation which is unsightly by reason of its condition or inappropriate location; or (v) permitting or allowing any graffiti to remain on any building, wall, fence or structure.

(v) The use of any premises for the purpose of illegal gambling, lewdness, assignation, or prostitution as proscribed by state law or this Code.

(w) The maintenance, use, rental or lease of any premises, or subunit thereof, including single-family dwellings, where persons are allowed to congregate, gather or loiter in such a manner as to disturb the peace of other persons lawfully on the property itself or lawfully in the vicinity of the property.

(x) The use of any premises for the purpose of unlawfully selling, serving, storing, keeping, manufacturing or giving away any controlled substance, precursor, or analog as those terms are defined by state law.

(y) Noise disturbances in violation of Chapter 8.40 of this Code.

(z) Maintenance of properties or premises in such a manner as to cause substantial diminution of the enjoyment, use, or property values of adjacent properties.

(aa) The maintenance of any sidewalk or driveway located on private property which is debilitated, broken, damaged, or raised to such a degree as to be unsightly if it can be viewed from public property, or to be injurious to property or injurious to persons using said driveway or sidewalk.

(bb) The maintenance of property where buildings or structures have been left boarded up for a period in excess of ten (10) days without a valid demolition or building permit on file with the Huntington Beach Community Development Department or abate said boarded up condition.

(cc) The maintenance of buildings or structures used or intended to be used for dwelling purposes, storage or similar uses, because of dilapidation, decay, damage, or faulty construction or arrangement, or otherwise, is unsanitary or unfit for human habitation or use is in a condition that is likely to cause injury or be detrimental to the health, safety, or general welfare of those living in the area or within.

(dd) The maintenance of any building or portion thereof, including any dwelling unit, guestroom or suite of rooms, or the premises on which the same is located, in which there exists any of the following listed conditions to an extent that endangers the life, limb, health, property, safety, or welfare of the public or the occupants thereof shall be deemed and hereby is declared to be a substandard building as defined in Section 17920.3 of the Health and Safety Code of the State of California.

SECTION 2. This ordinance shall become effective 30 days after its adoption.

PASSED AND ADOPTED by the City Council of the City of Huntington Beach at a regular meeting thereof held on the _____ day of _____, 2013.

_____
Mayor

ATTEST:

_____
City Clerk

APPROVED AS TO FORM:

_____
City Attorney 9.3.13

REVIEWED AND APPROVED:

_____
City Manager

INITIATED AND APPROVED:

_____
Director of Planning and Building

ORDINANCE NO. 3998

AN ORDINANCE OF THE CITY OF HUNTINGTON BEACH
AMENDING CHAPTER 17.24 OF THE HUNTINGTON BEACH MUNICIPAL
CODE RELATING TO SUNDECKS-WINDSCREENS

The City Council of the City of Huntington Beach does hereby ordain as follows:

SECTION 1. Section 17.24.020 of the Huntington Beach Municipal Code is hereby amended to read as follows:

17.24.020 Railing. Railing, not exceeding forty-two (42) inches in height and capable of withstanding a horizontal force of fifty (50) pounds per lineal foot applied to the top of the railing may be constructed completely surrounding the deck area.

SECTION 2. This ordinance shall become effective 30 days after its adoption.

PASSED AND ADOPTED by the City Council of the City of Huntington Beach at a regular meeting thereof held on the _____ day of _____, 2013.

_____
Mayor

ATTEST:

_____
City Clerk

APPROVED AS TO FORM:

9/4/13 City Attorney DICO 9/4/13

REVIEWED AND APPROVED:

_____
City Manager

INITIATED AND APPROVED:

_____
Director of Planning and Building

ORDINANCE NO. 3999

AN ORDINANCE OF THE CITY OF HUNTINGTON BEACH
AMENDING CHAPTER 17.40 OF THE HUNTINGTON BEACH MUNICIPAL
CODE RELATING TO THE MECHANICAL CODE

The City Council of the City of Huntington Beach does hereby ordain as follows:

SECTION 1. Section 17.40.010 of the Huntington Beach Municipal Code is hereby amended to read as follows:

17.40.010 Adoption. There is hereby adopted by the City Council by reference that certain code known as the 2013 California Mechanical Code, and the whole thereof, including appendices A, B, and C, except as hereinafter provided but excluding Chapters 1 and 14 thereof. Such code, and amendments thereto, is hereby adopted and incorporated, pursuant to California Government Code §50022.2 et seq., and Health and Safety Code §18941.5, as fully as though set forth at length herein, for the purpose of protecting public health and safety by prescribing by minimum standards for the use, design and installation of heating, ventilating, comfort-cooling equipment and refrigeration systems; by requiring a permit and inspection for the installation, alteration and replacement of said equipment. From the date on which this chapter takes effect, the provisions thereof shall be controlling within the corporate limits of the City of Huntington Beach.

SECTION 2. Section 17.40.040 of the Huntington Beach Municipal Code is hereby repealed.

SECTION 3. This ordinance shall become effective 30 days after its adoption.

PASSED AND ADOPTED by the City Council of the City of Huntington Beach at a regular meeting thereof held on the _____ day of _____, 2013.

_____
Mayor

ATTEST:

_____
City Clerk

APPROVED AS TO FORM:

9.3.13 City Attorney 8/28/13

REVIEWED AND APPROVED:

_____
City Manager

INITIATED AND APPROVED:

_____
Director of Planning and Building

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ORDINANCE NO. 4000

AN ORDINANCE OF THE CITY OF HUNTINGTON BEACH AMENDING CHAPTER 17.44 OF THE HUNTINGTON BEACH MUNICIPAL CODE RELATING TO THE PLUMBING CODE

The City Council of the City of Huntington Beach does hereby ordain as follows:

SECTION 1. Section 17.44.010 of the Huntington Beach Municipal Code is hereby amended to read as follows:

17.44.010 Adoption. There is hereby adopted by the City Council by reference that certain code known as the 2013 California Plumbing Code, and the whole thereof, including Appendices A, D, E, and I except as hereafter provided, but excluding Chapter 1, entitled "Administration." Such code and amendments thereto, is hereby adopted and incorporated, pursuant to California Government Code § 50022.2 et seq., and Health and Safety Code § 18941.5 as fully as though set forth at length herein for the purpose of prescribing regulations governing the installation, alteration, repair and maintenance of plumbing and drainage systems. From the date on which this chapter takes effect, the provisions of said code, together with amendments thereto, shall be controlling within the corporate limits of the city of Huntington Beach.

SECTION 2. Section 17.44.025 of the Huntington Beach Municipal Code is hereby amended to read as follows:

17.44.025 Toilet facilities for workers. §422.5 is hereby amended by adding the following:

§422.5 Toilet facilities for workers. Suitable toilet facilities shall be provided and maintained in a sanitary condition for the use of workers during construction. Such toilet facilities shall be located upon or within a reasonable distance of the lot, premises, or site upon which such work is being done. In no case shall the line of travel to any toilet facility exceed 500 feet.

SECTION 3. Section 17.44.035 of the Huntington Beach Municipal Code is hereby amended to read as follows:

17.44.035 Materials. Protection of piping, materials and structures, Subsection 312.1, §312. All underground copper piping and PEX tubing installed in a potable water system throughout the city limits must be completely sleeved with a minimum 6 millimeter polyvinyl sleeve.

SECTION 4. This ordinance shall become effective 30 days after its adoption.

PASSED AND ADOPTED by the City Council of the City of Huntington Beach at a regular meeting thereof held on the _____ day of _____, 2013.

_____
Mayor

ATTEST:

_____
City Clerk

APPROVED AS TO FORM:

_____
City Attorney DAO 10/28/13

REVIEWED AND APPROVED:

_____
City Manager

INITIATED AND APPROVED:

_____
Director of Planning and Building

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ORDINANCE NO. 4001

AN ORDINANCE OF THE CITY OF HUNTINGTON BEACH
AMENDING CHAPTER 17.46 OF THE HUNTINGTON BEACH MUNICIPAL
CODE RELATING TO THE UNIFORM SWIMMING POOL,
SPA AND HOT TUB CODE

The City Council of the City of Huntington Beach does hereby ordain as follows:

SECTION 1. Section 17.46.010 of the Huntington Beach Municipal Code is hereby amended to read as follows:

17.46.010 Adoption. There is hereby adopted by the City Council by reference that certain code known as the Uniform Swimming Pool, Spa and Hot Tub Code (USPSHTC), compiled by the International Association of Plumbing and Mechanical Officials, being particularly the 2012 edition thereof and the whole thereof, except as hereafter provided excluding Chapter 1, "Administration". Such code, and amendments thereto, is hereby adopted and incorporated pursuant to California Government Code § 50022.2 et seq., and Health and Safety Code § 18941.5 as fully as though set out at length herein for the purpose of protecting public health and safety by prescribing minimum standards for the use, design and installation of swimming pool, spa and hot tub systems; by requiring a permit and inspection for installation, alteration and replacement of said systems. From the date on which this chapter takes effect, the provisions thereof shall be controlling within the corporate limits of the City of Huntington Beach.

SECTION 2. This ordinance shall become effective 30 days after its adoption.

PASSED AND ADOPTED by the City Council of the City of Huntington Beach at a regular meeting thereof held on the _____ day of _____, 2013.

_____
Mayor

ATTEST:

_____
City Clerk

APPROVED AS TO FORM:

Jennifer McGrath
City Attorney DKO 8/29/13

9.3.13

REVIEWED AND APPROVED:

_____
City Manager

INITIATED AND APPROVED:

_____
Director of Planning and Building

ORDINANCE NO. 4002

AN ORDINANCE OF THE CITY OF HUNTINGTON BEACH
AMENDING CHAPTER 17.48 OF THE HUNTINGTON BEACH MUNICIPAL
CODE RELATING TO THE ELECTRICAL CODE

The City Council of the City of Huntington Beach does hereby ordain as follows:

SECTION 1. Section 17.48.010 of the Huntington Beach Municipal Code is hereby amended to read as follows:

17.48.010 Adoption. There is hereby adopted by the City Council by reference that certain code known as the 2013 California Electrical Code, excepting Article 89 and except as hereafter provided. Such code is hereby adopted and incorporated pursuant to Government Code § 50022.2 et seq. and Health and Safety Code §18941.5 for the purpose of prescribing regulations governing the installation, alteration, repair and maintenance of all electrical installations in the City of Huntington Beach, and repealing all ordinances and parts of ordinances in conflict therewith. From the date on which this chapter takes effect, the provisions of said code, together with amendments thereto, shall be controlling within the corporate limits of the city of Huntington Beach.

SECTION 2. This ordinance shall become effective 30 days after its adoption.

PASSED AND ADOPTED by the City Council of the City of Huntington Beach at a regular meeting thereof held on the _____ day of _____, 2013.

_____
Mayor

ATTEST:

_____
City Clerk

APPROVED AS TO FORM:

_____
City Attorney DKO 8/29/13

9.3.13

REVIEWED AND APPROVED:

_____
City Manager

INITIATED AND APPROVED:

_____
Director of Planning and Building

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ORDINANCE NO. 4003

AN ORDINANCE OF THE CITY OF HUNTINGTON BEACH AMENDING CHAPTER 17.60 OF THE HUNTINGTON BEACH MUNICIPAL CODE RELATING TO THE SOLAR ENERGY CODE

The City Council of the City of Huntington Beach does hereby ordain as follows:

SECTION 1. Section 17.60.010 of the Huntington Beach Municipal Code is hereby amended to read as follows:

17.60.010 Adoption. There is hereby adopted by the City Council by reference that certain code known as the Uniform Solar Energy Code, compiled by the International Association of Plumbing and Mechanical Officials, being particularly the 2012 edition thereof and the whole thereof, except as hereafter provided, excluding Chapter1, "Administration". Such code, and amendments thereto, is hereby adopted and incorporated pursuant to California Government Code sections 50022.2 et seq., and Health and Safety Code Section 18941.5 as fully as though set out at length herein for the purpose of protecting public health and safety by prescribing minimum standards for the use, design and installation of solar energy systems; by requiring a permit and inspection for installation, alteration and replacement of said equipment. From the date on which this chapter takes effect, the provisions thereof shall be controlling within the corporate limits of the city of Huntington Beach.

SECTION 2. This ordinance shall become effective 30 days after its adoption.

PASSED AND ADOPTED by the City Council of the City of Huntington Beach at a regular meeting thereof held on the _____ day of _____, 2013.

_____
Mayor

ATTEST:

_____
City Clerk

APPROVED AS TO FORM:

_____
City Attorney 9.3.13

REVIEWED AND APPROVED:

_____
City Manager

INITIATED AND APPROVED:

_____
Director of Planning and Building

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LEGISLATIVE DRAFT

Chapter 17.04

BUILDING CODE

(375-8/34, 530-5/48, 592-12/52, 869-9/61, 1064-7/64, 1139-5/65, 1331-7/67, 1626-2/71, 1935-11/74, 2027-1/76, 2431-7/80, 2747-2/85, 2787-9/85, 2875-11/86, 2976-12/88, Urgency Ord. 3006-6/89, 3004-8/89, 3022-12/89, 3147-7/92, 3260-11/94, 3261-11/94, 3305-12/95, 3422-7/99, 3573-10/02, 3789-1/08, 3892-12/10)

Sections:

17.04.010 Title
17.04.020 Adoption
17.04.030 (Repealed, Ordinance No. 3892-12/10)
17.04.031 CBC Chapter 1, §101.2 Scope, is hereby amended
17.04.032 CBC Chapter 1, §105.2 Work exempt from permit, is hereby amended
17.04.033 CBC Chapter 1, Division II §105.3.2 Time Limitation of Application, is hereby amended
17.04.034 CBC Chapter 1, Division II §105.5 Expiration, is hereby amended
17.04.035 CBC Chapter 1, Division II §109 Fees, is hereby amended
17.04.036 CBC Chapter 1, Division II §110.1 Use and occupancy, is hereby amended
17.04.040 (Repealed, Ordinance No. 3147-7/92)
17.04.050 (Repealed, Ordinance No. 3147-7/92)
17.04.055 (Provisions moved to the Housing Code)
17.04.060 CBC §1910.1 Minimum Slab Provisions §1910.1, General, is hereby amended
17.04.064 (Repealed, Ordinance No. 3573-10/02)
17.04.070 CBC Chapter 9 Fire Protection Systems, §901.1 Scope, is hereby amended
17.04.075 (Repealed, Ordinance No. 3422-7/99)
17.04.080 Chapter 36 added--Building security
17.04.085 Methane District Regulations
17.04.090 (Repealed, Ordinance No. 3789-1/08)
17.04.095 (Repealed, Ordinance No. 3789-1/08)
17.04.100 (Repealed, Ordinance No. 3260-11/94)
17.04.110 (Repealed, Ordinance No. 3260-11/94)

17.04.010 Title. This chapter shall be known as the Huntington Beach Building Code, may be cited as such, and will be referred to herein as the Building Code. (1935-11/74, 2027-1/76, 2431-7/80, 2747-2/85, 3422-7/99)

17.04.020 Adoption. There is hereby adopted by the City Council by reference that certain code known as the 2010~~3~~ California Building Code, and the whole thereof, including Appendix I entitled "Patio Covers," and excepting all other appendices save and except those portions as are hereafter modified or amended. Such code, and amendments thereto, are hereby adopted and incorporated, pursuant to California Government Code §50022.2 et seq., and Health and Safety Code § 18941.5, as fully as though set forth at length herein, for the purpose of regulating and administering the erection, construction, enlargement, alteration, repair, moving, removal, conversion, demolition, occupancy, equipment, use, height, area, and maintenance of buildings or structures in the City of Huntington Beach, and repealing all ordinances and parts of ordinances in conflict herewith. From the date on which this chapter takes effect the provisions of such code, together with amendments thereto shall be controlling within the corporate limits of the City of Huntington Beach. (375-8/34, 530-5/48, 592-12/52, 869-9/61, 1064-7/64, 1139-5/65, 1331-7/67, 1626-2/71, 2027-1/76, 2431-7/80, 2747-2/85, 2976-12/88, 3022-12/89, 3147-7/92, 3305-12/95, 3422-7/99, 3573-10/02, 3789-1/08, 3892-12/10)

17.04.031 CBC Chapter 1, §101.2 Scope, is hereby amended. The provisions of this code shall apply to the construction, alteration, movement, enlargement, replacement, repair, equipment, use and occupancy, location, maintenance, removal and demolition of every building or structure or any appurtenances connected or attached to such buildings or structures. (3789-1/08, 3892-12/10)

Exception: Detached one- and two-family dwelling and multiple single-family dwellings (townhouses) not more than three stories above grade plan in height with a separate means of egress and their accessory structures shall comply with the California Residential Code. (3892-12/10)

17.04.032 CBC Chapter 1, §105.2 Work exempt from permit, is hereby amended. Exemptions from permit requirements of this code shall not be deemed to grant authorization for any work to be done in any manner in violation of the provisions of this code or any other laws or ordinances of this jurisdiction. Permits shall not be required for the following: (3789-1/08, 3892-12/10)

Building:

1. One-story detached accessory structures used as tool and storage sheds, playhouses, pagodas, gazebos and similar uses, provided the floor area does not exceed 120 square feet. (3789-1/08)
2. Fences not over 42 inches high or architectural features not exceeding 6 feet in height and not within required zoning setbacks. (3789-1/08)
3. Oil derricks and tanks. (3789-1/08)
4. Retaining walls which do not support over 2 feet of earth measured from the bottom of the footing to the top of the wall, unless supporting a surcharge or impounding Class I, I1 or IIIA liquids. (3789-1/08)
5. Water tanks supported directly on grade if the capacity does not exceed 5,000 gallons and the ratio of height to diameter or width does not exceed 2:1. (3789-1/08)
6. Sidewalks, platforms, decks and driveways not more than 30 inches above adjacent grade, and not over any basement or story below and not part of an accessible route. (3789-1/08)
7. Painting, papering, tiling, carpeting, cabinets, counter tops and similar finish work. (3789-1/08)
8. Temporary motion picture, television and theater stage sets and scenery. (3789-1/08)
9. Shade cloth structures constructed for nursery or agricultural purposes, not including service systems. (3789-1/08)
10. Swings, other playground equipment and similar type recreational structures. (3789-1/08)
11. Window awnings supported by an exterior wall that do not project more than 54 inches from the exterior wall and do not require additional support in Group R-3 and U occupancies. (3789-1/08)
12. Nonfixed and movable fixtures, cases, racks, counters and partitions not over 5 feet 9 inches in height. (3789-1/08)
13. Flag poles, light poles and TV dishes in connection with a Group R, Division 3 occupancy and not exceeding 15 feet in height. (3789-1/08)
14. Re-roofing an area smaller than 100 square feet while satisfying all applicable application requirements. (3789-1/08)
15. Replacement doors and windows when the waterproofing membrane is not altered and emergency egress dimensions are equal to or better than the original permitted layout. (3789-1/08)
16. New roof penetrations less than 14" by 14" when no framing modifications or additions are required. (3789-1/08)

Unless otherwise provided by this code, separate plumbing, electrical and mechanical permits will be required for the above-exempted items. (3789-1/08)

Electrical:

1. Repairs and maintenance: Minor repair work, including the replacement of lamps or the connection of approved portable electrical equipment to approved permanently installed receptacles. (3789-1/08)

2. Radio and television transmitting stations: The provision of this code shall not apply to electrical equipment used for radio and television transmissions, but do apply to equipment and wiring for a power supply and the installations of towers and antennas. (3789-1/08)

3. Temporary testing systems: A permit shall not be required for the installation of any temporary system required for the testing or servicing of electrical equipment or apparatus. (3789-1/08)
4. Temporary decorative lighting. (3789-1/08)
5. Replacement of attachment plug receptacles, but not the outlets therefore. (3789-1/08)
6. Replacement of general use snap switches. (3789-1/08)
7. Repair or replacement of any overcurrent device of the required capacity in the same location. (3789-1/08)
8. Repair or replacement of electrodes or transformers of the same size and capacity for signs or gas tube systems. (3789-1/08)
9. The wiring for temporary theater, motion picture or television stage sets. (3789-1/08)
10. Electrical wiring, devices, appliances, apparatus or equipment operating at less than 25 volts and not capable of supplying more than 50 watts of energy. (3789-1/08)
11. Low-energy power, control and signal circuits of Classes II and III as defined in the electrical code. (3789-1/08)
12. Non vehicle mounted portable generators. (3789-1/08)
13. Replacement of any minor part that does not alter approval of equipment or make such equipment unsafe. (3789-1/08)

Gas:

1. Portable heating appliance. (3789-1/08)
2. Replacement of any minor part that does not alter approval of equipment or make such equipment unsafe. (3789-1/08)
3. Portable cooking or clothes drying appliance. (3892-12/10)
4. Portable fuel-cell appliance that are not connected to a fixed piping system and are not interconnected to a power grid. (3892-12/10)

Mechanical:

1. Portable heating appliances. (3789-1/08, 3892-12/10)
2. Portable ventilation equipment or appliances. (3789-1/08, 3892-12/10)
3. Portable cooling unit. (3789-1/08)
4. Steam, hot or chilled water piping within any heating or cooling equipment regulated by this code. (3789-1/08)
5. Replacement of any part that does not alter its approval or make it unsafe. (3789-1/08)
6. Portable evaporative cooler. (3789-1/08)
7. Self-contained refrigeration system containing 10 pounds (4.54 kg) or less of refrigerant and actuated by motors of 1horsepower (746 W) or less. (3789-1/08, 3892-12/10)
8. Portable fuel-cell appliances that are not connected to a fixed piping system and are not interconnected to a power grid. (3892-12/10)

Plumbing:

1. The stopping of leaks in drains, water, soil, waste, or vent pipe, provided, however, that if any concealed trap, drain pipe, water, soil, waste or vent pipe becomes defective and it becomes necessary to remove and replace the same with the new material, such work shall be considered as new work and a permit shall be obtained and inspection made as provided in this code. (3789-1/08)
2. The clearing of stoppages or the repairing of leaks in pipes, valves or fixtures and the removal and reinstallation of water closets, provided such repairs do not involve or require the replacement or rearrangement of valves, pipes, or fixtures. (3789-1/08)

3. Repair or replacement of any plumbing fixture or appliance of the same type and size and in the same location. Exception: electric and fuel gas water heaters. (3789-1/08)
4. Replacement of any part that does not alter its approval or make it unsafe. (3789-1/08)

17.04.033 CBC Chapter 1, Division II §105.3.2 Time Limitation of Application, is hereby amended. Applications for which no permit is issued within 180 days following the date of application shall expire automatically, and plans and other data submitted for review may thereafter be returned to the applicant or destroyed by the building official. The building official may extend the time for action by the applicant in increments of 180 days subject to the following conditions: (3789-1/08, 3892-12/10)

1. The applicant shall submit an application every 180 days, accompanied by a plan review extension fee, established by resolution of the City Council. (3789-1/08)
2. Any plans that remain in plan review over 360 days shall meet all construction standards that are adopted at the time the permit is issued. (3789-1/08)
3. Plans may not remain in plan review more than 720 days except under extreme situations as approved by the building official. (3789-1/08)

17.04.034 CBC Chapter 1, Division II §105.5 Expiration, is hereby amended. Every permit issued shall become invalid unless the work on the site authorized by such permit is commenced with 180 days after its issuance, or if the work authorized on the site by such permit is suspended or abandoned for a period of 180 days after the time the work is commenced. Work shall be considered suspended or abandoned if substantial approval of one of the required progress inspections is not accomplished every 180 days. Before such work can be recommenced, a new permit shall be first obtained, and the fee therefore shall be one half the amount required for a new permit for such work, provided no changes have been made or will be made in the original plans and specifications for such work; and provided further that such suspension or abandonment has not exceeded one year. In order to renew action on a permit after one year, the permittee shall pay a new full permit fee. (3789-1/08, 3892-12/10)

The permittee holding an unexpired permit may apply for an extension. The building official may extend the time for actions by the permittee for a period not exceeding 180 days upon written application by the permittee. Permits shall not be extended more than once except under extreme situations and when approved by the building official. (3789-1/08)

17.04.035 CBC Chapter 1, Division II Section 109 Fees, is hereby amended.

§109.1 Payment of fees. A permit shall not be valid until the fees prescribed by law have been paid, nor shall an amendment to a permit be released until the additional fee, if any, has been paid. The building official may allow temporary exceptions. (3789-1/08, 3892-12/10)

§109.1.1 Plan review fees. When a plan or other data is required to be submitted a plan review fee shall be paid. This fee shall be paid at the time of submitting plans and specifications for plan review. Said plan review fees shall be as established by resolution of the City Council. (3789-1/08, 3892-12/10)

§109.1.2 Permit fees. The fee shall be paid at permit issuance. The standard for determination of value or valuation of the project shall be made by the building official and as established by resolution of the City Council. (3789-1/08, 3892-12/10)

§109.1.3 Miscellaneous service fees. Whenever an application is made for all other services, a fee for the service in an amount established by resolution of the City Council shall be paid to the City. (3789-1/08, 3892-12/10)

§109.2 Schedule of permit fees. On buildings, structures, electrical, gas, mechanical, and plumbing systems or alterations requiring a permit, a fee for each permit shall be paid as required, in accordance with the schedule as established by resolution of the City Council. (3789-1/08, 3892-12/10)

§109.3 Building permit valuations. The applicant for a permit shall provide an estimated permit value at time of application. Permit valuations shall include total value of work, including materials and labor, for which the permit is being issued, such as electrical, gas, mechanical, plumbing equipment and

permanent systems. If, in the opinion of the building official, the valuation is underestimated on the application, the permit shall be denied, unless the applicant can show detailed estimates to meet the

approval of the building official. Final building permit valuation shall be set by the building official and as established by resolution of the City Council. (3789-1/08, 3892-12/10)

§109.4 Work commencing before permit issuance. Any person who commences any work on a building, structure, electrical, gas, mechanical or plumbing system before obtaining the necessary permits shall be subject to an investigation fee established by resolution by the City Council that shall be in addition to the required permit fees. (3789-1/08, 3892-12/10)

§109.5 Related fees. The payment of the fee for the construction, alteration, removal or demolition for work done in connection to or concurrently with the work authorized by a building permit shall not relieve the applicant or holder of the permit from the payment of other fees that are prescribed by law. (3789-1/08, 3892-12/10)

§109.6 Refunds. The building official may authorize the refund of any fee paid hereunder for work that was not performed or for fees that were collected erroneously as established by resolution of the City Council. (3789-1/08, 3892-12/10)

17.04.036 CBC Chapter 1, Division II §110.1 Use and occupancy, is hereby amended. No building or structure shall be used or occupied, nor shall a change in the existing occupant or occupancy classification of a building or structure or portion thereof be made until the building official has issued a certificate of occupancy therefore as provided herein. Issuance of a certificate of occupancy shall not be construed as an approval of a violation of the provisions of this code or of other ordinances of the jurisdiction.
(3789-1/08, 3892-12/10)

Exception: Group R, Division 2, 3 and U occupancies. (3789-1/08, 3892-12/10)

17.04.060 CBC Section 1910 Minimum Slab Provisions, §1910.1 General, is hereby amended. The thickness of concrete floor slabs supported directly on the ground shall not be less than 3-1/2 inches (89 mm), and shall be provided with minimum reinforcing equal to 6 x 6 x W1.4 x W1.4 welded wire fabric supported to remain in place from the center to upper one third of the slab for the duration of concrete placement. (2027-1/76, 2431-7/80, 2747-2/85, 2976-12/88, 3305-12/95, 3422-7/99, 3789-1/08, 3892-12/10)

17.04.070 CBC Chapter 9 Fire Protection Systems, § 901.1 Scope, is hereby amended. The provisions of this chapter shall specify where fire protection systems are required and shall apply to the design, installation and operation of fire protection systems. For amended sprinkler requirement, see Huntington Beach Municipal Code, Chapter 17.56 of this code. (2027-1/76, 2431-7/80, 2747-2/85, 3022-12/89, 3305-12/95, 3422-7/99. 3789-1/08, 3892-12/10)

17.04.080 Chapter 36 added--Building security. The Building Code is hereby amended by adding thereto new Chapter 36 entitled, "Building Security," to read as follows: (3022-12/89, 3305-12/95, 3422-7/99)

§ 3601. Purpose. The purpose of this chapter is to establish minimum standards of construction for protection against unlawful entry. (3305-12/95)

§ 3602. Alternative security provisions. When approved by the building official, site security systems may be provided in lieu of the specific security provisions of section 3608, 'Garages--Multiple dwellings.' (3022-12/89, 3305-12/95, 3422-7/99)

§ 3603. Definitions. For the purpose of this chapter, certain terms used herein are defined as follows: (3305-12/95, 3422-7/99)

'Cylinder guard' means a hardened ring surrounding the exposed portion of the lock cylinder or other device which is so fastened as to protect the cylinder from wrenching, prying, cutting or pulling by attack tools.

'Deadlocking latch' means a latch in which the latch bolt is positively held in the projected position by a guard bolt, plunger or auxiliary mechanism.

'Dead bolt' means a bolt which has no automatic spring action and which is operated by a key cylinder, thumb turn, or level, and is positively held fast when in the projected position.

'Latch' means a device for automatically holding a door shut after being closed.

'Light' means any glazed opening whether glazed with glass, plastic, metal, wood or composition sheets or panels, or similar materials, and shall include windows, skylights, view ports or view panels and similar openings.

§ 3604. Entry vision. All main or front entry doors to R occupancies shall be arranged so that the occupant has a view of the area immediately outside without opening the door. Such view may be provided by a door viewer or view port or by window or other opening located and constructed as required by this chapter. Such area shall be provided with a light. (3305-12/95, 3422-7/99)

§ 3605. Doors. (3305-12/95, 3422-7/99)

(a) General. A door forming a part of the enclosure of a dwelling unit or of an area of a building occupied by one tenant shall be constructed, installed, and secured as set forth in this section.

(b) Swinging doors.

(1) Swinging wooden doors which can be opened from the inside without using a key shall be of solid core construction. Lights in doors shall be as set forth in this chapter. (3022-12/89)

(2) A single swinging door, the active leaf of a pair of doors, and the bottom leaf of Dutch doors shall be equipped with a dead bolt and deadlocking latch. The dead bolt and latch may be activated by one lock or by individual locks. Dead bolts shall contain hardened inserts, or equivalent, designed to repel cutting tool attack. The lock or locks shall be key operated from the exterior side of the door and engaged or disengaged from the interior side of the door by a device which requires no key, special knowledge or effort.

(3) A straight dead bolt shall have a minimum throw of one (1) inch and the embedment shall be not less than five-eighths (5/8) inch into the holding device receiving the projected bolt. All dead bolts of locks which automatically activate two (2) or more dead bolts shall embed at least one-half (1/2) inch but need not exceed three-fourths (3/4) inch into the holding devices receiving the projected bolts. (3022-12/89)

(4) A deadlocking latch shall be provided with a bolt projecting not less than five-eighths (5/8) inches from the edge of the door in which it is installed.

(5) The inactive leaf of a pair of doors and the upper leaf of Dutch doors shall be equipped with a dead bolt or dead bolts as set forth in subsection (b)(2) above.

EXCEPTIONS:

(a.) The bolt or bolts need not be key operated but shall not be otherwise activated, from the exterior side of the door.

(b.) The bolt or bolts may be engaged or disengaged automatically with the dead bolt or by another device on the active leaf or lower leaf.

(c.) Manually-operated hardened bolts at the top and bottom of the leaf and which embed a minimum of one-half (1/2) inch into the device receiving the projected bolt may be used when not prohibited by the Building Code or other laws and regulations.

(6) Doorstops on wooden jambs for in-swinging doors shall be of one piece construction with the jamb or joined by a rabbet.

(7) Nonremovable pins shall be used in pin-type hinges which are accessible from the outside when the door is closed.

(8) Cylinder guards shall be installed on all mortise or rim-type cylinder locks installed in doors whenever the cylinder projects beyond the face of the door or when otherwise accessible to gripping tools.

(9) Unframed glass doors shall be of fully tempered glass not less than one-half (1/2) inch thick.

(10) Narrow-framed glass doors shall be of fully tempered glass not less than one-quarter (1/4) inch thick.

(c) Sliding glass doors. Sliding glass doors shall be equipped with locking devices. Cylinder guards shall be installed on all mortise or rim-type cylinder locks installed in doors whenever the cylinder projects beyond the face of the door or is otherwise accessible to gripping tools. (3305-12/95)

§ 3606. Windows, or other openings. (3422-7/99, 3573-10/02)

(a) General. Windows, or other similar openings shall be constructed, installed and secured as set forth in this section. (2976-12/88, 3022-12/89, 3422-7/99, 3573-10/02)

(b) Materials. Only fully-tempered glass or approved metal bars, screens, or grills shall be used for any opening in which glass is utilized which is located within forty (40) inches of the locking device on a door. (3305-12/95)

(c) Locking devices. All windows or other openings which are designed to be opened shall be provided with locking devices. (3305-12/95, 3573-10/02)

§ 3608. Garages--Multiple dwellings. Whenever a development includes three (3) or more dwelling units, all covered parking required by other provisions of the Huntington Beach Ordinance Code shall be provided by fully-enclosed garages. Garage space for each tenant shall be separated by partitions of three-eighths (3/8) inch plywood or any approved equivalent with studs set not more than twenty-four (24) inches apart on one side. Doors and windows in such garages shall be constructed, equipped and secured as required by this chapter. (2027-1/76, 2431-7/80, 2456-11/80, 2747-2/85, 2787-9/85, 3022-12/89, 3305-12/95, 3422-7/99)

17.04.085 Methane District Regulations. The Building Code is hereby amended by adding thereto new Chapter 55 entitled "Methane District Regulations" to read as follows: (3004-8/89, 3022-12/89, 3422-7/99)

§ 5501. Purpose. This Division sets forth the minimum requirements of the City of Huntington Beach for new building construction in the defined methane overlay districts. It is also the

purpose of this chapter to reduce the hazards presented from accumulations of methane gas by requiring the appropriate testing and mitigation measures for all new buildings in the methane overlay districts.

§ 5502. Definitions. For the purposes of this division, the following definitions shall also be applied.

A. Flammable Gas shall mean any gaseous substance capable of sustaining combustion or explosion.

B. Gas Detection System shall mean one or more electrical devices capable of continuous monitoring for the presence of flammable gasses and containing an audible alarm capable of alerting occupants that a hazardous atmosphere exists. A part of the system shall be subject to building the system and all devices which are department and fire department approved.

C. Methane Gas shall mean the hydrocarbon substance commonly known as "natural gas," chemical formula CH_4. For the purposes of definition in this chapter, natural gas from the distribution system of a utility company is exempted and excluded from the scope of the application of the provisions of this chapter.

D. Methane Gas Overlay District shall mean those districts within the City of Huntington Beach as defined in Section 5503.

E. Qualified Engineer shall mean a civil engineer currently registered in the State of California and possessing experience in the design of subsurface gas control systems.

F. Vent System shall mean a system or device which gathers or collects flammable gasses and releases these gasses in a specified manner and location.

§ 5503. Overlay Districts. Boundaries of the districts set forth herein are measured from centerline to centerline of indicated streets unless otherwise described, and are graphically depicted by the copy of the map designated "Methane Overlay Districts," which is on file with the Fire Department. (3422–7/99)

The Methane District boundaries are as follows. Note that the directions of north, south, east, west, and similar directions are general in nature only.

District One: Saybrook Lane south from Edinger Avenue to Davenport Drive to Algonquin Street, south on Algonquin Street to Warner Avenue, east on Warner Avenue to Bolsa Chica Street, north on Bolsa Chica Street to Edinger Avenue, west on Edinger Avenue to Saybrook Lane.

District Two: All land on both sides of Pacific Coast Highway northwest from the City Boundary at the Santa Ana River to the City Boundary at the Bolsa Chica Bluffs, then following the City Boundary northeast to Edwards Street, Edwards Street north to Slater Avenue, Slater Avenue east to Gothard Street, Gothard Street south to Ellis Avenue, Ellis Avenue east to Newland Street, Newland Street south to Adams Avenue, Adams Avenue east to the City Boundary at the Santa Ana River, City Boundary south along the Santa Ana River to Pacific Coast Highway.

§ 5504. Plan Required. All proposed subdivisions, divisions of land, developments of property, and new buildings within the methane overlay districts shall be reviewed by the Fire Department. The Fire Chief may require a plan for the testing of site soils for the presence of methane gas. Such plan shall be subject to the approval of the Fire Department, and may include, but shall not be limited to, hammer probes, pneumatically driven probes, and core hole samples with

monitoring for the presence of methane gas. The Fire Chief may require other actions as deemed necessary to insure the safety of the development or building site.

§ 5505. Testing Required. Testing for the presence of methane gas shall be required to be carried out in accordance with the approved plan. Results of such testing shall be submitted to the Fire Department for review and analysis.

§ 5506. Mitigation Required. Anomalously high levels of methane gas in the near surface or subsurface soil layers may require mitigation before any grading, development, or building construction is allowed to take place. Such mitigation may include, but is not limited to, the venting of abandoned oil wells, underground gathering and collection systems for gasses, vent systems, and flared vent systems. Other systems, devices, or components may be required as deemed necessary by the Fire Chief in order to insure the safety of the development and buildings.

If the mitigation measure does not reduce the soil concentrations of methane to an acceptable level, or if other contaminants are present in the methane at a level which poses a threat to health and safety, further development may be halted until such time as the site is rendered safe from these hazards.

§ 5507. Isolation Barriers Required. New buildings which fall under the provisions and requirements of this article may require the installation of a continuous, flexible, permanent, and non-permeable barrier, and shall be a type approved by the Fire Department. (3422-7/99)

§ 5508. Access. All methane gas mitigation systems required by this article shall be made accessible to city personnel for the purposes of monitoring, maintenance, and evaluation for effectiveness.

§ 5509. Areas Outside of Established Methane Overlay District Boundaries. Upon the determination of the Fire Department that hazard may exist from methane intrusion at a geographical location or area outside the boundaries established in Section 5503 above, the Fire Department may enforce any or all of the provisions of this article as deemed necessary by the Fire Chief to preclude potential hazards from fire or explosion from methane gas accumulations.

§ 5510. Additional Remedial Measures. If the concentration of flammable gas in any building in the City reaches or exceeds twenty-five percent (25%) of the minimum concentration which form an ignitable mixture with air at ambient temperature and pressure, the owner of such building shall hire a qualified engineer to investigate, recommend, and implement mitigating measures. Such measures shall be subject to the approval of the Fire Department. (3422-7/99)

LEGISLATIVE DRAFT

Chapter 17.06

GREEN BUILDING STANDARDS CODE

(3893-12/10)

Sections:

17.06.010 Adoption
17.06.020 Title
17.06.030 Residential electric vehicle (EV) charging, Subsection A4.106.8
17.06.040 Nonresidential electric vehicle charging, Subsection A5.106.5.3

17.06.010 Adoption. There is hereby adopted by the City Council by reference that certain code known as the 201~~0~~3 California Green Building Standards Code, and the whole thereof, excluding appendices~~, A4 and A5.~~ Such code, and amendments thereto, is hereby adopted and incorporated, pursuant to California *Government Code* §50022.2 et seq., and *Health and Safety Code* §18941.5, as fully as though set forth at length herein, for the purpose of improving public health, safety and general welfare by enhancing the design and construction of buildings through the use of building concepts having a reduced negative impact or positive environmental impact and encouraging sustainable construction practices. From the date on which this chapter takes effect, the provisions thereof shall be controlling within the corporate limits of the City of Huntington Beach.

17.06.020 Title. This chapter shall be known as the "Huntington Beach Green Building Standards Code," may be cited as such, and will be referred to herein as "this code."

17.06.030 Residential electric vehicle (EV) charging, Subsection A4.106.8. Dwellings shall comply with the following requirements for the future installation of electric vehicle supply equipment (EVSE):

A4.106.8.1 One-and two-family dwellings. Install a listed raceway to accommodate a dedicated branch circuit. The raceway shall not be less trade size 1 (nominal 1-inch inside diameter). The raceway shall be securely fastened at the main service or subpanel and shall terminate in close proximity to the proposed location of the charging system into a listed cabinet, box or enclosure. Raceways are required to be continuous at enclosed or concealed areas and spaces. A raceway may terminate in an attic or other approved location when it can be demonstrated that the area is accessible and no removal of materials is necessary to complete the final installation.

Exception: Other pre-installation methods approved by the local enforcing agency that provide sufficient conductor sizing and service capacity to install Level 2 electric vehicle supply equipment (EVSE).

Note: Utility companies may have additional requirements for metering and EVSE installation, and should be consulted during the project design and installation.

A4.106.8.1.1 Labeling requirements. A label stating "EV CAPABLE" shall be posted in a conspicuous place at the service panel or subpanel and next to the raceway termination point.

A4.106.8.2 Multifamily dwellings. At least 3 percent of the total parking spaces, but not less than one, shall be capable of supporting future electric vehicle supply equipment (EVSE).

A4.106.106.8.2.1 Single charging space required. When only a single charging space is required, install a listed raceway capable of accommodating a dedicated branch circuit. The raceway shall not be less trade size 1 (nominal 1-inch inside diameter). The raceway shall be securely fastened at the main service or subpanel and shall terminate in close proximity to the proposed location of the charging system into a listed cabinet, box or enclosure.

Exception: Other pre-installation methods approved by the local enforcing agency that provide sufficient conductor sizing and service capacity to install Level 2 electric vehicle supply equipment (EVSE).

A4.106.8.2.2 Multiple charging spaces required. When multiple charging spaces are required, plans shall include the location(s) and type of the EVSE, raceway method(s), wiring schematics and electrical calculations to verify that the electrical system has sufficient capacity to simultaneously charge all the electrical vehicles at all designated EV charging spaces at their full rated amperage. Plan design shall be based upon Level 2 EVSE at its maximum operating ampacity. Only underground raceways and related underground equipment are required to be installed at the time of construction.

Note: Utilities may have additional requirements for metering and EVSE installation, and should be consulted during the project design and installation.

A4.106.8.2.3 Labeling requirements. A label stating "EV CHARGE CAPABLE" shall be posted in a conspicuous place at the service panel or subpanel and the EV charging space.

17.06.040 Nonresidential electric vehicle charging, Subsection A5.106.5.3. Provide facilities meeting Section 406.9 (Electric Vehicle) of the California Building Code and as follows:

A5.106.5.3.1 Single charging space requirements. When only a single charging space is required, install a listed raceway capable of accommodating a dedicated branch circuit. The raceway shall not be less than trade size 1. The raceway shall be securely fastened at the main service or subpanel and shall terminate in close proximity to the proposed location of the charging system into a listed cabinet, box or raceway.

Exception: Other pre-installation methods approved by the local enforcing agency that provide sufficient conductor sizing and service capacity to install Level 2 electric vehicle supply equipment (EVSE).

A5.106.5.3.2 Multiple charging spaces required. When multiple charging spaces are required, plans shall include the location(s) and type of the EVSE, raceway method(s), wiring schematics and electrical calculations to verify that the electrical system has sufficient capacity to simultaneously charge all the electrical vehicles at all designated EV charging spaces at their full rated amperage. Plan design shall be based upon Level 2 EVSE at its maximum operating ampacity. Only underground raceways and related underground equipment are required to be installed at the time of construction.

Note: Utilities may have additional requirements for metering and EVSE installation, and should be consulted during the project design and installation.

A5.106.5.3.3 Tier 1. At least 3 percent of the total parking spaces, but not less than one, shall be capable of supporting future electric vehicle supply equipment (EVSE).

A5.106.5.3.5 Labeling requirements. A label stating "EV CHARGE CAPABLE" shall be posted in a conspicuous place at the service panel or subpanel and the EV charging space.

LEGISLATIVE DRAFT

Chapter 17.07

RESIDENTIAL CODE

(3894-12/10)

Sections:

17.07.010 Title
17.07.020 Adoption
17.07.030 CRC, Chapter 1, Division II, §R103 is hereby amended
17.07.035 CRC, Chapter 1, Division II, §R103.1 Enforcement Agency is hereby amended
17.07.040 CRC, Chapter 1, Division II, §R105.2 Work exempt from permit is hereby amended
17.07.045 CRC Chapter 1, Division II §R105.3.1.1 Determination of substantially improved or substantially damaged existing buildings in flood hazard areas is hereby deleted
17.07.050 CRC Chapter 1, Division II §R105.3.2 Time limitation of application is hereby amended
17.07.055 CRC Chapter 1, Division II §R105.5 Expiration is hereby amended
17.07.060 CRC Chapter 1, Division II §R108 Fees is hereby amended
17.07.065 CRC Chapter 3, § 301.1.3.2 Engineered design is hereby amended
17.07.070 CRC Chapter 3, Table R301.2(1) Climatic and Geographic Design Criteria amended
17.07.072 CRC Chapter 3, §R313.1 Townhouse Automatic Fire Sprinkler Systems Exception is hereby amended to read as follows
17.07.073 CRC Chapter 3, §R313.2 One- and Two-family Dwellings Automatic Fire Sprinkler Systems Exception is hereby amended to read as follows
17.07.075 CRC Chapter 3, §R403.1.3 Seismic Reinforcing, Exception is hereby deleted.
17.07.080 Chapter 4, §R405.1 Concrete or Masonry Foundations, Exception is hereby deleted.
17.07.085 CRC Chapter 5, §R506.1 General amended
17.07.090 Chapter 45 Added – Building security

17.07.010 Title. This chapter shall be known as the "Huntington Beach Residential Code," may be cited as such, and will be referred to herein as "this code."

17.07.020 Adoption. There is hereby adopted by the City Council by reference that certain code known as the 2013 California Residential Code, and the whole thereof, including Appendix H, entitled "Patio Covers," and excepting all other appendices save and except those portions as are hereafter modified or amended. Such code, and amendments thereto, is hereby adopted and incorporated, pursuant to California Government Code § 50022.2 et seq., and Health and Safety Code § 18941.5, as fully as though set forth at length herein, for the purpose of regulating and administering the erection, construction, enlargement, alteration, repair, moving, removal, conversion, demolition, occupancy, equipment, use, height, area, and maintenance of residential one- and two-family dwellings or structures in the City of Huntington Beach, and repealing all ordinances and parts of ordinances in conflict herewith. From the date on which this chapter takes effect the provisions of such code, together with amendments thereto shall be controlling within the corporate limits of the City of Huntington Beach.

17.07.030 CRC, Chapter 1, Division II, §R103 is hereby amended. Department of Building and Planning.

17.07.035 CRC, Chapter 1, Division II, §R103.1 Enforcement Agency is hereby amended. The Department of Planning and Building is the enforcing agency for these provisions and the official in charge thereof shall be known as the building official.

17.07.040 CRC, Chapter 1, Division II, §R105.2 Work exempt from permit is hereby amended. Exemptions from permit requirements of this code shall not be deemed to grant authorization for any work to be done in any manner in violation of the provisions of this code or any other laws or ordinances of this jurisdiction. Permits shall not be required for the following:

Building:

1. One-story detached accessory structures used as tool and storage sheds, playhouses, pagodas, gazebos and similar uses, provided the floor area does not exceed 120 square feet.
2. Fences not over 42 inches high or architectural features not exceeding 6 feet in height and not within required zoning setbacks.
3. Oil derricks and tanks.
4. Retaining walls which do not support over 2 feet of earth measured from the bottom of the footing to the top of the wall, unless supporting a surcharge or impounding Class I, II or IIIA liquids.
5. Water tanks supported directly on grade if the capacity does not exceed 5,000 gallons and the ratio of height to diameter or width does not exceed 2:1.
6. Sidewalks, platforms, decks and driveways not more than 30 inches above adjacent grade, and not over any basement or story below and not part of an accessible route.
7. Painting, papering, filing, carpeting, cabinets, counter tops and similar finish work.
8. Temporary motion picture, television and theater stage sets and scenery.
9. Shade cloth structures constructed for nursery or agricultural purposes, not including service systems.
10. Swings, other playground equipment and similar type recreational structures.
11. Window awnings supported by an exterior wall that do not project more than 54 inches from the exterior wall and do not require additional support in Group R-3 and U occupancies.
12. Nonfixed and movable fixtures, cases, racks, counters and partitions not over 5 feet 9 inches in height.
13. Flag poles, light poles and TV dishes in connection with a Group R, Division 3 occupancy and not exceeding 15 feet in height.
14. Re-roofing an area smaller than 100 square feet while satisfying all applicable application requirements.
15. Replacement doors and windows when the waterproofing membrane is not altered and emergency egress dimensions are equal to or better than the original permitted layout.
16. New roof penetrations less than 14" by 14" when no framing modifications or additions are required.

Unless provided by this code, separate plumbing, electrical and mechanical permits will be required for the above-exempted items.

Electrical:

1. Repairs and maintenance: Minor repair work, including the replacement of lamps or the connection of approved portable electrical equipment to approved permanently installed receptacles.
2. Radio and television transmitting stations: The provision of this code shall not apply to electrical equipment used for radio and television transmissions, but do apply to equipment and wiring for a power supply and the installations of towers and antennas.

3. Temporary testing systems: A permit shall not be required for the installation of any temporary system required for the testing or servicing of electrical equipment or apparatus.
4. Temporary decorative lighting.
5. Replacement of attachment plug receptacles, but not the outlets therefore.
6. Replacement of general use snap switches.
7. Repair or replacement of any overcurrent device of the required capacity in the same location.
8. Repair or replacement of electrodes or transformers of the same size and capacity for signs or gas tube systems.
9. The wiring for temporary theater, motion picture or television stage sets.
10. Electrical wiring, devices, appliances, apparatus or equipment operating at less than 25 volts and not capable of supplying more than 50 watts of energy.
11. Low-energy power, control and signal circuits of Classes II and III as defined in the electrical code.
12. Non vehicle mounted portable generators.
13. Replacement of any minor part that does not alter approval of equipment or make such equipment unsafe.

Gas:

1. Portable heating appliance.
2. Replacement of any minor part that does not alter approval of equipment or make such equipment unsafe.
3. Portable cooking or clothes drying appliance.
4. Portable fuel-cell appliances that are not connected to a fixed piping system and are not interconnected to a power grid.

Mechanical:

1. Portable heating appliances.
2. Portable ventilation equipment or appliances.
3. Portable cooling unit.
4. Steam, hot or chilled water piping within any heating or cooling equipment regulated by this code.
5. Replacement of any part that does not alter its approval or make it unsafe.
6. Portable evaporative cooler.
7. Self-contained refrigeration system containing 10 pounds (4.54 kg) or less of refrigerant and actuated by motors of 1 horsepower (746 W) or less.
8. Portable fuel-cell appliances that are not connected to a fixed piping system and are not interconnected to a power grid.

Plumbing:

1. The stopping of leaks in drains, water, soil, waste, or vent pipe, provided, however, that if any concealed trap, drain pipe, water, soil, waste or vent pipe becomes defective and it becomes necessary to remove and replace the same with the new material, such work shall be considered as new work and a permit shall be obtained and inspection made as provided in this code.
2. The clearing of stoppages or the repairing of leaks in pipes, valves or fixtures and the removal and reinstallation of water closets, provided such repairs do not involve or require the replacement or rearrangement of valves, pipes, or fixtures.
3. Repair or replacement of any plumbing fixture or appliance of the same type and size and in the same location. Exception: electric and fuel gas water heaters.

4. Replacement of any part that does not alter its approval or make it unsafe.

17.07.045 CRC Chapter 1, Division II §R105.3.1.1 Determination of substantially improved or substantially damaged existing buildings in flood hazard areas is hereby deleted.

17.07.050 CRC Chapter 1, Division II §R105.3.2 Time limitation of application is hereby amended.

Applications for which no permit is issued within 180 days following the date of application shall expire automatically, and plans and other data submitted for review may thereafter be returned to the applicant or destroyed by the building official. The building official may extend the time for action by the applicant in increments of 180 days subject to the following conditions:

1. The applicant shall submit an application every 180 days, accompanied by a plan review extension fee, established by resolution of the City Council.
2. Any plans that remain in plan review over 360 days shall meet all construction standards that are adopted at the time the permit is issued.
3. Plans may not remain in plan review more than 720 days except under extreme situations as approved by the building official.

17.07.055 CRC Chapter 1, Division II §R105.5 Expiration is hereby amended. Every permit issued shall become invalid unless the work on the site authorized by such permit is commenced within 180 days after its issuance, or if the work is authorized on the site by such permit is suspended or abandoned for a period of 180 days after the time the work is commenced. Work shall be considered suspended or abandoned if substantial approval of one of the required progress inspections is not accomplished every 180 days. Before such work can be recommenced, a new permit shall be first obtained, and the fee therefore shall be one half the amount required for a new permit for such work, provided no changes have been made or will be made in the original plans and specifications for such work; and provided further that such suspension or abandonment has not exceeded one year. In order to renew action on a permit after one year, the permittee shall pay a new full permit fee.

The permittee holding an unexpired permit may apply for an extension. The building official may extend the time for actions by the permittee for a period not exceeding 180 days upon written application by the permittee. Permits shall not be extended more than once except under extreme situations and when approved by the building official.

17.07.060 CRC Chapter 1, Division II §R108 Fees is hereby amended:

§ 108.1 **Payment of fees.** A permit shall not be valid until the fees prescribed by law have been paid, nor shall an amendment to a permit be released until the additional fee, if any, has been paid. The building official may allow temporary exceptions.

§ 108.1.1 **Plan review fees.** When a plan or other data is required to be submitted, a plan review fee shall be paid. This fee shall be paid at the time of submitting plans and specifications for plan review. Said plan review fees shall be established by resolution of the City Council.

§ 108.1.2 **Permit fees.** The fee shall be paid at permit issuance. The standard for determination of value or valuation of the project shall be made by the building official and as established by resolution of the City Council.

§ 108.1.3 **Miscellaneous service fees.** Whenever an application is made for all other services, a fee for the service in an amount established by resolution of the City Council shall be paid to the City.

§ 108.2 **Schedule of permit fees.** On buildings, structures, electrical, gas, mechanical, and plumbing systems or alterations requiring a permit, a fee for each permit shall be paid as required, in accordance with the schedule as established by resolution of the City Council.

§ 108.3 **Building permit valuations.** The applicant for a permit shall provide an estimated permit value at time of application. Permit valuations shall include total value of work, including materials and labor, for which the permit is being issued, such as electrical, gas, mechanical, plumbing equipment and permanent systems. If, in the opinion of the building official, the valuation is underestimated on the application, the permit shall be denied, unless the applicant can show detailed estimates to meet the approval of the building official. Final building permit valuation shall be set by the building official and established by resolution of the City Council.

§ 108.4 **Work commencing before permit issuance.** Any person who commences any work on a building, structure, electrical, gas, mechanical or plumbing system before obtaining the necessary permits shall be subject to an investigation fee established by resolution by the City Council that shall be in addition to the required permit fees.

§ 108.5 **Related fees.** The payment of the fee for the construction, alteration, removal or demolition for work done in connection to or concurrently with the work authorized by a building permit shall not relieve the applicant or holder of the permit from the payment of other fees that are prescribed by law.

§ 108.6 **Refunds.** The building official may authorize the refund of any fee paid hereunder for work that was not performed or for fees that were collected erroneously as established by resolution of the City Council.

17.07.065 CRC Chapter 3, § 301.1.3.2 Engineered design is hereby amended. The building official shall require construction documents to be approved and stamped by a California licensed architect or engineer for all dwellings of woodframe construction more than two stories and basement in height located in Seismic Design Category A, B, or C. Notwithstanding other sections of the law, the law establishing these provisions is found in Business and Professions Code Section 5537 and 6737.1.

The building official shall require construction documents to be approved and stamped by a California licensed architect or engineer for all dwellings of woodframe construction more than one story in height or with basement located in Seismic Design Category D_0, D_1, D_2, or E.

17.07.070 CRC Chapter 3, Table R301.2(1) Climatic and Geographic Design Criteria amended:

TABLE R301.2(1)
CLIMATIC AND GEOGRAPHIC DESIGN CRITERIA

GROUND SNOW LOAD	WIND DESIGN		SEISMIC DESIGN CATEGORY [f]	SUBJECT TO DAMAGE FROM			WINTER DESIGN TEMP [e]	ICE BARRIER UNDERLAYMENT REQUIRED [h]	FLOOD HAZARDS [g]	AIR FREEZING INDEX [i]	MEAN ANNUAL TEMP [j]
	Speed [d] (mph)	Topographic effects [k]		Weathering [a]	Frost line Depth [b]	Termite [c]					
Zero	85	No	D_2 or E	Negligible	12-24"	Very Heavy	43	No	See footnote g	0	60

For SI: 1 pound per square foot = 0.0479 kPa, 1 mile per hour = 0.447 m/s.

a. Weathering may require a higher strength concrete or grade of masonry than necessary to satisfy the structural requirements of this code. The weathering column shall be filled in with the weathering index (i.e., "negligible," "moderate" or "severe") for concrete as determined from the Weathering Probability Map [Figure R301.2(3)]. The grade of masonry units shall be determined from ASTM C 34, C 55, C 62, C 73, C 90, C 129, C 145, C 216 or C 652.
b. The frost line depth may require deeper footings than indicated in Figure R403.1(1). The jurisdiction shall fill in the frost line depth column with the minimum depth of footing below finish grade.
c. The jurisdiction shall fill in this part of the table to indicate the need for protection depending on whether there has been a history of local subterranean termite damage.
d. The jurisdiction shall fill in this part of the table with the wind speed from the basic wind speed map [Figure R301.2(4)].Wind exposure category shall be determined on a site-specific basis in accordance with Section R301.2.1.4.
e. Temperatures shall be permitted to reflect local climates or local weather experience as determined by the building official.
f. The jurisdiction shall fill in this part of the table with the seismic design category determined from Section R301.2.2.1.
g. The jurisdiction shall fill in this part of the table with (a) the date of the jurisdiction's entry into the National Flood Insurance Program (date of adoption of the first code or ordinance for management of flood hazard areas), (b) the date(s) of the Flood Insurance Study and (c) the panel numbers and dates of all currently effective FIRMs and FBFMs or other flood hazard map adopted by the authority having jurisdiction, as amended.
    (a) The city entered NFIP in 1983 (adopted flood regulations on March 10, 1981)
    (b) Latest flood insurance study was on December 3, 2009.
    (c) The panel numbers and dates of all effective FIRMs and FBFMs, effective date shall be December 3, 2009:
        i. 1185
        ii. 1195
        iii. 2275
        iv. 2295
        v. 2315
        vi. 2325
        vii. 2335
        viii. 2345
        ix. 2415
        x. 2425

xi. 2445
xii. 2515
xiii. 2535
xiv. 2615
xv. 2625
xvi. 2635
xvii. 2645

h. In accordance with Sections R905.2.7.1, R905.4.3.1, R905.5.3.1, R905.6.3.1, R905.7.3.1 and R905.8.3.1, where there has been a history of local damage from the effects of ice damming, the jurisdiction shall fill in this part of the table with "YES." Otherwise, the jurisdiction shall fill in this part of the table with "NO."
i. The jurisdiction shall fill in this part of the table with the 100-year return period air freezing index (BF-days) from Figure R403.3(2) or from the 100-year (99%) value on the National Climatic Data Center data table "Air Freezing Index- USA Method (Base 32°)" at www.ncdc.noaa.gov/fpsf.htrnl.
j. The jurisdiction shall fill in this part of the table with the mean annual temperature from the National Climatic Data Center data table "Air Freezing Index-USA Method (Base 32°F)" at www.ncdc.noaa.gov/fpsf.html.
k. In accordance with Section R30 1.2.1.5, where there is local historical data documenting structural damage to buildings due to topographic wind speed-up effects, the jurisdiction shall fill in this part of the table with "YES." Otherwise, the jurisdiction shall indicate "NO" in this part of the table.

17.07.072 CRC Chapter 3, §R313.1 Townhouse Automatic Fire Sprinkler Systems Exception is hereby amended to read as follows: For additions and alterations to existing townhomes see Huntington Beach Municipal Code, Chapter 17.56.

17.07.073 CRC Chapter 3, §R313.2 One- and Two-family Dwellings Automatic Fire Sprinkler Systems Exception is hereby amended to read as follows: For additions and alterations to existing One- and Two-family dwellings see Huntington Beach Municipal Code, Chapter 17.56.

17.07.075 CRC Chapter 3, §R403.1.3 Seismic Reinforcing, Exception is hereby deleted.

17.07.080 Chapter 4, §R405.1 Concrete or Masonry Foundations, Exception is hereby deleted.

17.07.085 CRC Chapter 5, §R506.1 General amended. Concrete slab-on-ground floors shall be a minimum 3.5 inches (89 mm) thick and shall be provided with minimum reinforcing equal to 6 x 6 x W1.4 welded wire fabric (for expansive soils, see Section R403.1.8). The specified compressive strength of concrete shall be as set forth in Section R402.2.

17.07.090 Chapter 45 added--Building security. The Building Code is hereby amended by adding thereto new Chapter 45 entitled, "Building Security," to read as follows:

§ 3601. Purpose. The purpose of this chapter is to establish minimum standards of construction for protection against unlawful entry.

§ 3602. Alternative security provisions. When approved by the building official, site security systems may be provided in lieu of the specific security provisions of section 3608, 'Garages--Multiple dwellings.'

§ 3603. Definitions. For the purpose of this chapter, certain terms used herein are defined as follows:

'Cylinder guard' means a hardened ring surrounding the exposed portion of the lock cylinder or other device which is so fastened as to protect the cylinder from wrenching, prying, cutting or pulling by attack tools.

'Deadlocking latch' means a latch in which the latch bolt is positively held in the projected position by a guard bolt, plunger or auxiliary mechanism.

'Dead bolt' means a bolt which has no automatic spring action and which is operated by a key cylinder, thumb turn, or level, and is positively held fast when in the projected position.

'Latch' means a device for automatically holding a door shut after being closed.

'Light' means any glazed opening whether glazed with glass, plastic, metal, wood or composition sheets or panels, or similar materials, and shall include windows, skylights, view ports or view panels and similar openings.

§ 3604. Entry vision. All main or front entry doors to R occupancies shall be arranged so that the occupant has a view of the area immediately outside without opening the door. Such view may be provided by a door viewer or view port or by window or other opening located and constructed as required by this chapter. Such area shall be provided with a light.

§ 3605. Doors.

(a) General. A door forming a part of the enclosure of a dwelling unit or of an area of a building occupied by one tenant shall be constructed, installed, and secured as set forth in this section.

(b) Swinging doors.

(1) Swinging wooden doors which can be opened from the inside without using a key shall be of solid core construction. Lights in doors shall be as set forth in this chapter.

(2) A single swinging door, the active leaf of a pair of doors, and the bottom leaf of Dutch doors shall be equipped with a dead bolt and deadlocking latch. The dead bolt and latch may be activated by one lock or by individual locks. Dead bolts shall contain hardened inserts, or equivalent, designed to repel cutting tool attack. The lock or locks shall be key operated from the exterior side of the door

and engaged or disengaged from the interior side of the door by a device which requires no key, special knowledge or effort.

(3) A straight dead bolt shall have a minimum throw of one (1) inch and the embedment shall be not less than five-eighths (5/8) inch into the holding device receiving the projected bolt. All dead bolts of locks which automatically activate two (2) or more dead bolts shall embed at least one-half (1/2) inch but need not exceed three-fourths (3/4) inch into the holding devices receiving the projected bolts.

(4) A deadlocking latch shall be provided with a bolt projecting not less than five-eighths (5/8) inches from the edge of the door in which it is installed.

(5) The inactive leaf of a pair of doors and the upper leaf of Dutch doors shall be equipped with a dead bolt or dead bolts as set forth in subsection (b)(2) above.

Exceptions:

(a) The bolt or bolts need not be key operated but shall not be otherwise activated, from the exterior side of the door.

(b) The bolt or bolts may be engaged or disengaged automatically with the dead bolt or by another device on the active leaf or lower leaf.

(c) Manually-operated hardened bolts at the top and bottom of the leaf and which embed a minimum of one-half (1/2) inch into the device receiving the projected bolt may be used when not prohibited by the Building Code or other laws and regulations.

(6) Doorstops on wooden jambs for in-swinging doors shall be of one piece construction with the jamb or joined by a rabbet.

(7) Nonremovable pins shall be used in pin-type hinges which are accessible from the outside when the door is closed.

(8) Cylinder guards shall be installed on all mortise or rim-type cylinder locks installed in doors whenever the cylinder projects beyond the face of the door or when otherwise accessible to gripping tools.

(9) Unframed glass doors shall be of fully tempered glass not less than one-half (1/2) inch thick.

(10) Narrow-framed glass doors shall be of fully tempered glass not less than one-quarter (1/4) inch thick.

(c) Sliding glass doors. Sliding glass doors shall be equipped with locking devices. Cylinder guards shall be installed on all mortise or rim-type cylinder locks installed in doors whenever the cylinder projects beyond the face of the door or is otherwise accessible to gripping tools.

§ 3606. Windows, or other openings.

(a) General. Windows, or other similar openings shall be constructed, installed and secured as set forth in this section.
(b) Materials. Only fully-tempered glass or approved metal bars, screens, or grills shall be used for any opening in which glass is utilized which is located within forty (40) inches of the locking device on a door.

(c) Locking devices. All windows or other openings which are designed to be opened shall be provided with locking devices.

§ 3608. Garages--Multiple dwellings. Whenever a development includes three (3) or more dwelling units, all covered parking required by other provisions of the Huntington Beach Ordinance Code shall be provided by fully-enclosed garages. Garage space for each tenant shall be separated by partitions of three-eighths (3/8) inch plywood or any approved equivalent with studs set not more than twenty-four (24) inches apart on one side. Doors and windows in such garages shall be constructed, equipped and secured as required by this chapter.

LEGISLATIVE DRAFT

Chapter 17.08

HOUSING CODE

(1424-7/68, 1627-2/71, 2431-7/80, 2747-2/85, 2976-12/88, 3022-12/89, 3035-3/90, 3147-7/92, 3306-12/95, 3423-7/99)

Sections:

17.08.010 Title
17.08.020 Adoption
17.08.025 Fire Protection
17.08.030 (Repealed - 3022-12/89)
17.08.040 (Repealed - 3035-3/90)

17.08.010 Title. This Uniform Housing Code shall be known as and referred to as the "Huntington Beach Housing Code." (1935-11/74, 2431-7/80, 2474-2/85, 3022-12/89)

17.08.020 Adoption. There is adopted by the City Council by reference that certain code known as the ~~Uniform Housing Code, 1997 edition~~2013 California Residential Code, and the whole thereof except as hereafter provided. The purpose of such code is to arrest, remedy and prevent the decay and deterioration of places of habitation and to eliminate slums and blighted neighborhoods by providing minimum requirements for places of habitation for the protection of life, health, welfare, safety and property of the general public and of the owners and occupants of places of habitation in the City; and to provide penalties for the violation thereof, and repealing all ordinances and parts of ordinances in conflict herewith. Such code is adopted and incorporated as fully as though set out at length herein, as provided by California Government Code sections 50022.2 et seq., and Health and Safety Code §18941.5. From the date on which this chapter takes effect, the provisions of said code together with amendments thereto shall be controlling within the corporate limits of the city of Huntington Beach. (1424-7/68, 1627-2/71, 2431-7/80, 2747-2/85, 2976-12/88, 3022-12/89, 3147-7/92, 3423-7/99)

17.08.025 Fire Protection. Chapter 9 is hereby amended to add §902 to read as follows: (3423-7/99)

§902 Smoke Detectors. As originally provided by Urgency Ordinance 3006 adopted 6/89, all Group R Division 3 occupancies shall have smoke detectors installed in conformance with the requirements of the Huntington Beach Municipal Code. (3423-7/99)

LEGISLATIVE DRAFT

Chapter 17.10

HUNTINGTON BEACH NUISANCE CODE

(2870-12/86, 2897-7/87, 3079-12/90, 3212-11/93, 3386-3/98, 3398-7/98, 3739-7/06, 3765-4/07, 3777-10/07)

Sections:

17.10.010 Nuisance Defined
17.10.020 Additional Enforcement Remedies
17.10.030 Definitions
17.10.040 Abatement of Nuisance Related Activities or Condition
17.10.050 Nuisance Designated
17.10.051 Graffiti
17.10.052 Appeal of the Action by the Director of Public Works
17.10.053 Appeal to City Council
17.10.054 Abatement of Graffiti by City
17.10.060 Violations
17.10.070 Alternatives
17.10.080 Reward
17.10.100 Repealed Ord 3398 7/98
17.10.110 Repealed Ord 3398 7/98
17.10.120 Repealed Ord 3398 7/98
17.10.130 Repealed Ord 3398 7/98
17.10.140 Repealed Ord 3398 7/98
17.10.150 Repealed Ord 3398 7/98
17.10.160 Repealed Ord 3398 7/98
17.10.170 Repealed Ord 3398 7/98
17.10.180 Repealed Ord 3398 7/98
17.10.190 Repealed Ord 3398 7/98

17.10.010 Nuisance defined. As used in this chapter, a nuisance shall mean activities or conditions which affect the social and economic stability of neighborhoods, impair property values and which are injurious or detrimental to the health, safety and general welfare of the citizens of Huntington Beach. (3386-3/98)

17.10.020 Additional Enforcement Remedies. The procedures provided for in this chapter shall be cumulative and in addition to any other procedure or legal remedy provided for in this Code or by state law for the abatement of nuisance related activities or conditions. Nothing in this chapter shall be deemed to prevent the City from commencing a civil or criminal proceeding to abate a nuisance under applicable civil, penal or municipal code provisions as an alternative or alternatives to the proceedings set forth in this chapter. (3386-3/98)

17.10.030 Definitions: (3398-7/98)

(a) Abate/Abatement. As used in this chapter, the terms "abate" and "abatement" shall mean action to terminate, remove, stop, cease, repair, replace or otherwise remedy a nuisance related activity or condition by such means and in such manner as is necessary to the interest of the health, safety or general welfare of the public. (3386-3/98, 3398-7/98)

(b) City Administrator/Administrative Abatement Officer. As used in this chapter, "Administrative Abatement Officer" shall mean the City Administrator and any other person or persons designated by the city Administrator as being an Administrative Abatement Officer. (3386-3/98, 3398-7/98)

(c) Person/Responsible Person/Party. (3386-3/98, 3398-7/98)

(1) As used in this chapter, "Person"/"Responsible Person"/"Party" shall mean any individual, business or entity who is responsible for causing, maintaining or permitting a nuisance activity or condition. The terms "person," "responsible person" or "responsible party" include, but are not limited to, a property owner, tenant, person with a legal interest in real property or person in possession or occupying real property, the president or other officer of a corporation, a business owner or manager of a business. (3386-3/98, 3398-7/98)

(2) Any act of negligent or willful conduct of a minor which results in the creation or maintenance of a condition or activity which constitutes a nuisance within the meaning of this chapter shall be imputed to the parent or guardian having custody and control of the minor for all purposes, including the duty to abate the nuisance(s) and the imposition of administrative penalties and costs as provided for herein. The parent or guardian having custody and control of the minor shall be jointly and severally liable with the minor for any and all penalties or costs imposed pursuant to this chapter. (3386-3/98, 3398-7/98)

(d) Premises. As used in this chapter, the term "premises" shall mean any location, building, structure, residence, garage, room, shed, shop, store, dwelling, lot, parcel, land or portion thereof whether improved or unimproved. (3386-3/98, 3398-7/98)

17.10.040 Abatement of Nuisance Related Activities or Condition. Any activity, condition or premise(s) maintained as described herein is declared to be a public nuisance and shall be abated by cessation of the activity, rehabilitation, demolition, removal, repair or other appropriate remedy pursuant to the procedures set forth in this chapter. (3386-3/98, 3398-7/98)

17.10.050 Nuisance Designated. It is hereby declared a public nuisance, or an act in the nature of a public nuisance, for any person or party to cause, permit, abet or otherwise allow any premises in this City to be used in such a manner that any one or more of the activities or conditions described in the following subsections are found to occur thereon. (3386-3/98, 3398-7/98)

(a) Any condition or activity which is a "nuisance" or a "public nuisance" as defined in Sections 3479 and 3480 of the Civil Code of the State of California or which is specifically declared to constitute a nuisance or public nuisance by any statute of the State of California or by any ordinance of the City of Huntington Beach. (3386-3/98)

(b) The violation of any provisions of the following ~~Uniform~~California Codes which have been adopted, as amended, by the City of Huntington Beach: (3386-3/98)

(1) ~~*Uniform Building Code*~~California Building Code;
(2) ~~*National Electrical Code*~~California Electrical Code;
(3) ~~*Uniform Fire Code*~~Calfiornia Fire Code;
(4) ~~*Uniform Housing Code*~~California Residential Code;
(5) ~~*Uniform Plumbing Code*~~California Plumbing Code;
(6) ~~*Uniform Mechanical Code*~~California Mechanical Code;
(7) ~~*Uniform Code for the Abatement of Dangerous Buildings*~~Uniform Code for the Abatement of Dangerous Buildings;
(8) ~~*Uniform Swimming Pool, Spa and Hot Tub Code;*~~Uniform Swimming Pool, Spa and Hot Tub Code.
(9) ~~*Uniform Administrative Code.*~~

(c) The violation of any provision of the Huntington Beach Municipal Code, or the Huntington Beach Zoning and Subdivision Ordinance Code, or any code adopted by reference. (3386-3/98)

(d) The operation or maintenance of any business, trade or profession in violation of Title 5 of this Code, or lack of a proper certificate of occupancy. (3386-3/98)

(e) The frequent gathering, or coming and going, of people who have an intent to purchase or use controlled substances on or at any premises in this City. (3386-3/98)

(f) Participation in a criminal street gang as proscribed by California *Penal Code* Section 186.22. (3386-3/98)

(g) The making or continuing, or causing to be made or continued, of any loud, unnecessary or unusual noise which disturbs the peace and quiet of the neighborhood or which causes discomfort or annoyance to any reasonable person of normal sensitiveness residing in the area. (3386-3/98)

(h) The occurrence of criminal activity at any premises which threatens the life, health, safety or welfare of the residents of the premises, neighbors or the public. (3386-3/98)

(i) Buildings which are abandoned, boarded up, partially destroyed or left unreasonably in a state of partial construction. (3386-3/98)

(j) Land, the topography or configuration of which, whether in a man-made state or as a result of grading operations, excavation or fill, causes erosion, subsidence, or surface water drainage problems of such magnitude as to be injurious to the public health, safety and welfare or to adjacent properties. (3386-3/98)

(k) The failure to secure and maintain from public access all doorways, windows and other openings into vacant structures. (3386-3/98)

(l) Overgrown vegetation on developed property which: (3386-3/98)

(1) Harbors rats, vermin, and other disease carriers; or (3386-3/98)

(2) Causes detriment to neighboring properties or property values; or (3386-3/98)

(3) Causes a hazardous condition to pedestrian and/or vehicular traffic. (3386-3/98)

(m) Dead, decayed, diseased or hazardous trees, weeds and other vegetation on developed property which: (3386-3/98)

(1) Constitutes an unsightly appearance; or (3386-3/98)

(2) Creates danger to public safety and welfare; or (3386-3/98)

(3) Is detrimental to nearby property or property values. (3386-3/98)

(n) Abandoned, broken, neglected machinery or equipment which poses a potential hazard to the general public. (3386-3/98)

(o) Unprotected or hazardous excavations, swimming pools, and ponds. (3386-3/98)

(p) Broken or discarded furniture, household equipment and appliances on the premises which causes damage or is a detriment to neighboring properties. (3386-3/98, 3398-7/98)

(q) Packing boxes, lumber, dirt and other trash or debris outside commercial and industrial buildings which is visible from public streets and causes detriment to neighboring properties. (3386-3/98)

(r) Accumulation of dirt, litter or debris in doorways, adjoining sidewalks, parking lots and landscaped areas. (3386-3/98)

(s) Deteriorated parking lots which have pot holes, cracks and ridges. (3386-3/98)

(t) Fences in a state of disrepair or in a dilapidated condition. (3386-3/98)

(u) Premises including, but not limited to, building exteriors which are maintained in such condition as to become so defective, unsightly or in such condition of deterioration or disrepair that the same causes diminution of the property values of surrounding property or is materially detrimental to proximal properties and improvements. This includes, but is not limited to, the keeping and disposing of or the scattering over the property or premises of any of the following: (i) lumber, junk, trash or debris; (ii) abandoned or discarded or unused objects or equipment such as automobiles, furniture, stoves, refrigerators, freezers, cans or containers; (iii) stagnant water or excavation(s); (iv) any device, decoration, design, fence, structure, clothesline or vegetation which is unsightly by reason of its condition or inappropriate location; or (v) permitting or allowing any graffiti to remain on any building, wall, fence or structure. (3386-3/98)

(v) The use of any premises for the purpose of illegal gambling, lewdness, assignation, or prostitution as proscribed by state law or this Code. (3386-3/98)

(w) The maintenance, use, rental or lease of any premises, or subunit thereof, including single-family dwellings, where persons are allowed to congregate, gather or loiter in such a manner as to disturb the peace of other persons lawfully on the property itself or lawfully in the vicinity of the property. (3386-3/98)

(x) The use of any premises for the purpose of unlawfully selling, serving, storing, keeping, manufacturing or giving away any controlled substance, precursor, or analog as those terms are defined by state law. (3386-3/98)

(y) Noise disturbances in violation of Chapter 8.40 of this Code. (3386-3/98)

(z) Maintenance of properties or premises in such a manner as to cause substantial diminution of the enjoyment, use, or property values of adjacent properties. (3386-3/98)

(aa) The maintenance of any sidewalk or driveway located on private property which is debilitated, broken, damaged, or raised to such a degree as to be unsightly if it can be viewed from public property, or to be injurious to property or injurious to persons using said driveway or sidewalk. (3398-7/98)

(bb) The maintenance of property where buildings or structures have been left boarded up for a period in excess of ten (10) days without a valid demolition or building permit on file with the Huntington Beach Community Development Department or abate said boarded up condition. (3398-7/98)

(cc) The maintenance of buildings or structures used or intended to be used for dwelling purposes, storage or similar uses, because of dilapidation, decay, damage, or faulty construction or arrangement, or otherwise, is unsanitary or unfit for human habitation or use is in a condition that is likely to cause injury or be detrimental to the health, safety, or general welfare of those living in the area or within. (3398-7/98)

(dd) The maintenance of any building or portion thereof, including any dwelling unit, guestroom or suite of rooms, or the premises on which the same is located, in which there exists any of the following listed conditions to an extent that endangers the life, limb, health, property, safety, or welfare of the public or the occupants thereof shall be deemed and hereby is

declared to be a substandard building as defined in Section 17920.3 of the Health and Safety Code of the State of California.

17.10.051 Graffiti.

(a) Upon personal observation or the receipt of a complaint of graffiti or other inscribed material that is located on public or private property within the City so as to be capable of being viewed by a person utilizing any public right-of-way, the Director of Public Works or his/her representative may deliver or cause to be delivered a letter to the private or public property owner advising said owner that he/she is maintaining a public nuisance. The Director of Public Works or his/her representative is authorized to provide for the removal of such graffiti or other inscribed material at the City's expense upon the following conditions: (3739-7/06)

(1) Where a structure or personal property is owned by a public entity other than the city, the removal of the gaffiti or other inscribed material may be authorized only after securing the written consent of the public entity having jurisdiction over the structure or personal property and such entity executes a release and waiver approved as to form by the City Attorney. (3739-7/06)

(2) Where a structure or personal property is privately owned, the removal of the graffiti or other inscribed material may be authorized only after securing the written consent of the owner and the owner executes a release and waiver approved as to form by the City Attorney. (3739-7/06)

(3) In removing the graffiti or other inscribed material, the painting or repair of an area more extensive than where the graffiti or inscribed material is located shall not be authorized, unless the owner agrees to pay for the costs of repainting or repairing a more extensive area. (3739-7/06)

(b) If the public or private property owner's consent cannot be obtained, said owner shall have the duty to remove the graffiti or inscribed material at his/her expense, pursuant to the following provisions: (3739-7/06)

(1) The Director of Public Works or his/her designed shall cause written notice to be served upon the owner of the affected premises requiring that the graffiti or other inscribed material located on the property be painted over, repaired, or removed within 72 hours. (3739-7/06)

(2) The written notice may be served upon the property owner either by posting such on the affected premises or by certified mail. If written notice is made by certified mail, then service shall be complete at the time of deposit in the U. S. Postal Service. (3739-7/06)

17.10.052 Appeal of the Action by the Director of Public Works.

(a) If an owner served with written notice by the Director of Public Works or his/her designee requiring removal of graffiti or other inscribed written material from his/her property disagrees with the imposition of such an obligation on the basis that it is being wrongfully applied, compliance would result in undue hardship, or the belief that he/she should not be required to conform with Section 17.10.051(b) due to unique circumstances, he or she may appeal such decision to the City Administrator within ten (10) days after service of the written notice. The appeal shall be in writing to the City Administrator and shall set forth the basis of the appeal and be submitted with all supporting documents, if any. (3739-7/06)

(b) Within ten (10) days after receipt of the Notice of Appeal, the City Administrator or his/her designee shall render a written decision and mail a copy of such registered or certified mail

to the owner. Service of the written notice shall be complete at time of deposit in the U.S. Postal Service. (3739-7/06)

17.10.053 Appeal to the City Council.

(a) Any owner dissatisfied by the decision of the City Administrator may request a hearing before the City Council. Such a request must be filed with the City Clerk's office within ten (10) days after service of the written notice of the decision by the City Administrator. (3739-7/06)

(b) Within fifteen (15) days of receipt of request for a hearing, the City Administrator or his/her designee shall give not less than ten (10) days written notice by certified or registered mail of the date, time, and place of such a hearing to the applicant. The City Council, on appeal, shall consider all documents put forth by the applicant to the Director of Public Works and the City Administrator. The City Council may consider any additional evidence, including

points and authorities of law, that it deems necessary in rendering a decision. The decision of the City Council shall be final, and a notification of such shall be mailed to the owner. (3739-7/06)

17.10.054 Abatement of Graffiti by City.

(a) The City Council, after such public hearing, upon a finding of the existence of the graffiti or inscribed material and that such is designated as a nuisance under this Chapter, shall order the Director of Public Works to do said work, at the expense of the owner of the property, and provide for temporary payment of the same with city funds. (3739-7/06)

(b) At the completion of the work, the Director of Public Works must prepare a statement of the proceedings, reciting the existence of the nuisance, the description of the property, the names of the owners and occupants, if known, the giving of notices, the holding of the public hearing, the making of the work order by the City Council, the doing of the work, and the cost thereof. (3739-7/06)

(c) Such statement must be signed and verified by the Director of Public Works and filed with the City Council. (3739-7/06)

(d) All costs incurred by the city shall constitute a charge and special assessment upon such parcel of land. If such costs are not paid within a period specifically set by the city, they shall then be declared a special assessment against that parcel as provided in section 38773.5 of the Government Code. Such special assessment shall be collected at the same time and in the same manner as ordinary county taxes are collected, and shall be subject to the same penalties and the same procedures and sale in case of delinquency as provided for ordinary county taxes. The city shall retain the additional and independent right to recover its costs by way of civil action against the owner and person in possession or control, jointly or severally. (3739-7/06)

17.10.060 Violations.

(a) The owner or other person having charge or control of any such buildings or premises who maintains any public nuisance defined in this chapter, or who violates any notice of abatement served as provided in this chapter, is guilty of a MISDEMEANOR. (3386-3/98, 3739-7/06, 3739-7/06)

(b) Any occupant or lessee in possession of any such building or structure who fails to vacate said building or structure in accordance with a notice given as provided in this chapter is guilty of a MISDEMEANOR. (3386-3/98)

(c) Any person who obstructs, impedes or ir[illegible] ith any representative of the City Cou[illegible]

or with any representative of a City department or with any person who owns or holds any estate or interest in a building which has been ordered to be vacated, repaired, rehabilitated, or demolished or with any person to whom any such building has been lawfully sold pursuant to the provisions of this chapter when any of the aforementioned individuals are lawfully engaged in proceedings involving the abatement of a nuisance is guilty of a MISDEMEANOR. (3386-3/98)

17.10.070 Alternatives. Nothing in the foregoing sections shall prevent the City Attorney from commencing a civil or criminal proceeding to abate a public nuisance under applicable provisions of the California *Civil Code* or *Penal Code* as an alternative to the proceedings set forth herein. (3386-3/98, 3398-7/98)

17.10.080 Reward. The City Council may provide a reward, by resolution, for information leading to the identification and apprehension of any person who applies graffiti within the City. In cases where multiple persons are identified and apprehended, based on a single graffiti incident, only one reward is authorized. (3765-4/07, 3777-10/07)

LEGISLATIVE DRAFT

Chapter 17.24

SUN DECKS--WINDSCREENS

(1114-1/65, 2216-10/77, 2559-7/82, 2975-12/88, 3022-12/89, 3231-4/94, 3791-1/08)

Sections:

17.24.010 Construction
17.24.020 Railing
17.24.030 Windscreen
17.24.040 (Repealed – Ordinance No. 2216-10/77)
17.24.050 (Repealed - Ordinance No.. 2216-10/77)
17.24.060 Applicable to waterfront lots
17.24.070 (Repealed – Ordinance No. 2337-1/79)
17.24.080 (Repealed – Ordinance No. 2337-1/79)

17.24.010 Construction. Decks projecting beyond the bulkhead shall meet the following design requirements: (2975-12/88, 3022-12/89)

(a) Decks shall be designed to sustain a minimum live load of one hundred (100) pounds per square foot.

(b) There shall be no moment connection between the deck and the bulkhead.

(c) Projecting decks shall be designed to sustain all dead loads plus the required live load within the stresses permitted for the particular materials by the California Building Code. In no case shall the resultant load on the bulkhead, from dead loading, exceed seven-hundred and fifty (750) pounds per lineal foot. In addition, a maximum equivalent uniform live load of fifty (50) pounds per square foot is permitted. This live load shall be used to account for all ancillary features incorporated into the deck/patio structure including but not limited to overlayment, windscreens, and planters. (3022-12/89)

(d) Projecting decks are permitted along the bulkhead provided the total length of the deck along the bulkhead does not exceed eighty (80%) percent of the length of the bulkhead abutting the lot. (3022-12/89, 3231-4/94)

(e) The elevation of the top of the deck shall not be higher than the height of the slab of the ground floor of the dwelling unit nor be more than eighteen (18) inches above the top of the bulkhead, whichever is less. (1114-1/65, 2216-10/77, 3022-12/89))

(f) All decks shall be in conformance with the Huntington Beach Zoning and Subdivision Ordinance Code. (3231-4/94, 3791-1/08)

17.24.020 Railing. Railing, not exceeding forty-two (42) inches in height and capable of withstanding a horizontal force of ~~twenty~~fifty (~~2~~50) pounds per lineal foot applied to the top of the railing may be constructed completely surrounding the deck area. (1114-2/65, 2216-10/77)

17.24.030 Windscreen. The windscreens may enclose the entire deck perimeter within the following structural limitations:

(a) Windscreens may be supported horizontally by bracing to the main dwelling.

(b) The windscreen shall be designed to withstand a horizontal wind load of ten (10) pounds per square foot.

(c) Except for necessary framing and overhead windbreaks, all portions of the windscreen above the allowed forty-two (42) inch railing height shall be open or of clear glass or other transparent material.

17.24.060 Applicable to waterfront lots. This chapter shall apply only to lots designated as waterfront lots, and decks projecting beyond the bulkhead line shall be limited to wharfage areas assigned to said waterfront lots (1114-1/65, 2559-7/82)

LEGISLATIVE DRAFT

Chapter 17.44

PLUMBING CODE

(1409-5/68, 1630-2/71, 1937-10/74, 2089-8/76, 2282-5/78, 2337-1/79, 2431-7/80, 2747-2/85, 2976-12/88, 3022-12/89, 3147-7/92, 3309-12/95, 3426-7/99, 3575-10/02, 3790-1/08, 3896-12/10)

Sections:

17.44.010 Adoption
17.44.020 Title
17.44.022 Administration
17.44.025 Toilet facilities for workers
17.44.030 (Repealed - Ordinance No. 3790-1/08)
17.44.035 Materials
17.44.040 (Repealed - Ordinance No. 3022-12/89)
17.44.050 (Repealed - Ordinance No 3022-12/89)
17.44.060 (Repealed - Ordinance No 3147-7/92)
17.44.070 (Repealed - Ordinance No 3147-7/92)
17.44.080 (Repealed - Ordinance No 3147-7/92)
17.44.090 (Repealed - Ordinance No 3022-12/89)
17.44.095 (Repealed - Ordinance No.3790-1/08)
17.44.100 (Repealed - Ordinance No 3309-12/95)

17.44.010 Adoption. There is hereby adopted by the City Council by reference that certain code known as the 201~~0~~3 California Plumbing Code, and the whole thereof, including Appendices A, D, E, and I except as hereafter provided, but excluding Chapter 1, entitled "Administration." Such code, and amendments thereto, is hereby adopted and incorporated, pursuant to California Government Code § 50022.2 et seq., and Health and Safety Code § 18941.5 as fully as though set forth at length herein for the purpose of prescribing regulations governing the installation, alteration, repair and maintenance of plumbing and drainage systems. From the date on which this chapter takes effect, the provisions of said code, together with amendments thereto, shall be controlling within the corporate limits of the city of Huntington Beach. (1937-10/74, 2089-8/76, 2431-7/80, 2747-2/85, 2976-12/88, 3022-12/89, 3147-7/92, 3426-7/99, 3790-1/08, 3896-12/10)

17.44.020 Title. This chapter shall be known as the "Huntington Beach Plumbing Code," may be cited as such, and will be referred to herein as "this code." (1409-5/68, 1630-2/71, 1937-10/74, 2431-7/80, 2747-2/85, 2976-12/88)

17.44.022 Adminstration. For administrative provisions of this code see Chapter 1 of the Huntington Beach Building Code. (3896-12/10)

17.44.025 Toilet facilities for workers. §~~412.6~~422.5 is hereby amended by adding the following:

§~~412.6~~422.5 Toilet facilities for workers. Suitable toilet facilities shall be provided and maintained in a sanitary condition for the use of workers during construction. Such toilet facilities shall be located upon or within a reasonable distance of the lot, premises, or site upon which such work is being done. In no case shall the line of travel to any toilet facility exceed 500 feet.
(3147-7/92, 3575-10/02, 3790-1/08, 3896-12/10)

17.44.035 Materials. ~~Subsection 701.1.2 §701, is hereby amended to read as follows:~~
~~(3309-12/95, 3575-10/02)~~

~~§ 701.1.2 ABS and PVC DWV piping installations shall be installed in accordance with applicable standards referenced in Table 14-1. Except for individual single family dwelling units, materials exposed within ducts or plenums shall have a flamespread index of not more than 25 and a smoke-developed index of not more than 50, when tested in accordance with the Test for Surface Burning~~

~~Characteristics of the Building Materials (see the Building Code standards based on ASTM E-84 and ANSI/UL 723).~~ ~~(3790-1/08, 3896-12/10)~~

~~§ 701.1.2.2 ABS ABS and PVC DWV piping installations shall be limited to structures not more than two (2) stories in height of Type III, IV, or V construction.~~
~~(3147-7/92, 3309-12/95, 3426-7/99, 3575-10/02, 3896-12/10)~~

Protection of piping, materials and structures, Subsection 312.1, §312. All underground copper piping and PEX tubing installed in a potable water system throughout the city limits must be completely sleeved with a minimum 6 millimeter polyvinyl sleeve.

LEGISLATIVE DRAFT

Chapter 17.40

MECHANICAL CODE

(1408-5/68, 1628-2/71, 1938-10/74, 2172-3/77, 2235-12/77, 2282-5/78, 2337-1/79, 2431-7/80, 2747-2/85, 2976-12/88, 3022-12/89, 3147-7/92, 3312-2/96, 3425-7/99, 3574-10/02, 3790-1/08, 3895-12/10)

Sections:

17.40.010 Adoption
17.40.020 Title
17.40.025 Administration
17.40.030 (Repealed – Ordinance No. 3425 - 7/99)
17.40.040 ~~Commercial Kitchen Hoods~~(Repealed – Ordinance No. _____ /)
17.40.045 (Repealed – Ordinance No. 3790 – 1/08)
17.40.050 (Repealed – Ordinance No. 3790 – 1/08)
17.40.060 (Repealed – Ordinance No. 3790 – 1/08)

17.40.010 Adoption. There is hereby adopted by the City Council by reference that certain code known as the 201~~0~~3 California Mechanical Code, and the whole thereof, including appendices A, B, and C, except as hereinafter provided but excluding ~~c~~Chapters 1 and 14 thereof. Such code, and amendments thereto, is hereby adopted and incorporated, pursuant to California Government Code §50022.2 et seq., and Health and Safety Code §18941.5, as fully as though set forth at length herein, for the purpose of protecting public health and safety by prescribing by minimum standards for the use, design and installation of heating, ventilating, comfort-cooling equipment and refrigeration systems; by requiring a permit and inspection for the installation, alteration and replacement of said equipment. From the date on which this chapter takes effect, the provisions thereof shall be controlling within the corporate limits of the City of Huntington Beach. (1938-10/74, 2172-3/77, 2431-7/80, 2747-6/85, 2976-12/88, 3022-12/89, 3147-7/92, 3312-2/96, 3425-7/99, 3574-10/02, 3790-1/08, 3895-12/10)

17.40.020 Title. This chapter shall be known as the "Huntington Beach Mechanical Code," may be cited as such, and will be referred to herein as "this code." (1408-5/68, 1628-2/71, 1938-10/74, 2431-7/80, 2747-6/85)

17.40.025 Administration. For administrative provisions of the code see Chapter 1 of the Huntington Beach Building Code. (3892-12/10)

~~**17.40.040 Commercial Kitchen Hoods.** §508.1 is hereby amended by adding the following exception: (3574-10/02, 3790-1/08)~~

~~§508.1 Exceptions.~~

~~(1) A hood will not be required where the only warming appliance in the establishment consists of an enclosed electric convection oven having a capability of reaching a maximum temperature of 350° F. The oven must be listed by an approved testing agency and approved by the Orange County Health Department.~~
~~(3147-7/92, 3312-2/96, 3425-7/99, 3574-10/02, 3790-1/08)~~

(2) ~~A hood is not required over low temperature sanitizing type dishwashers with wash and rinse water temperatures that do not exceed 140 degrees Fahrenheit.~~ (3892-12/10)

LEGISLATIVE DRAFT

Chapter 17.46

UNIFORM SWIMMING POOL, SPA AND HOT TUB CODE

(3147-7/92, 3310-12/95, 3427-7/99, 3576-10/02, 3898-12/10)

Sections:

17.46.010 Adoption
17.46.015 Administration
17.46.020 Definitions
17.46.025 Pool, Spa and Hot Tub Outlets
17.46.030 Waste Water Disposal
17.46.050 Pool Enclosures and Barriers
17.46.055 Additional Single Family Residential Barrier Requirements
17.46.060 Construction Requirements
17.46.070 Authority to Abate
17.46.080 Installation of Gas Piping

17.46.010 Adoption. There is hereby adopted by the City Council by reference that certain code known as the Uniform Swimming Pool, Spa and Hot Tub Code (USPSHTC), compiled by the International Association of Plumbing and Mechanical Officials, being particularly the 200~~9~~12 edition thereof and the whole thereof, except as hereafter provided excluding Chapter 1, "Administration". Such code, and amendments thereto, is hereby adopted and incorporated pursuant to California Government Code § 50022.2 et seq., and Health and Safety Code § 18941.5 as fully as though set out at length herein for the purpose of protecting public health and safety by prescribing minimum standards for the use, design and installation of swimming pool, spa and hot tub systems; by requiring a permit and inspection for installation, alteration and replacement of said systems. From the date on which this chapter takes effect, the provisions thereof shall be controlling within the corporate limits of the City of Huntington Beach. (3147-7/92, 3310-12/95, 3427-7/99, 3898-12/10)

17.46.015 Administration. For administrative provisions of this code see Chapter 1 of the Huntington Beach Building Code. (3898-12/10)

17.46.020 Definitions. The USPSHTC is hereby amended by adding or modifying the following definitions: (3147-7/92, 3310-12/95, 3898-12/10)

§ 204 Barrier - A fence, wall, building wall or a combination thereof, which completely surrounds the swimming pool and obstructs access to the swimming pool. (3147-7/9, 3898-12/10)

§ 209 Grade - The underlying surface such as earth or a walking surface. (3147-7/92, 3898-12/10)

§ 218 Portable - A non-permanent structure intended for recreational bathing, in which all controls, water-heating and water-circulating equipment are an integral part of the product and which is cord connected (not permanently electrically wired). (3147-7/92, 3898-12/10)

§ 221 Swimming Pool - A swimming pool is any body of water having a depth exceeding eighteen (18) inches at any point, constructed, fabricated or installed for swimming, bathing or wading purposes. This includes in-ground, above-ground and on-grade pools, spas and hot tubs. (3147-7/92, 3576-10/02, 3898-12/10)

17.46.025 Pool, Spa and Hot Tub Outlets. § 309.4 is hereby amended to read as follows: (3898-12/10)

§ 309.4 Pool,Spa and Hot Tub Outlets. Whenever a building permit is issued for the construction of a new swimming pool or spa, the pool or spa shall meet all of the following requirements: (3898-12/10)

(1) The suction outlet of the pool or spa for which the permit is issued shall be equipped to provide circulation throughout the pool or spa as prescribed in paragraph (2). (3898-12/10)

(2) The swimming pool or spa shall have at least two circulation drains per pump that shall be hydraulically balanced and symmetrically plumbed through one or more "T" fittings, and that are separated by a distance of at least three feet in any dimension between the drains. Suction outlets that are less than 12 inches across shall be covered with antientrapment grates, a specified in the ASME/ANSI Standard A 112.19.8, that cannot be removed except with the use of tools. Slots or openings in the grates or similar protective devices shall be of a shape, area, and arrangement that would prevent physical entrapment and would not pose any suction hazard to bathers. (3898-12/10)

(3) Any backup safety system that an owner of a new swimming pool or spa may choose to install in addition to the requirements set forth in subdivisions (a) and (b) shall meet the standards as published in the document, "Guidelines for Entrapment Hazards: Making Pools and Spas Safer," Publication Number 363, March 2005, United States Consumer Product Safety Commission. (3898-12/10)

(4) Whenever a building permit is issued for the remodel or modification of an existing swimming pool, toddler pool, or spa, the permit shall require that the suction outlet of the existing swimming pool, toddler pool, or spa be upgraded so as to be equipped with an antientrapment cover meeting current standards of the American Society for Testing and Materials (ASTM) or the American Society of Mechanical Engineers (ASME). (3898-12/10)

§§ 309.4.1, 309.4.2, 309.4.3 and 309.4.4 are hereby deleted. (3898-12/10)

17.46.030 Waste Water Disposal. §313.1 is hereby amended to add the following exception: (3147-7/92, 3310-12/95, 3427-7/99, 3898-12/10)

§ 313.1--Exception: Spas and hot tubs under 750 gallons shall not be required to discharge into a sewer. (3310-12/95, 3427-7/99, 3898-12/10)

17.46.050 Pool Enclosures and Barriers. § 324 is hereby added to read as follows: (3147-7/92, 3898-12/10)

(a) Any swimming pool, hot tub, spa or similar outdoor body of water intended for swimming or recreational bathing, eighteen (18) inches or more in depth, shall contain an enclosure or barrier to conform to the following requirements: (3147-7/92, 3310-12/95, 3427-7/99)

Exception: Spas and Hot Tubs of less than 750 gallons may have a rigid locking cover to substitute for other barriers. (3310-12/95)

1. The top of the barrier shall be at least sixty (60) inches above grade measured on the side of the barrier which faces away from the swimming pool. (3147-7/92)

2. Openings in the barrier shall not allow passage of a four (4) inch diameter sphere. Shrubs, trees, or landscape materials cannot be considered as part of the barrier. (3147-7/92)

3. Solid barriers, such as masonry or concrete, or stone walls shall not contain indentations, or protrusions closer than forty-five (45") inches apart vertically, horizontally, or from top of wall, except for tooled masonry joints. (3147-7/92, 3576-10/02)

4. Any configuration providing ladder-like access allowing illegal entry to the pool area shall be prohibited. Ladder-like access shall mean any method or action such as climbing, crawling, pushing, jumping or other means to gain access to a pool or spa area. (3147-7/92)

5. Where the barrier is composed of horizontal and vertical members, the distance between the tops of the horizontal members shall be forty-five (45") inches or more. Openings between vertical members shall not exceed four (4") inches. (3147-7/92)

6. Maximum mesh size for chain link fences shall be a 1-1/4 inch square unless the fence is provided with slats fastened at the top or the bottom which reduce the openings to no more than 1-3/4 inches, the wire shall be not less than nine (9) gauge. (3147-7/92)

7. Where the barrier is composed of diagonal members, such as a lattice fence, the maximum opening formed by the diagonal members shall be no more than 1-3/4 inches. (3147-7/92)

8. All required pool fence and gate enclosures shall extend to within two (2") inches of firm soil or pavement. All access gates shall be constructed in compliance with all requirements stipulated for pool fences in items 1 through 7 above, and shall be equipped to accommodate a locking device. Access gates shall open outward away from the pool, spa, or hot tub, and shall be self-closing and have a self-latching device. The release mechanism of the self-latching device is to be located not less than sixty (60") inches from the bottom of the gate or adjoining grade. (3147-7/92)

9. The barriers and all self-closing and self-latching devices, required by this section, shall be installed and in proper working order before any water is placed in the pool. (3147-7/92)

10. A dwelling or appurtenant structure may be used as a part of the required enclosure. (3147-7/92)

11. Equivalent barriers may be approved on a case by case basis. (3427-7/99)

17.46.055 Additional Single Family Residential Barrier Requirements. § 324.1 is hereby added to read as follows: (3427-7/99, 3898-12/10)

§324.1 Single Family Residential Barrier Requirements. Whenever a construction permit is issued for construction of a new swimming pool or spa, or a construction permit is issued for remodeling of an existing swimming pool or spa, at a private, single family home it shall be equipped with at least one of the following seven drowning prevention safety features: (3427-7/99, 3898-12/10)

1. The pool shall be isolated from the home by a barrier conforming to Section 17.46.050 HBMC. (3427-7/99)

2. The pool shall be equipped with an approved safety pool cover that meets all of the requirements of ASTM Specification F 1346. (3427-7/99, 3898-12/10)

3. The residence shall be equipped with exit alarms listed in accordance with UL 2017 on those doors providing direct access to the pool, including garage exit doors. (3427-7/99, 3898-12/10)

4. All doors providing direct access from the home or garage to the swimming pool shall be equipped with a self-closing, self-latching device with a release mechanism placed no lower than 54 inches above the floor. (3427-7/99, 3898-12/10)

5. The swimming pool shall incorporate removable mesh pool fencing that meets ASTM Specification F-2286 standard in conjunction with a gate that is self-closing and self-latching and can accommodate a key lockable device. (3898-12/10)

6. Swimming pool alarms that, when placed in pools, will sound upon detection of accidental or unauthorized entrance into the water. These pool alarms shall meet and be independently certified to comply with ASTM Standard F-2208 "Standard Specification for Pool Alarms" which includes surface motion, pressure, sonar, laser and infrared type alarms. For purposes of this article, "swimming pool alarms" shall not include swimming protection alarm devices designed for individual use, such as an alarm attached to a child that sounds when the child becomes submerged in water. (3898-12/10)

7. Other means of protection, if the degree of protection afforded is equal to or greater than that afforded by any of the devices set forth above, and have been independently verified by an approved testing laboratory as meeting standards for those devices established by the ASTM or the American Society of Mechanical Engineers (ASME) as determined by the building official. (3427-7/99, 3898-12/10)

17.46.060 Construction Requirements. § 325 is hereby added to read as follows: (3147-7/92, 3310-12/95, 3898-12/10)

All swimming pool construction shall be in conformance with engineered design for expansive soils, unless a soils report by a registered engineer, approved by the building official, indicates otherwise. (3147-7/92, 3427-7/99)

17.46.070 Authority to Abate. §326 is hereby added to read as follows: (3147-7/92, 3898-12/10)

(a) It shall be unlawful and is hereby declared to be a public nuisance for any person owning, leasing, occupying or having charge of any residential property in the City to maintain such premises in such a manner that any of the following conditions are found to exist thereon: (3147-7/92)

1. The failure to secure and maintain from public access all doorways, gate access and other openings, with regards to the barrier requirements of this code. (3147-7/92)

2. Uncleanliness of swimming pool water as determined by the Building Official. All swimming pool and spa water shall be maintained in a clear condition which is free of algae, insects, debris and in a sanitary condition. The entire floor of the swimming pool shall be clearly visible. (3147-7/92)

(b) Where a nuisance exists, the building official shall require the nuisance or violation to be abated and where necessary, shall seek such abatement in the manner provided by law. (3147-7/92)

17.46.080 Installation of Gas Piping. Chapter 5 is amended to read as follows: (3147-7/92, 3310-12/95, 3427-7/99)

§Chapter 5. Fuel gas piping shall be installed in accordance with the requirements of the Huntington Beach Plumbing Code. (3427-7/99)

LEGISLATIVE DRAFT

Chapter 17.48

ELECTRICAL CODE

(1520-9/69, 1671-10/71, 1674-10/71, 1742-4/72, 1750-6/72, 1935-10/74, 2173-4/77, 2276-12/88, 2431-7/80, 2567-9/82, 2787-9/85, 2976-12/88, 3022-12/89, 3115-6/91, 3311-12/95, 3428-7/99, 3577-11/02, 3719-8/05, 3790-1/08, 3897-12/10)

Sections:

17.48.010 Adoption
17.48.020 Title
17.48.025 Administration
17.48.030 (Repealed – Ordinance No. 3428-7/99)
17.48.040 Grounding Electrodes
17.48.050 (Repealed – Ordinance No. 3790-1/08)
17.48.060 (Repealed – Ordinance No. 3790-1/08)
17.48.080 (Repealed – Ordinance No. 2976-12/88)
17.48.090 (Repealed – Ordinance No. 2976-12/88)
17.48.100 (Repealed – Ordinance No. 2976-12/88)

17.48.010 Adoption. There is hereby adopted by the City Council by reference that certain code known as the 201~~0~~3 California Electrical Code, excepting Article 89 and except as hereafter provided. Such code is hereby adopted and incorporated pursuant to Government Code § 50022.2 et seq. and Health and Safety Code §18941.5 for the purpose of prescribing regulations governing the installation, alteration, repair and maintenance of all electrical installations in the City of Huntington Beach, and repealing all ordinances and parts of ordinances in conflict therewith. From the date on which this chapter takes effect, the provisions of said code, together with amendments thereto, shall be controlling within the corporate limits of the city of Huntington Beach. (1935-10/74, 2431-7/80, 2567-9/82, 2787-9/85, 2976-12/88, 3022-12/89, 3115-6/91, 3311-12/95, 3428-7/99, 3577-10/02, 3719-8/05, 3790-1/08, 3897-12/10)

17.48.020 Title. This chapter shall be known as the "Huntington Beach Electrical Code," may be cited as such, and will be referred to herein as "this code." (1935-10/74, 2173-4/77, 2431-7/80, 2567-9/82, 2787-9/85)

17.48.025 Administration. For administrative provisions of this code see Chapter 1 of the Huntington Beach Building Code. (3897-12/10)

17.48.040 Grounding Electrodes. Section 250.52 (3719-08/05, 3897-12/10)

250.52 (A) (5) Rod and pipe electrodes is amended to read as follows: (3719-08/05)

250.52 (A) (5) Rod and Pipe Electrodes: Rod electrodes shall not be less than 2.5m (8 ft.) in length, and shall consist of the following materials: (3719-08/05)

a) Permanent rod electrodes shall be stainless steel. (3719-08/05)
b) Temporary rod electrodes for temporary construction power poles may be copper or copper clad. (3719-08/05)
c) Stainless steel rods less than 15.87 mm (5/8 in.) in diameter and nonferrous rods shall be listed and shall not be less than 13mm (1/2 in.) in diameter. (3719-08/05)

LEGISLATIVE DRAFT

Chapter 17.60

SOLAR ENERGY CODE

(2178-4/77, 2431-7/80, 2787-9/85, 2976-12/88, 3022-12/89, 3147-7/92, 3308-12/95, 3429-7/99, 3899-12/10)

Sections:

17.60.010 Adoption
17.60.015 Administration
17.60.020 Title
17.60.025 Electrical
17.60.030 (Repealed--3022-12/89)
17.60.040 (Repealed--3022-12/89)

17.60.010 Adoption. There is hereby adopted by the City Council by reference that certain code known as the Uniform Solar Energy Code, compiled by the International Association of Plumbing and Mechanical Officials, being particularly the 20~~09~~12 edition thereof and the whole thereof, except as hereafter provided, excluding Chapter1, "Administration". Such code, and amendments thereto, is hereby adopted and incorporated pursuant to California Government Code sections 50022.2 et seq., and Health and Safety Code Section 18941.5 as fully as though set out at length herein for the purpose of protecting public health and safety by prescribing minimum standards for the use, design and installation of solar energy systems; by requiring a permit and inspection for installation, alteration and replacement of said equipment. From the date on which this chapter takes effect, the provisions thereof shall be controlling within the corporate limits of the city of Huntington Beach. (2178-4/77, 2431-7/80, 2787-9/85, 2976-12/88, 3022-12/89, 3147-7/92, 3308-12/95, 3429-7/99, 3899-12/10)

17.60.015 Administration. For administrative provisions of this code se Chapter 1 of the Huntington Beach Building Code. (3899-12/10)

17.60.020 Title. This chapter shall be known as the "Huntington Beach Solar Energy Code," may be cited as such and will be referred to herein as "this code." (2178-4/77, 2431-7/80, 3022-12/89)

17.60.025 Electrical. Chapter 10 is amended to read as follows: (3899-12/10)

Chapter 10. Electrical installations shall be in accordance with the requirements of the Huntington Beach Electrical Code. (3899-12/10)

THE CITY COUNCIL OF THE CITY OF HUNTINGTON BEACH DOES HEREBY EXPRESSLY FIND AND DETERMINE THAT THE AMENDMENTS SET FORTH IN ORDINANCE NOS. 3993 – 4003 AMENDING THE FOLLOWING SECTIONS ARE REASONABLY NECESSARY BECAUSE OF LOCAL CLIMATIC, GEOLOGICAL OR TOPOGRAPHIC CONDITIONS, OR ADMINISTRATIVE IN NATURE.

ORDINANCE NO. 3993 - 2013 HUNTINGTON BEACH BUILDING CODE

- All amendments are administrative in nature and not subject to findings.

ORDINANCE NO. 3994 - 2013 HUNTINGTON BEACH GREEN BUILDINGS STANDARD CODE

- **Section A4.106.8** – All amendments are administrative in nature and not subject to findings.

  Finding - The amendment is reasonably necessary to address the following administrative condition:

  Added Tier 2 (voluntary requirements) language in Appendix A4 of the California Green Buildings Standard Code to address city council directive to provide electric vehicle (EV) supply equipment standards for all new developments.

- **Section A5.106.3** – All amendments are administrative in nature and not subject to findings.

  Finding - The amendment is reasonably necessary to address the following administrative condition:

  Added Tier 2 (voluntary requirements) language in Appendix A4 of the California Green Buildings Standard Code to address City Council directive to provide electric vehicle (EV) supply equipment standards for all new developments.

ORDINANCE NO. 3995 - 2013 HUNTINGTON BEACH RESIDENTIAL CODE

- **Chapter 45**-All amendments are administrative in nature and not subject to findings.

  Finding – The amendment is reasonably necessary to address the following administrative condition:

  The California Model Building Security Ordinance (CMBSO), published in January 1978, was drafted by the California Crime Prevention Officers Association in conjunction with the California Attorney General's Office and addresses both residential and nonresidential structures.

  Many cities and counties have adopted the CMBSO, receiving national exposure through manufacturers associations and publications in crime prevention literature.

The City of Huntington Beach adopted the Building Security Ordinance and notified all builders concerning the code. The Building Security Ordinance is found in the City of Huntington Beach Municipal Building Code. It should also be included in the City of Huntington Beach Residential Code since most of the provisions are related to one and two family dwelling units. This sub-section will require that every door, lock, window, and other security items are inspected, verifying that they are approved for use and that they function properly.

Project plans submitted to the City for "building plan check" are reviewed and must include pertinent ordinance requirements. The Building Division, as the enforcing authority for the Building Security Ordinance, conducts inspections to ensure compliance prior to final building inspection approval.

ORDINANCE NO. 3996 – HUNTINGTON BEACH HOUSING CODE

- All amendments are administrative in nature and not subject to findings.

ORDINANCE NO. 3997 – HUNTINGTON BEACH NUISANCE CODE

- **Section 17.10.050 Nuisance designated, Subsection (b)** - All amendments are administrative in nature and not subject to findings.

- **Section 17.10.050 Nuisance designated, Subsection (dd)** - California Health and Safety Code 17920.3 was added to establish minimal standards for enforcement of substandard housing and to be consistent with State Law.

ORDINANCE NO. 3998 - SUN DECKS- WINDSCREENS CODE

- All amendments are administrative in nature and not subject to findings.

ORDINANCE NO. 3999- 2013 HUNTINGTON BEACH MECHANICAL CODE

- **Section 508.1** - All amendments are administrative in nature and not subject to findings – Repeal.

ORDINANCE NO. 4000 - 2013 HUNTINGTON BEACH PLUMBING CODE

- **Section 701.1.2** - All amendments are administrative in nature and not subject to findings – Repeal.

- **Section 701.1.2.2** - All amendments are administrative in nature and not subject to findings - Repeal.

- **Section 312.1** - Amended to protect copper and PEX piping to those suitable for corrosive soils.

  Finding - The amendment is reasonably necessary to address the following geological conditions: Significant areas of Huntington Beach contain corrosive soils. Copper and PEX piping must be wrapped, sleeved or otherwise protected from corrosion.

<u>ORDINANCE NO. 4001</u> - 2012 UNIFORM SWIMMING POOL, SPA AND HOT TUB CODE

- All amendments are administrative in nature and not subject to findings.

<u>ORDINANCE NO. 4002</u> - 2013 HUNTINGTON BEACH ELECTRICAL CODE

- All amendments are administrative in nature and not subject to findings.

<u>ORDINANCE NO. 4003</u> - 2012 UNIFORM SOLAR ENERGY CODE

- All amendments are administrative in nature and not subject to findings.

2013 Huntington Beach Building and Safety Codes and Related Ordinances

HUNTINGTON BEACH

Department of Planning & Building

Timeline

- Every three years the California Building Standards Commission is charged with adopting and publishing the State Building Codes.
  - State adoption and publishing for the current code cycle was July 1, 2013
  - Cities and counties have a six month time frame to modify local codes
  - State adopted codes become effective January 1, 2014
  - Introduction of HBMC Title 17 “Building and Construction” and Modifications presented to CC October 21, 2013
  - Public hearing on November 18, 2013

Update all HBMC's to reflect the Current Referenced Codes

- 2013 California Building Code
- 2013 California Green Building Standards Code
- 2013 California Residential Code
- 2013 California Mechanical Code
- 2013 California Plumbing Code
- 2012 Uniform Swimming Pool, Spa, and Hot Tub Code
- 2012 Uniform Solar Energy Code

Additional Modifications to Title 17

- Huntington Beach Residential Code (Section 17.07.090)
  - Add - Minimum standards of construction for protection of unlawful entry
- Huntington Beach Mechanical Code (Section 17.40.040)
  - Repeal – Commercial Kitchen Hood Exceptions
- Huntington Beach Plumbing Code (Section 17.44.035, Sub-Sections 701.1.2, 701.1.2.2, 312.1)
  - Repeal – ABS and PVC DWV pipe installation Per Table 14-1
  - Repeal – ABS and PVC installations are limited to two stories
  - Add - Establish minimum standards for underground potable water systems (PEX and copper piping)

Additional Modifications to Title 17 (Continued)

- Huntington Beach Green Building Standards Code (Section 17.06.030)
  - Add – Establish electric vehicle supply equipment standards for residential and non-residential developments
- Sun Decks-Windscreens Code
  - Revised – Reflect current codes
- Huntington Beach Nuisance Code (Section 17.10.050)
  - Revised – Reflect current codes

Recommendation

- Approve Adoption of Ordinance Nos. 3993-4003 codifying the current 2013 California Building and Safety Codes, 2012 Uniform Codes, and modifications to Title 17

CITY OF HUNTINGTON BEACH
REQUEST FOR CITY COUNCIL ACTION

MEETING DATE: 11/18/2013

SUBMITTED TO: Honorable Mayor and City Council Members

SUBMITTED BY: Fred A. Wilson, City Manager

PREPARED BY: Travis K. Hopkins, PE, Director of Public Works

SUBJECT: Adopt the 2013 Bicycle Master Plan (BMP) prepared for the City of Huntington Beach

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Statement of Issue: Preparation of the Bicycle Master Plan for the City is complete and is presented to City Council for approval. The Bicycle Master Plan will serve as a comprehensive guiding document for development and improvement of the City's bicycle infrastructure.

Financial Impact: Funding in the amount of $81,000 was appropriated from AQMD funds for the development of the plan. Adoption of the Bicycle Master Plan will not require the expenditure of any additional funds, but will likely lead to future projects being programmed in the Capital Improvement Program.

Recommended Action: Motion to:
Adopt the 2013 Bicycle Master Plan prepared for the City of Huntington Beach which is consistent with implementation actions identified in the General Plan Circulation Element.

Alternative Action(s): Do not adopt the Bicycle Master Plan and direct staff on how to proceed.

Analysis: In 2011, the City allocated AQMD funding to prepare a City-wide Bicycle Master Plan (BMP) for Huntington Beach. The BMP is intended to serve as a comprehensive blueprint to meet the needs of cyclists in the City. Completion of the BMP will allow the City to compete for Bicycle Transportation Account (BTA) and other bikeway funds. The BTA is a program providing State funds for city and county projects that improve safety and convenience for bicycle commuters. The BMP must address items identified in *Streets and Highways Code Section 891.2*, be adopted by the city or county, and approved by the local agency's regional transportation planning agency to establish funding eligibility.

In preparation of the Bicycle Master Plan, the selected consultant, KTU+A, conducted field reviews of Huntington Beach and surrounding cities and obtained various City provided information that would be used to assist with the development of the plan. Additionally, two public workshops were conducted in June 2012 and April 2013, respectively, to discuss the preparation of the plan and to solicit public input. KTU+A also hosted an on-line survey to assist with gathering information from the public regarding bicycle use in the City. Based on input from the City Bicycle/Pedestrian Advisory Committee, staff, the two public workshops, and the plan's public draft review comments, KTU+A prepared a draft Bicycle Master Plan for City Council consideration.

The Bicycle Master Plan includes the approach and goals of the plan, findings on existing bicycle facilities, bicycle use, and bike programs in the City, along with additional material that addresses the requirements for BTA funding eligibility. The plan also presents an existing condition analysis and a comprehensive bicycle facility recommendation section identifying potential improvements to the existing bikeway system and new facilities in the City. Additional aspects examined in the plan include recommendations to increase bicycle parking, bicycle programs, safety improvements, and facility planning. A section detailing potential funding sources for bikeway projects is also included.

The BMP is comprehensive, but there are a few key components that will directly affect Staff decisions as we consider incorporating recommendations into upcoming capital projects and pursue grant funds. The BMP includes several tables that present a list of recommended projects prioritized within the distinct bicycle classifications. These recommendations are primarily located in Chapter 3 of the BMP. The plan identifies nine bike path/multi-purpose trail (Class I facilities), twenty one on-street bike lane projects (Class II facilities), eleven bike route projects (Class III facilities), and four additional Class III facility projects recommended for Bike Boulevards.

The Recommendations chapter also identifies several areas where special design issues exist on existing facilities that may put cyclists in a bike lane adjacent to parked vehicles. Design recommendations are presented to help improve overall bicycling safety in these areas when conditions permit.

The BMP also includes several design recommendations for the various types of facilities that go beyond what has traditionally been implemented in the City. The recommendations include dimensional recommendations for facilities, improved signing and pavement marking treatments, use of new treatments such as sharrows and bike boulevards, and bike parking facilities. As opportunities arise, Staff will evaluate incorporating these recommendations into different types of projects, including developing new capital projects specifically targeting improving bicycle facilities.

On August 19, 2013, the Draft Bicycle Master Plan was presented at a City Council Study Session to seek final comments on the plan from City Council, stakeholders and the public before finalizing the plan. An overview of the development process, plan recommendations, and status of the plan was discussed. After receiving final comments, the consultant prepared this final draft document for City Council consideration.

Public Works Commission Action: None required. The Bicycle Master Plan was presented to the Public Works Commission on July 17, 2013, as an informational item.

Community Services Commission Action: None required. The Bicycle Master Plan was presented to the Community Services Commission on July 10, 2013, as an informational item.

Environmental Status: The project is categorically exempt from CEQA

Strategic Plan Goal: Improve the City's infrastructure

Attachment(s):

1. Bicycle Master Plan

BICYCLE MASTER PLAN

City of Huntington Beach, California

Acknowledgements

This Bicycle Master Plan was prepared for the City of Huntington Beach with the assistance of the Bicycle Advisory Committee (BAC). Members directly involved in plan development were:

City Project Manager	**Darren Sam, P.E.**
Former BAC President	**Jim Powers**
Current BAC President	**Dan Hazard**
City Transportation Manager	**Bob Stachelski**
Mayor	**Connie Boardman**

Additional input was provided by participants at two community workshops and respondents via the project online opinion survey.

Prepared by KTU+A Planning + Landscape Architecture

Principal	**Mike Singleton, AICP-CTP, ASLA, LEED AP**
Project Manager/Planner	**John Eric Holloway, ASLA, LEED Green Associate, LCI**
Mobility Planners	**Joe Punsalan, GISP, LCI**
	Catrine Machi, AICP, LCI

Facility planning and transportation engineering support provided by Fehr & Peers Transportation Consultants.

Senior Transportation Planner	**Matt Benjamin, AICP**
Senior Transportation Engineer	**Charles Alexander, P.E.**

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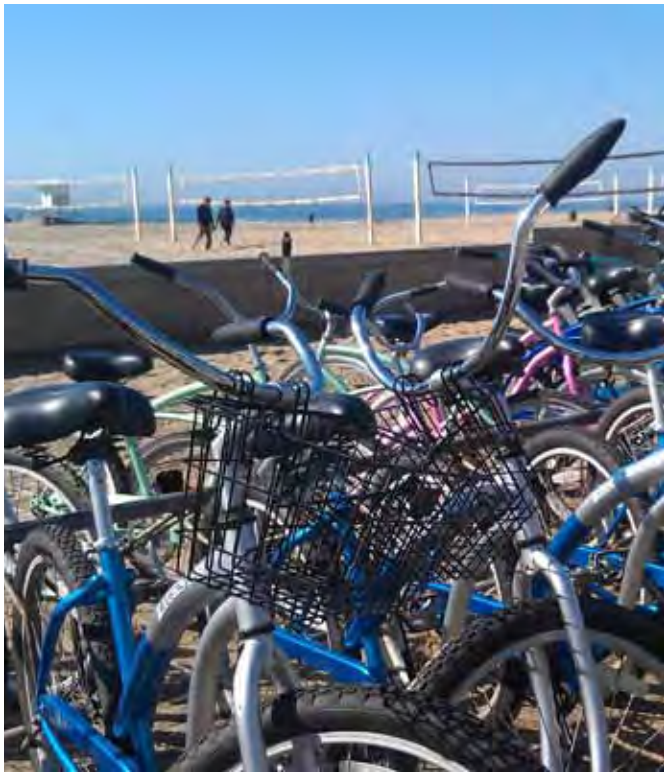
Executive Summary

Background

Developing this bicycle master plan was a goal shared by the City of Huntington Beach, its Bicycle Advisory Committee and the Huntington Beach Bicycle Advocates (HuBBA). Adoption of such a plan was a way to improve on the City's League of American Bicyclists' (LAB) Bicycle Friendly Community Bronze level designation the City had already achieved based on its 2010 application. At that time, the LAB indicated that the City was likely to achieve Silver level status with Council adoption of a bicycle master plan. In support of this upgrade, this Bicycle Master Plan is item 2 of HuBBA's proposed *Bicycle Friendly Plan*. The other items had already been initiated or accomplished, or are ongoing:



HuBBA Bicycle Friendly Plan

1. *Publicize the city's pride in being bicycle friendly and make a public commitment to become an even more bicycle friendly city.*
2. *Create an approved Bicycle Master Plan for the city.*
3. *Conduct bicycle traffic skills classes for teens and adults in the city's Community Services Department.*
4. *Promote bicycle safety classes in our schools.*
5. *Encourage safe routes to school programs throughout the city.*
6. *Implement a publicity program to educate the public about sharing the road.*
7. *Recognize and publicize a city-wide Bike to Work Day and Bike Month with a series of bicycle oriented events.*
8. *Supplement the police training curriculum to add more emphasis on the vehicle code as it applies to cyclists and the concept of vehicular cycling.*
9. *Survey all bicycle lanes to verify that they are up to current CA MUTCD standards.*
10. *Improve our heavily used beach multi-use paths to reduce the hazardous conflicts that occur between pedestrians and cyclists.*
11. *Designate one qualified city employee as a Bicycle Program Coordinator.*
12. *Form a Bicycle Advisory Board within the city government to include representatives from all city departments involved in bicycle related actions, as well as citizen representatives of the cycling community.*
13. *Aggressively seek outside funds including grants to help support our bicycle friendly actions.*

Approach and Goals

This Bicycle Master Plan's overall objective is an integrated system of infrastructure, programs and policies that makes cycling attractive for those that do not now regularly ride in Huntington Beach, and supports those who already opt to ride their bicycles instead of driving their motor vehicles.

Cyclists' unique characteristics, needs and priorities must be taken into account when making facility, policy or program recommendations. It is therefore imperative that a "cycling perspective" guide bicycle planning. This study was developed by planners who routinely commute by bicycle and fully understand the implications of alternative travel. For example, potential bicycle routes were ridden to experience them firsthand, particularly routes or locations noted in community comments as forbidding to some users due to high motor vehicle speeds or volumes.

Cycling should be considered a fundamental component of overall transportation planning, which addresses on- and off-streets bicycle facilities, as well as modal integration at transit centers and parking facilities. Balancing resources require consideration of all modes, including cycling.

Planning for bicycles should not be focused on any particular facility type so much as it should be focused on the safe and efficient travel of cyclists of all ages and abilities, while addressing other user needs where shared use is appropriate. This will generally require using both the existing transportation infrastructure and the construction of special facilities for cyclists.

The coexistence of cyclists and vehicle drivers on roads requires that all are sensitive to and recognize a common set of rules. Training, education and enforcement are as important as physical planning and design and are addressed as such in this plan.

Facility maintenance, monitoring and performance assessment are critical for ensuring safe and efficient travel for cyclists. Planning for them is an ongoing process.

Land use and transportation planning should support projects that reduce automobile dependence. This study acknowledges and supports future land use and population projections with facility and program recommendations to continue to reduce auto reliance.

This Bicycle Master Plan specifically supports the other points noted previously by recommending facilities, programs and policies designed to make the City of Huntington Beach a more bicycle-friendly place and encouraging more residents to ride rather than drive. Its emphasis on programs and policies reflects the fact that the City already has a network of bicycle lanes in place, and is likely to achieve increased bicycle usage through both improved facilities and program and policy initiatives. By providing a comprehensive range of bicycle friendly infrastructure, programs and policies, Huntington Beach can become a true "cycling community."

Significant Findings

Compared to other coastal southern California cities, Huntington Beach is relatively flat, which makes regular cycling feasible for most riders. Along with level terrain, its grid street system, beachfront paths and excellent weather support year round cycling.

However, compared to other cities on a per capita basis, the City has had a relatively high number of collisions involving cyclists during the past five years for which data were reviewed, though most occurred in the downtown beach area and did not result in serious injury. It is likely that this area's commonly high level of congestion plays a role because lower speeds significantly reduce injury severity.

While most of Huntington Beach's arterials already have bicycle lanes, some of their posted speed limits and traffic volumes create uncomfortable conditions for many would-be regular cyclists. In addition, within the larger blocks created by the arterial network, many streets do not connect, impeding connectivity and forcing users to go out of their way via the arterials.

Connections with surrounding communities and the overall region are needed to make cycling a viable commuter mode. This will require close coordination with Caltrans, the Southern California Association of Governments (SCAG), the Orange County Transportation Authority (OCTA) and adjacent cities to ensure that planned improvements are implemented in a timely manner and that they connect with the City in a way that will make potential bicycle commuters seriously consider riding instead of driving.

Where residents and visitors choose to go and how they move about the City will be influenced by the perceived completeness and safety of bicycle facilities. Improved connections with the overall regional bicycle network will become increasingly valuable as commuting by bicycle increases.

Bicycles can play a significant intra-city travel role since Huntington Beach is large enough to make cycling convenient, but small enough to put all destinations within a reasonable cycling range. Quality facilities, including clear wayfinding and convenient bicycle parking, can make the difference between riding and not riding. Support programs can also help to encourage bicycle use, such as a centralized web portal where users can access information on bicycle facilities, suggested routes, parking, training, classes and other services to make cycling more convenient.

Linking bicycle improvements with other mobility modes, such as bus and rail service, enhances the effectiveness of all since some intra-city trips and many commuting trips involve more than one mode. Making the connections between modes as seamless as possible will do much to encourage residents and visitors to arrive via some other mode than driving their own vehicle.

Applicable Legislation

It will be difficult for the State of California to reach its transportation-related GHG reduction targets without increasing cycling. The impact of several recent legislative acts may therefore be enhanced by the implementation of effective bikeway master plans.

AB 1358 The Complete Streets Act

AB 1358 requires a city or county's legislative body, when revising their general plan's circulation element, to identify how the jurisdiction will provide routine accommodation of all roadway users, including vehicle drivers, pedestrians, cyclists, individuals with disabilities, seniors, and users of public transportation. The bill also directs the Office of Planning and Research to amend guidelines for the development of general plan circulation elements so that the building and operation of local transportation facilities safely and conveniently accommodate everyone, regardless of their mode of travel.

AB 32 Global Warming Solutions Act

AB 32 calls for the reduction of greenhouse gas emissions and sets the 2020 emissions reduction goal into law. This act also directs the California Air Resources Board to develop specific early actions to reduce greenhouse gases while also preparing a scoping plan to identify how best to reach the 2020 limit.

SB 375 Redesigning Communities to Reduce Greenhouse Gases

This bill seeks to reduce vehicle miles traveled through land use and planning incentives. Key provisions require the larger regional transportation planning agencies to develop more sophisticated transportation planning models, and to use them for the purpose of creating "preferred growth scenarios" in their regional plans that limit greenhouse gas emissions. The bill also provides incentives for local governments to incorporate these preferred growth scenarios into the transportation elements of their general land use plans.

AB 1581 Bicycle and Motorcycle Traffic Signal Actuation

This bill defines a traffic-actuated signal as one that displays one or more of its indications in response to the presence of traffic detected by mechanical, visual, electrical, or other means. Upon the first placement or the replacement of a traffic-actuated signal, the signal would have to be installed and maintained, to the extent feasible and in conformance with professional engineering practices, so as to detect lawful bicycle or motorcycle traffic on the roadway. Caltrans has adopted standards for implementing the legislation.

Cycling Benefits

Reduced greenhouse gas (GHG) emissions and traffic congestion are community benefits attributable to cycling. Increasing levels of cycling also has positive impacts on local and regional air quality, rider finances and community health.

Environmental Benefits

Although vehicles emissions have been dramatically reduced in recent decades due to regulations and technological improvements, they still impact air quality and human health. Motor vehicles are a significant contributor to air pollution, which can cause asthma, bronchitis, pneumonia and decreased resistance to respiratory infections. Fewer people per capita cycle in the United States than in most other countries and the nation is a leader in petroleum consumption.

In California, 40 percent of carbon dioxide (CO_2) emissions are produced by the transportation sector. While CO_2 is not the most harmful greenhouse gas, it is the most abundant. Even after accounting for the global warming potentials of other greenhouse gases (comparing them in terms of CO_2), 95-99 percent of vehicle emissions are CO_2. The EPA found that the average vehicle emits 0.95 pounds of CO_2 per mile. Therefore, almost 10 pounds of carbon dioxide emissions could be avoided each day if an individual with a five mile (each way) commute switched from driving to an active transportation mode like cycling.

Increased cycling obviously benefits all residents by reducing fossil fuel emissions and traffic congestion. Employing travel, emissions and population data for Orange County and then extrapolating from them Huntington Beach's proportion of the county's overall population, each one percent replacement of light-duty vehicle* trips** with bicycle trips (tons/day) yields the following reductions:

- Vehicle Miles Traveled (VMT): 41,176 miles/year
- Smog-Forming Gases: 110 pounds/day
- Inhalable Particles***: 22 pounds/day
- Carbon Monoxide: 620 pounds/day

**Vehicles such as passenger cars and light trucks (GVWR < 5,751 lbs.)*
***Average trip length of 1.8 Miles*
****Includes tire and brake wear*

Source: California Environmental Protection Agency – Air Resources Board

Economic Benefits

Cycling is a low cost activity that can be easily incorporated into an individual's daily life, such as commuting to work or running errands. In mild climate areas like Huntington Beach's, cycling can occur year round. Residents can benefit financially from improved cycling infrastructure. Cycling to and from work can save money and people who regularly drive pay higher costs than those who bike. Beyond the up-front cost of their vehicle, there is maintenance, insurance and often parking. According to the American Automobile Association, daily driving now costs more than $2,000 annually. Based on an example wage of ten dollars an hour, a vehicle owner must work 200 hours per year to pay for his or her commute by car. By comparison, a cyclist only has to work about 30 hours per year to pay for commuting by bicycle.

Health Benefits

A significant percentage of Americans are overweight or obese, and while the epidemic has shown signs of leveling off, recent projections indicate that 42 percent of the population will be obese by 2030. To combat this trend and prevent a variety of diseases, the Center for Disease Control (CDC) suggests a minimum of 30 minutes of moderate intensity physical activity five days per week. Cycling qualifies and an average adult can bicycle 6.25 miles in 30 minutes, which burns roughly 130 calories.

Outdoor activities that encourage cycling are great ways to help lose weight since they burn fat, which helps individuals feel and function better. Exercise improves heart and lung fitness, as well as strength and stamina. Regular exercise reduces the risk of high blood pressure, heart attacks and strokes. In addition to heart disease, regular exercise can also help to prevent other health problems such as non-insulin dependent diabetes, osteoarthritis and osteoporosis. Exercise also relieves symptoms of depression, improves mental health, decreases anxiety and stress levels. Cycling on a regular basis can be a fun way to exercise and takes advantage of its stress-reducing capabilities.

Proposed Facilities and Programs

The City has a network of bicycle lanes and some off-street paths, as well as cycling support programs, most notably an innovative cyclist diversion program. This Bicycle Master Plan recommends additional facilities to improve overall connectivity, as well as programs and policies to further encourage bicycle usage as regular transportation. Many of these programs are included in HuBBA's proposed plan noted previously, which represents an excellent blueprint for making Huntington Beach even more bicycle-friendly.

State Compliance

Bicycle master plans in California are specifically intended to encourage bicycle usage as regular transportation and a city's plan must therefore be approved by the California Department of Transportation (Caltrans) for the city to be eligible for Bicycle Transportation Account (BTA) funding, administered by Caltrans. Accordingly, this plan addresses the items within the California *Streets and Highways Code* Section 891.2, which lists specific bicycle master plan content requirements needed for Caltrans approval. To facilitate Caltrans review, sections relating to code compliance are compiled in the final appendix.

Introduction 1

The City of Huntington Beach wants to promote a safe, convenient and efficient environment for bicycle travel to and across the City. This Bicycle Master Plan will provide for improved safety through education and training programs and identifies prioritized bicycle infrastructure projects. A goal is to integrate this bicycle master plan with Orange County's *Commuter Bikeways Strategic Plan* (CBSP) wherever feasible to enhance access, improve safety and increase the number of bicycle commuters.

The study vision is a city where more of its residents and visitors commonly bicycle to get around, instead of automatically reaching for their car keys. Many other communities are pursuing a similar vision, but this study proposes a mobility blueprint tailored for Huntington Beach's unique mix of layout, topography, transportation infrastructure and climate. The expected benefits include physical, social and mental health improvements for those who choose to bicycle, as well as reduced transportation costs and, in many cases, time savings. This will also benefit those who do not bicycle, including reduced traffic and parking congestion, safer streets, improved air quality and reduced green house gas emissions.

1.1 Plan Scope

This plan is intended to provide a vision for bicycle circulation through understanding current conditions, identifying cyclists' needs throughout the City and examining potential improvement options. The study also looks at opportunities to connect and integrate existing and proposed facilities and to prioritize implementation strategies in accordance with viable funding sources. Since this study provides a framework for the City's bicycle network development, it also supports eligibility for local, state and federal funding for bicycle projects.

With the implementation of the recommendations of this study, the resulting network will create a more bicycle-friendly community, especially if supported by vehicle driver and cyclist education, enforcement and promotional programs and policies. The anticipated result is an increase in residents and visitors choosing to ride a bicycle to and from Huntington Beach destinations. Precise alignments and details will be developed during subsequent implementation phases. This study sets the foundation for decisions and identifies a blueprint for future bicycle development so that opportunities are not lost through other infrastructure, land use and facility development decisions.

1.2 Plan Study Area

The study area was all of the City of Huntington Beach, as well as where bicycle connections were possible with surrounding communities. This was to ensure that the City's bikeways would be part of a viable regional system supporting non-motorized transportation modes, and was also a requirement for state approval of the City's plan. A connected system allows residents and visitors the option to ride to and around the City without needing to drive. This study therefore addresses on-street bicycle facilities and multi-use pathways both within and connecting with the City (See Figure 1: Regional Setting).

Bicycle parking under the pier

Huntington Beach Multi-use Beach Path

Figure 1: Regional Setting

1.3 Bikeway Facility Types

The State of California recognizes three types of bikeway facilities. Also included in this section is information on other "non-standard" innovative facility types that can be tested by local jurisdictions with Federal Highway Administration (FHWA) and California Traffic Control Device Committee (CTCDC) approval (see "Other Facility Types" on following pages).

Class 1: Multi-use Pathways

While Class 1 multi-use pathways are often referred to as "bicycle paths," all non-motorized users may use them. They are physically separated from motor vehicle routes as exclusive rights-of-way for all nonmotorized users with motor vehicle cross flows kept to a minimum. Where there is the potential for motor vehicles to encroach onto a Class 1 facility from a parallel roadway, a barrier should be provided. Any separation of less than five feet between the Class 1 path and adjacent roadway's pavement edge requires a physical barrier.

Huntington Beach Multi-use Beach Path

Unlike on-street facilities that already have defined minimum design speeds, this is a factor to consider for Class 1 facilities. On relatively flat routes, the minimum design speed is 25 mph.

Class 1 facilities are often important commuter connections and any proposed paths must be designed for multipurpose use. Paths should be wide enough to accommodate multiple user types. California Department of Transportation (Caltrans) requirements call for eight feet minimum paved width with two feet of clear space on each side. Adding two feet of additional width to these facilities to make them 10 feet wide helps prevent pavement edge damage from maintenance or patrol vehicles and accommodates higher use volumes. Depending on anticipated use levels, Class 1 facilities can be built even wider.

Class 2: Bicycle Lanes

Class 2 facilities are marked lanes within roadways adjacent to the curb or parking lane, delineated by appropriate striping and signage for preferential use by cyclists.

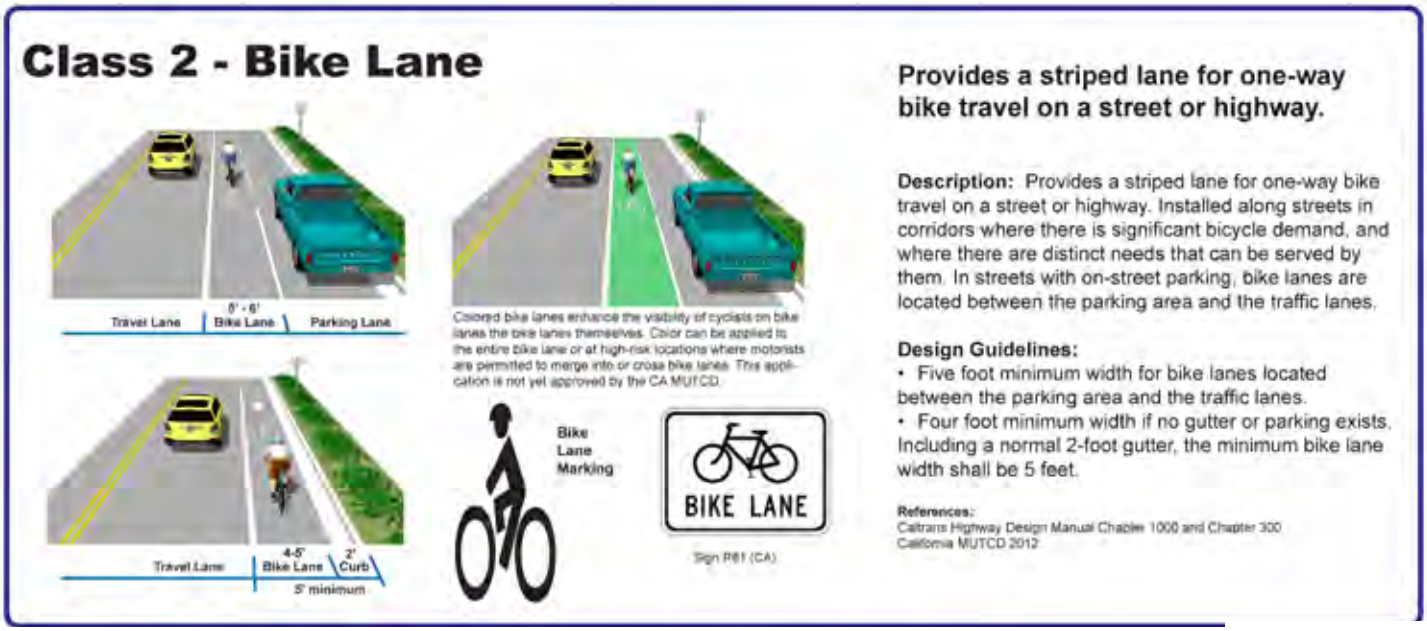
Bicycle lanes must be one-way facilities and carry traffic in the same direction as adjacent motor vehicle traffic. In unique situations, it may be appropriate to provide a contra-flow bicycle lane on the left side of a one-way street where it will decrease the number of conflicts, such as heavy bus traffic. Where this occurs, the lane should be marked with a solid, double yellow line and width increased by one foot.

Bicycle lane on Warner Avenue

Under ideal conditions, the minimum bicycle lane width is four feet, but certain edge conditions can dictate additional width. However, even where the roadway width is available, Class 2 bicycle lanes should be no wider than six feet to prevent the appearance of a travel lane that could encourage vehicle drivers to drive or park within them. Additional width can be striped as a buffer on the travel lane side. Localized roadway conditions such as depressions fronting curb drains may require additional Class 2 lane width to allow cyclists to safely avoid them.

Bicycle lanes are generally placed between the parking lane or curb and the motor vehicle lanes. If parking volume is substantial or turnover is high, an additional one or two feet of width, as a striped buffer, is desirable.

Finally, in actual practice, the placement and width of Class 2 bicycle lanes has been undergoing substantial change as many planners and advocates have come to agree that the current minimums may be inadequate for some situations. For example, a number of municipalities now provide greater width adjacent to parallel vehicle parking, and apply the extra width as buffer space between the vehicles and the bicycle lane to avoid "dooring," or the inadvertent opening of vehicle doors into the cyclist's path, which can be very dangerous. (See Section 3.2: Door Zone Analysis, for more information.)



Class 3: Bicycle Routes

A Class 3 facility is a suggested bicycle route marked by signs designating a preferred route between destinations. They are recommended only where traffic volumes and roadway speeds are fairly low (35 mph or less).

The designation of a roadway as a Class 3 facility should be based primarily on the advisability of encouraging bicycle use on that particular roadway. How appropriate a particular roadway is for a bicycle route includes directness and connectivity with other bicycle facilities. Directness is important for commuting cyclists, but may not be important for recreational riders, for whom scenery or fitness may be the primary factor in selecting a route.

While the chosen roadways may not be free of problems, they should offer the best balance of safety and convenience of the available alternatives. In general, the most important considerations are pavement width and geometrics, traffic conditions and appropriateness of the intended purpose.

Bicycle route guide signs are provided at decision points along designated bicycle routes, including signs to inform cyclists of bicycle route direction changes and confirmation signs for route direction, distance and destination. These signs are repeated at regular intervals so that cyclists entering from side streets will know they are on a bicycle route.

Shared lane markings (SLMs or "Sharrows") are an optional signage marking method where posted speed limits are 35 mph or less to alert vehicle drivers to the expected presence of cyclists, as well as to direct cyclists to the proper distance to ride from the curb to avoid suddenly opened car doors. Shared lane markings should be paired with a "Bikes may use full lane" sign (R4-11).

Shared Lane Marking ("Sharrow" or "SLM")

Other Facility Types

There are a number of other "non-standard" facilities that the City may find useful in specific situations.

According to the Federal Highway Administration (FHWA), any treatment intended to regulate, warn or guide traffic (vehicle drivers and cyclists) that serves more than just an aesthetic purpose is considered a traffic control device and regulated at the federal level by the FHWA and are codified in the Manual on Uniform Traffic Control Devices (MUTCD). California also has its own version (CA MUTCD), which is overseen by Caltrans and the California Traffic Control Devices Committee (CTCDC). Both MUTCDs are responsible for defining the standards used to install and maintain traffic control devices on all public and private roads open to public traffic. In California, anything not in the CA MUTCD is considered not approved for use on roadways.

For bikeway facilities not yet included in the CA MUTCD, the City should consult Caltrans for locations within state right-of-way or when utilizing BTA funding. For other locations or funding sources, a FHWA request for experimentation is recommended *(http://mutcd.fhwa.dot.gov/condexper.htm).*

The CA MUTCD states that traffic control devices must conform with California Vehicle Code (CVC) Section 21401, which requires Caltrans to adopt uniform standards and specifications for traffic control devices. Although Caltrans does not control local traffic control devices (unless they are on state facilities) or enforce compliance with the California MUTCD (except indirectly through funding), any agency that installs a noncompliant device, contrary to the CVC, potentially exposes itself to liability.

Buffered bicycle lane - Seapoint Drive

However, the CA MUTCD does provide a means for Caltrans and local agencies to experiment with non-approved devices. The agency can request CTCDC approval prior to experimentation, which is defined as "*...research involving testing, evaluating, analyzing or discovering the effect of a specific device, principle, supposition, etc., usually carried out in an operational context.*" The CTCDC may either approve the device for limited use on an experimental project, approve the device for limited use in a formal research project, disapprove it until further justification is submitted, or disapprove it altogether.

The CA MUTCD provides specific guidelines for experimental proposals, including a detailed description of the experimentation, locations, number of projects, a proposed plan of study, time periods, CTCDC approved-evaluation criteria and reporting. If the experiment results a proposed change to the CA MUTCD is, recommended text should be included.

All proposals must list the agency sponsoring and conducting the study and the name and titles of principal researchers. There must be proof of professional traffic engineering capabilities and other related professional expertise to perform the experimentation and related evaluation processes.

At the end of the experimental period, all installations must be removed, unless the CTCDC grants an extension or permission for continued operation.

Caltrans policy is that all experimental proposals that involve bicycle-related issues are referred to the California Bicycle Advisory Committee (CBAC) for discussion before consideration by the CTCDC. This procedure is not part of the California MUTCD, and CBAC approval is not a condition for CTCDC approval.

The State of California recently approved what are essentially embellishments to existing facility types, some of which may prove useful in future recommended projects.

Green Transition Lanes

One significant change is the FHWA's interim approval for the use of green colored pavement within bicycle lanes in mixing or transition zones, such as at intersections and in other potential conflict zones where motor vehicles may cross a bicycle lane. They are intended to warn vehicle drivers to watch for and to yield to cyclists when they encounter them within the painted area. The FHWA found that both vehicle drivers and cyclists have a favorable impression of green colored bicycle lanes. Cyclists felt safer while riding on green bicycle lanes, while vehicle drivers felt that green bicycle lanes helped increase their awareness of bicycles in the area. FHWA studies have also shown that green bicycle lanes improve cyclist positioning as they travel across intersections and other conflict areas.

Jurisdictions within the state have to notify Caltrans before proceeding with green bicycle lane projects because the agency is required to maintain an inventory, but since Caltrans has requested to participate in this interim approval, the process has been streamlined because FHWA experimental treatment protocol is no longer required.

Bicycles May Use Full Lane Sign (R4-11)

Another important change is a new sign for use along streets designated as Class 3 routes that advise all users that cyclists are allowed the full use of travel lanes. These read "Bicycles May Use Full Lane" (BMUFL) and are generally placed in conjunction with Shared Lane Markings ("Sharrows" or SLMs). These signs will generally replace the yellow and black bicycle symbol diamond and associated "Share the Road" placard, which were warning signs only. The new BMUFL signs are white and black, the colors used for full regulatory signage. These signs, along with SLMs, allow cyclists to legally avoid the "door zone" within what the Uniform Vehicle Code (UVC) defines as a substandard width lane, or a "*lane that is too narrow for a bicycle and a vehicle to travel safely side-by-side within the same lane*." According to the MUTCD, a BMUFL sign may be used in addition to or instead of a SLM to inform all road users that cyclists may occupy the travel lane.

Green transition lane (Simulation) - San Diego, CA

Cycle Track

A cycle track is a combination between a bicycle lane and multi-use path. It can be either one- or two-way depending on roadway configuration, intersections and adjacent land use. It is generally a separate facility when adjacent to a pedestrian sidewalk, as well as physically protected from adjacent vehicle travel lanes. The physical separation from the roadway can employ parked vehicles, planting areas, bollards, raised lanes or a combination of these elements. These treatments reduce the risk of conflicts between cyclists, pedestrians and parked vehicles.

Cycle tracks may be installed on urban streets with high vehicular volumes and speeds, but to minimize conflicts, selected streets should have long blocks with few to no driveways or other mid-block vehicles access points. Additional signage, traffic control treatments and pavement markings may be needed to direct cyclists along the cycle track and through intersections. Cyclist safety through intersections must be carefully addressed, especially for two-way cycle tracks.

Cycle track - Montreal, Quebec

Bicycle Boulevard

Bicycle boulevards are relatively low speed streets designed to give priority to bicycle traffic by discouraging cut-through vehicle traffic while allowing local access. They improve cyclist comfort and safety by assigning right-of-way to the bicycle boulevard at intersections, with traffic controls to help cyclists cross major roadways, and an overall distinctive look to make cyclists more aware of the existence of the bicycle boulevard that also helps alert vehicle drivers that the street is a priority route for cyclists.

Bicycle boulevards are intended to support relatively light motor vehicle traffic volumes due of the traffic calming devices often installed to slow or divert vehicle drivers to other more appropriate routes. Intersections typically have physical diverters with bicycle cut-outs that allow cyclists to pass through unimpeded, while allowing vehicle drivers to enter to park or access a property, but without being able to continue.

Most bicycle boulevards do not have bicycle lane striping, but many employ distinctive pavement markings to help identify them. Bicycle boulevards often have higher road surface standards than other streets, and most encourage riders to use the full lane to support parity between cyclists and vehicle drivers.

Because their traffic calming features improve pedestrian safety, as well as encourage cycling, some cities de-emphasize the bicycle specificity of these routes by designating them as "calmed, green or quiet" streets, or "neighborhood byways or parkways."

Bicycle boulevard - San Luis Obispo, CA (Source: www.pedbikeimages.org)

Hybrid Facilities (Context-sensitive Solutions)

Hybrid facilities blend components of established facility types to take advantage of some benefit inherent to those components that better addresses a specific location's issues. For example, where there is insufficient roadway width for Class 2 lanes both ways, it may be advisable to install a Class 3 bicycle route on one side of a roadway and a Class 2 on the other.

There are opportunities for hybrid facilities that can improve cycling conditions in Huntington Beach, but like most other municipalities, both sides of roadways have traditionally been treated the same. There are exceptions, including a few segments of bicycle facilities that are hybrids of two different classes. These can be found where the roadway is too narrow to accommodate bicycle lanes on both sides of the street. A bicycle lane is used on one side and a bicycle route is signed in the opposite direction.

Paved Multi-use Paths and Wide Walkways

These paved multi-use paths and wide walkways are not officially Class 1 facilities. They occur primarily within easements through developed parks. Examples of these paths can be found within the Union Pacific Ralroad Corridor and power line easements, although there are many more throughout the City. These can vary in width, but are generally asphalt or concrete, eight feet wide.

Those that have been identified can be critical connections for current and future bicycle facilities.

Hybrid facility - Class 3 with "Sharrows"/Class 2 lane

Paved multi-use path along Edinger Avenue connecting Marina Park and Marina High School

Existing Conditions and Analysis 2

2.1 Existing Plans

The following plan excerpts list relevant goals, objectives, policies and program related to bicycles.

General Plan Circulation Element

Goals, Policies and Objectives

These goals and policies establish the framework City staff and decision makers will use to enhance and improve all modes of circulation in Huntington Beach. Where possible, quantified objectives are also stated. References to applicable implementation programs are provided following the policy statement.

Regional Mobility

Goal

CE 1 Provide a balanced transportation system that moves people and goods throughout the City efficiently, promotes economic development, preserves residential neighborhoods, and meets safety standards, and minimizes environmental impacts.

Policies

CE 1.1 Pursue completion of missing roadway links and other related facilities shown on the Arterial Highway Plan. Related Implementation: CE-11, 12

CE 1.2 Monitor and participate in applicable County, regional, State, and federal transportation plans and proposals. Related Implementation: CE-25, 26, 27, 28, 31, 32, 33

CE 1.3 Maintain compliance with the County's Congestion Management Plan (CMP) as shown on Figure CE-3. (ICE 2 and I-CE 4) OCTA Congestion Management Program or any subsequent replacement program. Related Implementation: CE-13, 27, 28

CE 1.4 Coordinate planning, construction, and maintenance of circulation improvements with adjacent jurisdictions and transportation agencies to ensure consistency within the circulation system. Related Implementation: CE-6, 25, 26, 28, 29, 31

CE 1.5 Provide adequate capacity for circulation needs while minimizing significant negative environmental impacts. Related Implementation: CE-1, 11, 12, 13, 17, 21, 25, 28

CE 1.6 Develop and maintain the City street network consistent with the Arterial Highway Plan (Figure CE-2) and standard roadway cross-sections (Figure CE-1), including appropriate roadway widths, medians, and bicycle lanes. Related Implementation: CE-1, 6, 11, 12

Roadway Circulation

Goal

CE 2 Provide a circulation system that supports existing, approved, and planned land uses throughout the City while maintaining a desired level of service and capacity on all streets and at all intersections.

Policies

CE 2.7 Require that driveways be located to minimize impacts to the smooth, efficient and controlled flow of vehicles, bicycles and pedestrians. Related Implementation: CE-17, 18

Public Transportation

Goal

CE 4 Create a balanced and integrated multi-modal transportation system that increases mass-transit opportunities for Huntington Beach residents.

Policies

CE 4.1 Encourage and support the various public transit agencies and companies, ride-sharing programs, and other incentive programs that provide forms of transportation other than the private automobile. Related Implementation: CE-7, 14, 15, 35

CE 4.2 Continue to reserve abandoned rail rights-of-way for future transportation uses such as transit and or bicycle facilities. Related Implementation: CE-33

CE 4.3 Explore the possibility of locating a transportation center located in the vicinity of the in or near Downtown commercial area. Related Implementation: CE-14

CE 4.4 Pursue an urban rail transit system that serves Huntington Beach. Related Implementation: CE-14, 28

Transportation Demand Management (TDM) and Air Quality

Goal

CE 5 Maximize use of transportation demand management strategies to reduce total vehicle miles traveled and improve regional air quality.

Policies

CE 5.1 Require developers to incorporate design features that reduce air pollution from motor vehicles, such as transit facilities and park-and-ride sites; bus benches, shelters, pads, or turnouts; bicycle racks and lockers; and preferred parking for ride sharers. Related Implementation: CE-19, 21

CE 5.2 Encourage and support the use of low emission and alternative fuel vehicles within the City. Related Implementation: CE-35

CE 5.3 Require businesses to provide employee incentives for using alternatives to the conventional automobile, including carpools, vanpools, buses, bicycles, and walking, and telecommuting. Related Implementation: CE-7, 21, 35

CE 5.4 Support the efforts of businesses to use transportation management techniques such as flex-time, staggered working hours and other means to lessen commuter traffic during peak hours. Related Implementation: CE-7, 35

Parking

Goal

CE 6 Ensure that the parking demands of non-residential uses do not adversely impact the City's residential neighborhoods, that the City's parking policies support reduced reliance on personal auto use and that parking supply is adequate to meet City economic development objectives.

CE 6.4 Explore the possibility of increasing bicycle parking in or near downtown. Related Implementation: CE-6

Pedestrian, Bicycle, and Equestrian Paths and Waterways

Goal

CE 7 Provide a system of bicycle, pedestrian, and equestrian paths, and waterways for commuter, school and recreational use.

Policies

CE 7.1 Coordinate the planning of equestrian, bicycle, bus and pedestrian routes and facilities to promote an interconnected system. Related Implementation: CE-6, 19, 32

CE 7.2 Coordinate with neighboring jurisdictions to ensure that bicycle routes within the City connect to and are consistent with routes in adjacent jurisdictions. Related Implementation: CE-6, 28

CE 7.3 Coordinate with the County to ensure that new routes identified in the City's Bike Route Plan are incorporated within the County's Master Plan of Bikeways. Related Implementation: CE-28

CE 7.4 Encourage the use of easements and/or rights-of-way along flood control channels, public utilities, railroads, and streets for use by cyclists and/or pedestrians, where safe and appropriate. Related Implementation: CE-19

CE 7.5 Maintain existing pedestrian and bicycle facilities, and require developers to provide pedestrian walkways and/or bicycle pathways between developments, new residences and schools, parks, and public facilities. Related Implementation: CE-15, 17, 19

CE 7.8 Implement and operate appropriate traffic control devices throughout the community to reduce conflicts between pedestrians, bicycles, and motor vehicles. Related Implementation: CE-2, 15

CE 7.10 Ensure that bicycle and pedestrian facilities within the City comply with accessibility provisions of the Americans with Disabilities Act (ADA). Related Implementation: CE-6, 15

Implementation Programs

CE-2: Accident Monitoring

Monitor recurring accident locations (including vehicle versus vehicle, bicycle and make/or pedestrian accidents), and determine necessary recommendations and modifications to the appropriate facilities. This may include the use of advance technologies where appropriate.

CE-5: Neighborhood Circulation Improvements

Prepare and maintain a Neighborhood Traffic Management Technical Administrative Report that identifies needed methods to address cut-through traffic volumes, high speeds, truck traffic intrusions, demonstrated accident history, parking shortages, or school-related traffic congestion in City neighborhoods such as:

- *Considering appropriate traffic-calming measures such as raised medians and provision of bicycle or transit lanes to mitigate problems posed by schools and other land uses that generate high traffic volumes at specific times. Provide solutions to mitigate these problems as warranted by local studies.*

Department: Public Works, City Council
Working with: School Districts
Related policies: 3.1, 6.1

CE-6: Bikeway Plan

Implement and update Huntington Beach's Bikeway Plan to plan and prioritize facilities for both recreational cyclists and commuters, including:

- *Reviewing neighboring jurisdictions' bikeway plans every five years to ensure consistency*
- *Linking bicycle routes with bus routes to promote an interconnected system.*
- *Evaluating potential for a future bicycle parking structure in or near downtown.*
- *Ensuring compliance with ADA accessibility standards.*

Department: Public Works, Planning Commission, City Council
Working with: OCTA, Caltrans
Related Policies: CE 1.4, 1.6, 6.4, 7.1, 7.2

CE-7: Transportation Demand Management Ordinance

Create and implement programs that will aid in improving air quality by reducing motor vehicle trips, such as those programs recommended by the SCAQMD, required by the Transportation Demand Ordinance (Zoning Code Title 23, Chapter 230, Section 230.36), or funded by the Mobile Source Air Pollution Reduction Ordinance vehicle fee allocation. The TDM ordinance requires employers of 100 or more persons to support alternative forms of transportation by providing appropriate facilities, including: showers and lockers, parking for vanpools, bicycle parking and passenger loading areas.

Department: Planning, Public Works, Planning Commission, City Council
Related Policies: CE 4.1, 5.3, 5.4

CE-11: Capital Improvement Program

Use the City's 5-year Capital Improvement Program (CIP) process to prioritize, fund, and build required roadway and bikeway improvements, and to address phasing and construction of traffic infrastructure throughout the City.

To prioritize these improvements, the City's Technical Administrative Reports (TARs) will be reviewed and updated regularly with current citywide traffic counts for roadway links and intersections. Roadways and intersections approaching the LOS standards stated in Objective 2.1 should be prioritized appropriately for improvements including road widening, paving, parking restrictions, or intersection improvements.

Department: Public Works, City Council
Related Policies: CE 1.1, 1.5, 1.6, 2.1, 2.2, 2.3

CE-19: Alternative Transportation Mode Design Features

Require new development to incorporate transit-oriented design features and attractive, accessible, and appropriate transit, bicycle, equestrian, and pedestrian amenities to promote and support public transit and alternate modes of transportation, including but not limited to:

- *Requiring that all new bicycle trip destinations, including schools, shopping areas, and transit stops be equipped with bicycle racks and/or bicycle lockers.*
- *Encouraging developments to incorporate easements and/or rights of way along flood control channels, public utilities, railroads and streets for the use of cyclists and/or pedestrians.*

Department: Public Works, Planning Commission, City Council
Working with: OCTA
Related Policies: CE 5.1, 7.1, 7.4, 7.5, 7.6

CE-28: Orange County Transportation Authority

Work with the Orange County Transportation Authority (OCTA) to achieve the following:

- *Review, every five years, the Orange County Master Plan of Bikeways to assure consistency. Update Huntington Beach's Bike Plan, as appropriate. (Note: Bikeway master plans are required to be updated every five years.)*

Department: Public Works, City Council
Working with: OCTA
Related Policies: CE 1.2, 1.3, 1.4, 1.5, 4.4, 7.2, 7.3

Beach and Edinger Corridors Specific Plan

The Beach and Edinger Corridors Specific Plan was established to orchestrate private and public investment activities along the Beach Boulevard and Edinger Avenue corridors, and to support and promote investment to enhance the beauty and vitality of the City's primary commercial corridors. This specific plan presents the community's vision for the evolution and continued growth of the corridors, and it establishes the primary means of regulating land use and development within the plan area.

The plan includes a program of planned actions and investments to stimulate and complement private investment along the corridors. The plan primarily addresses conceptual guidelines for future development along Beach and Edinger Boulevards. There is no mention of bicycle facilities.

Downtown Specific Plan

This plan calls for new bicycle facilities to be provided *"... to provide additional incentive for more people to bike to and from downtown, and to better serve the large number of existing bicycle enthusiasts."* New facilities include two connections to the beach near 1st and 6th Streets across Pacific Coast Highway, to better link the Beach Multi-use Path with downtown.

Class 2 lanes are proposed on 6th Street between PCH and Main Street, continuing on Acacia Avenue to Lake Street. Class 2 lanes are also proposed for Atlanta and Orange Avenues between Huntington and Lake Streets, which would connect with existing Class 2 facilities on Lake Street.

Due to limited existing rights-of-way, only Class 3 route signage is proposed for 3rd Street between Orange and Walnut Avenues and on Orange Avenue between Lake and 6th Streets.

The other major recommendation is additional bicycle parking, including on-street racks at the ends of diagonal vehicle parking, on sidewalks along no-parking zones, within wider sidewalk areas and curb extensions, and adjacent to buildings out of the walking path. The plan also suggests additional bicycle parking facilities on the beach side of PCH, including the potential for a high-capacity facility near or under the pier, or within existing pier parking areas.

Finally, the plan suggests a bicycle station, the potential for using City-owned paseos for bicycle parking, and providing some within private developments, such as inside parking structures.

Sunset Beach Specific Plan

This plan addresses a recently annexed area of the County into the City of Huntington Beach. Of particular interest for mobility planning are the following statements:

"Because of the constraints inherent in acquiring additional right-of-way for Pacific Coast Highway both within and outside of Sunset Beach, it may be impractical to provide additional travel lanes. Better utilization of the existing right-of-way is a more realistic possibility. As new development and redevelopment occurs, improvements can be made that provide for safe and convenient use of the Highway by pedestrians, cyclists, and transit vehicles."

"Increased transit service and bicycling opportunities should provide access to beach uses without requiring...additional parking."

"It is expected that the existing 15 miles per hour speed limit on all Sunset Beach Streets, except Pacific Coast Highway, will be retained."

To improve bicycle parking availability in the immediate are, this plan requires bicycle parking consistent with the City of Huntington Beach Zoning and Subdivision Ordinance Chapter 231. These requirements would apply to new development.

The plan also states: *"From the ocean front property line to the ocean there shall be no roadway, bicycle path, hiking trail, or parking facility."*

California State Parks General Plan - Huntington and Bolsa Chica State Beaches

The California Department of Parks and Recreation ("State Parks") mission is, in part, is "*...to provide for the health, inspiration and education of the people of California by preserving the State's extraordinary biodiversity, protecting its most valued natural and cultural resources and creating opportunities for high quality outdoor recreation*." State Parks is therefore entrusted with protecting the natural, cultural and recreational resources of the two local state parks, Huntington and Bolsa Chica State Beaches.

This directly affects any nonmotorized mobility planning effort because the existing Class 1 multi-use path along the beach runs through the two parks. In fact, State Parks owns and maintains the majority of the beach path in Huntington Beach. This means that any proposed changes will need to be coordinated with State Parks and assessed under its plans and policies. As important as the beach path is to Huntington Beach's community identity, maintaining the continuity of beachfront path will be paramount and State Parks has long been an valued partner.

LAB Bicycle Friendly Community Application

A League of American Bicyclists' (LAB) Bicycle Friendly Community (BFC) application was submitted for the City of Huntington Beach in the fall of 2010. There was interest in submitting earlier, but upon review of the application questions, the decision was made to try to formalize and implement as many bicycle-friendly elements as possible prior to submission. This is typical of many cities submitting Bicycle Friendly Community applications.

The LAB awarded Huntington Beach a Bronze level designation and provided several suggestions for a future successful application. The top five suggestions were for the City to update and fully implement a Bicycle Master Plan, expand a Safe Routes to School Program to include all schools, increase the amount of secure bicycle parking, expand and increase network connectivity by providing a broader range of facility choices for users of various abilities and comfort levels, and implement innovative techniques to improve on-road conditions such as bicycle cut-throughs, cycle tracks and road diets to calm traffic and a better use of roadway space.

Commuter Bikeways Strategic Plan (CBSP)

The *Commuter Bikeways Strategic Plan* (CBSP) serves as Orange County's bicycle master plan. It was developed in 2009 by the Orange County Transportation Authority (OCTA) to encourage the enhancement of Orange County's regional bikeways network as a way to make bicycle commuting a more viable and attractive travel option.

A number of challenges must be overcome for Orange County to excel as a cycling region, including improving safety and access to key destinations, as well as providing better plan coordination and support facilities. Cycling is recognized as having a significant role in mitigating congestion, climate change and oil dependency. The goal of the CBSP is to help address these many challenges by providing:

- *A strategy for improving the regional bikeway network*
- *Eligibility for Bicycle Transportation Account (BTA) funds*
- *Identification of roles and responsibilities for OCTA regarding bikeways*
- *Documentation of existing and planned Orange County bikeways.*

The projects described in the CBSP are a compilation of projects planned by Orange County communities and the County of Orange. The CBSP is a long-range, financially unconstrained planning document. It will be the responsibility of each implementing agency to identify funding sources for the projects within their purview.

This plan identifies 18.4 miles of proposed bikeways for Huntington Beach.

Districts 1 and 2 Bikeway Strategic Plan

This study is part of an overall OCTA effort to develop bikeways strategy and feasibility studies for Orange County. Based on facilitation efforts, these feasibility studies will identify regional bikeway corridors that connect major activity centers including employment areas, transit stations, colleges and universities.

This plan will highlight and improve upon regional bikeway connections through these two districts. A similar effort was recently completed for District 4 and will serve as the model for this and any other district-level plans to come.

Master Plan of Arterial Highways (MPAH)

The *Master Plan of Arterial Highways* (MPAH) depicts a countywide roadway network intended to ensure coordinated transportation system development among local jurisdictions within Orange County. The MPAH's main purpose is to describe an arterial highway system that effectively serves existing and adopted future land uses in both incorporated and unincorporated areas of Orange County. Extensive coordination with the transportation and land use planning and implementation processes conducted by the cities, the County, and adjacent jurisdictions is essential for the MPAH to provide its intended service for goods movement and for travelers across all modes. Given existing right-of-way limitations, the MPAH also encourages recognition of operations techniques, primarily signal synchronization, within the MPAH planning process. Recognition of this component of the arterial highway network is to emphasize that operational strategies work best as part of a systematic, region-wide application of programs and projects aimed at improving system wide efficiency.

2. Goal: Provide an Arterial Highway System that Supports Land Use Policies of the County and Cities

Policies:

2.2 The MPAH will encourage an arterial highway system designed to serve as part of a balanced transportation system (auto, rail, transit, bus, truck, bicycle, pedestrian, etc.).

2.3 OCTA will encourage local jurisdictions to consider and evaluate all mobility needs when requesting modifications to the MPAH.

3.9.3 Smart Streets

The MPAH also recognizes Smart Streets as arterials with enhanced traffic-carrying capacity. These augmentations in capacity are achieved by a variety of measures, including, but not limited to:

- *Preferential and acceptably maintained traffic signal timing and synchronization*
- *Prohibition of on-street parking*
- *Intersection grade separations of critical through and/or turn movements*
- *Addition of at-grade through or turn lanes at intersections*

- *Access limitation to right turns only, or no access (street and/or driveways)*
- *Access consolidation*
- *Frontage roads*
- *Pedestrian grade separations*
- *Other elements that may be documented to be useful*

The intent of these measures is to minimize conflicts with cross traffic by improving traffic carrying capacity and facilitating improved traffic flow along arterials. The terms "High Flow Arterial, "Continuous Flow Boulevard, "or "Signal Synchronization Corridors" can also be used to describe a "Smart Street." This designation is intended to represent a roadway of a Primary, Major or a Principal arterial classification.

It should be noted that an MPAH roadway unilaterally removed from or downgraded on the local agency's Circulation Element, and/or does not meet the capacity criteria, will result in the local agency becoming ineligible to participate in the Orange County Combined Transportation Funding Programs (CTFP). Therefore, any bicycle project impacts on MPAH roadway carrying capacity should be carefully evaluated. Beach Boulevard is the only roadway within the City of Huntington Beach identified as a Smart Street.

City of Costa Mesa

With the adoption of a General Plan in 1992, the 1974 *Master Plan of Bikeways* was revised and incorporated and has been periodically updated. Maps were not provided in the 2000 General Plan. The 2009 *Commuter Bikeways Strategic Plan* calls for 13.6 additional miles of bicycle facilities throughout the city.

City of Fountain Valley

Fountain Valley's bicycle master plan is part of their 1995 General Plan and is based on the *Orange County Master Plan of Countywide Bikeways* (which predates the CBSP). The Circulation Element was last updated in 2008. The 2009 *Commuter Bikeways Strategic Plan* calls for three additional miles of bicycle facilities throughout the City.

City of Newport Beach

The 2006 Newport Beach *Master Plan of Bikeways* shows all the facilities within Newport Beach. This plan is also incorporated as part of the City's 2006 General Plan. Connections into Huntington Beach include bicycle lanes on Pacific Coast Highway. Recently, Shared Lane Markings or "Sharrows" have been implemented on Pacific Coast Highway.

The bicycle advocacy group, bikeNewportBeach has been active in advocating for bicycle facilities and has been instrumental in increasing cycling awareness in Newport Beach and surrounding cities.

The 2009 *Commuter Bikeways Strategic Plan* calls for 16.7 additional miles of bicycle facilities throughout Newport Beach.

City of Seal Beach

The City of Seal Beach does not have a stand-alone bicycle master plan. Planned bicycle facilities are part of the 2003 Circulation Element of the city's General Plan. Planned connections with Huntington Beach include bicycle lanes on Pacific Coast Highway and Westminster Avenue.

City of Westminster

Existing and future bicycle facilities are part of City of Westminster's *Master Plan of Bicycle Routes* within the General Plan. One planned bicycle lane on Heil Avenue would connect with the City of Huntington Beach. Other bicycle facilities are planned on Bolsa Chica, Newland and Goldenwest Streets, McFadden Avenue and Westminster Boulevard, but specific facility types have not been determined.

Bolsa Chica Ecological Reserve

Bolsa Chica Ecological Reserve is a nature reserve lying within the footprint of the City of Huntington Beach. It is designated by the California Department of Fish and Wildlife to protect a coastal wetland, with its resident threatened and endangered species. Current policies restrict reserve access to pedestrian and disabled uses of designated trails.

2.2 Existing Facilities

Existing Bikeway Facilities

The following tables summarize existing bicycle facilities within Huntington Beach city limits.

Table 1: Ex. Class 1 Multi-Use Paths	Miles	Notes
Huntington Beach Multi-use Beach Path	8.4	Between southern City limit and Warner Avenue
Santa Ana River Channel (West)	0.4	2,200' segment between Brookhurst Street and Santa Ana River Trail; follows Santa Ana River just outside City limits
Total	**8.8**	

Table 2: Ex. Class 2 Lanes	Miles	Notes
Adams Avenue	1.2	
Algonquin Street	0.5	
Atlanta Avenue	2.1	Westbound only between Brookhurst Street and Surge Lane
Banning Avenue	0.8	
Bolsa Avenue	1.5	
Bolsa Chica Street	2.2	
Brookhurst Street	0.2	
Bushard Street	3.4	
Edinger Avenue	3.5	Westbound only between Bolsa Chica and Graham Streets
Edwards Street	4.4	
Ellis Avenue	1.0	
First Street	0.2	
Garfield Avenue	4.5	
Goldenwest Street	4.6	Southbound only between Bluebonnet Drive and Edinger Avenue
Gothard Street	3.8	
Graham Street	1.5	Northbound only between Edinger Avenue and Cross Drive
Hamilton Avenue	1.7	Westbound only between Newland Street and Seaforth Lane
Heil Avenue	3.8	No eastbound bicycle lanes between Regina Circle and Plaza Lane
Huntington Street	0.2	
Indianapolis Avenue	2.0	
Lake Street	1.2	
Magnolia Street	3.3	
Main Street	1.8	
McFadden Avenue	2.5	
Newland Street	4.6	

Table 2: Ex. Class 2 Lanes	Miles	Notes
Pacific Coast Highway	1.7	Northbound only between Huntington Street and start of parking lanes
Palm Avenue	0.5	Northbound only between Seapoint Street and Camelback Drive
Peninsula Lane	0.1	
Promenade Parkway	0.4	
Saybrook Lane	0.5	
Seapoint Street	0.9	
Seventeenth Street	1.0	
Skylab Road	0.0	
Slater Avenue	3.0	
Springdale Street	1.9	
Summit Drive	0.8	
Pacific Avenue (Sunset Beach)	0.2	
Talbert Avenue	1.1	
Ward Street	0.5	
Warner Avenue	4.9	
Yorktown Avenue	3.5	
Total	**77.8**	

Table 3: Ex. Class 3 Routes	Miles	Notes
Newland Street	0.5	Between Talbert Avenue and Springhurst Drive
Total	**0.5**	

Table 4: Ex. Route/Lane Combination		
	Miles	**Notes**
Heil Ave	0.25	Westbound lanes only between Regina Circle and Plaza Lane
Main Street	0.1	Southbound lanes between Ellis Avenue and Florida Street
Newland Street	0.4	Northbound lanes between Slater Avenue/Friesland Drive and Talbert Avenue/Springhurst Drive
Total	**1.0**	

Table 5: Ex. Wide Walkways	Miles	Notes
Langenbeck Park Path	0.6	Wide walkway through Langenbeck Park/Edison right-of-way
Union Pacific ROW	0.3	Gated and currently not open for general public
Edison Greenway	0.7	Walkway between Bushard and Brookhurst Streets
Total	**1.6**	

The following figures represent data collected to date. These data sets were also presented at the first community workshop and have been updated based on input from City staff, workshop input, online survey responses and field work. This information is particularly important because it directly affects subsequent recommendations.

Figure 2: Existing Bicycle Facilities

Figure 3: Circulation Element Bicycle Facilities

Figure 4: Bicycle To Work Density

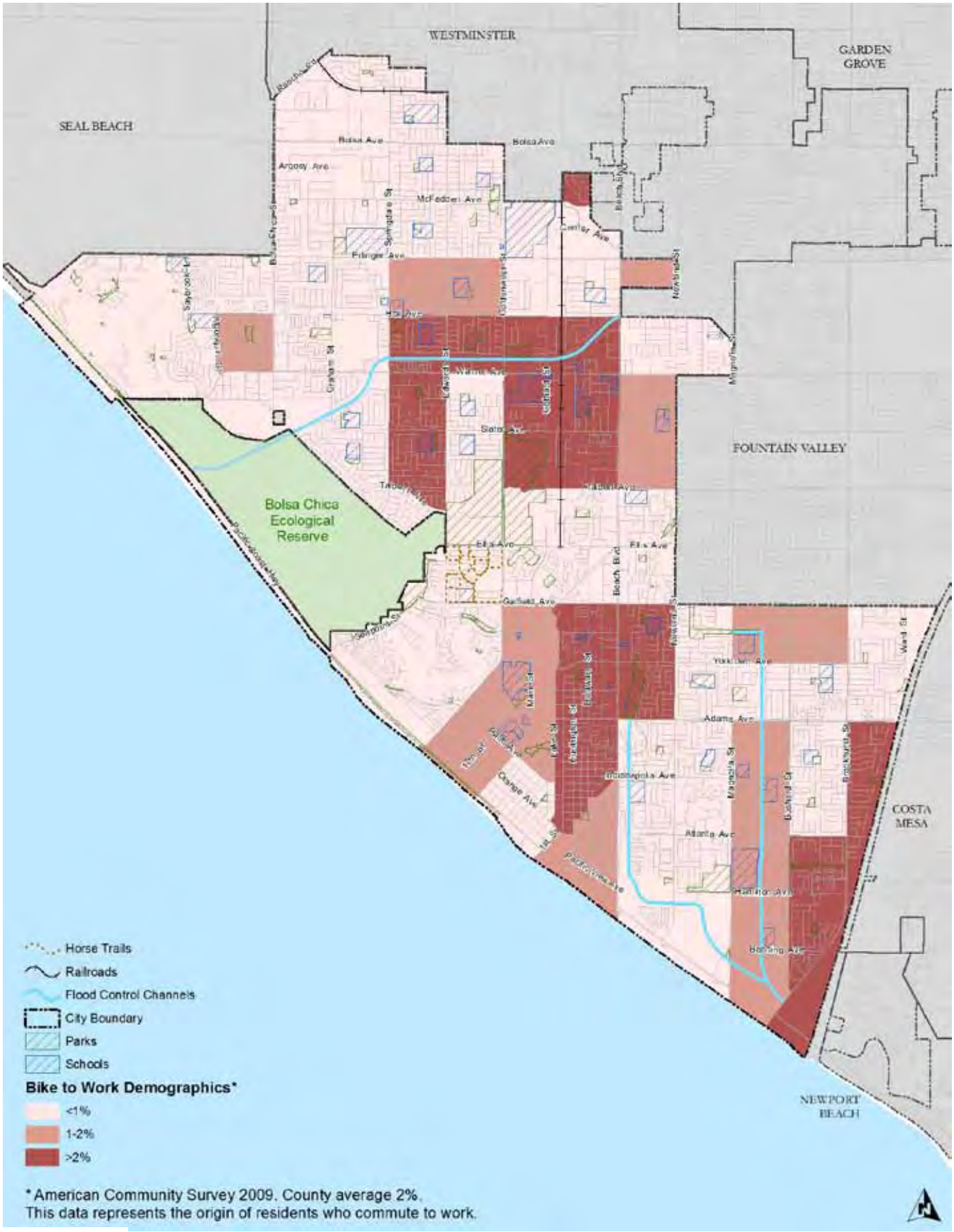
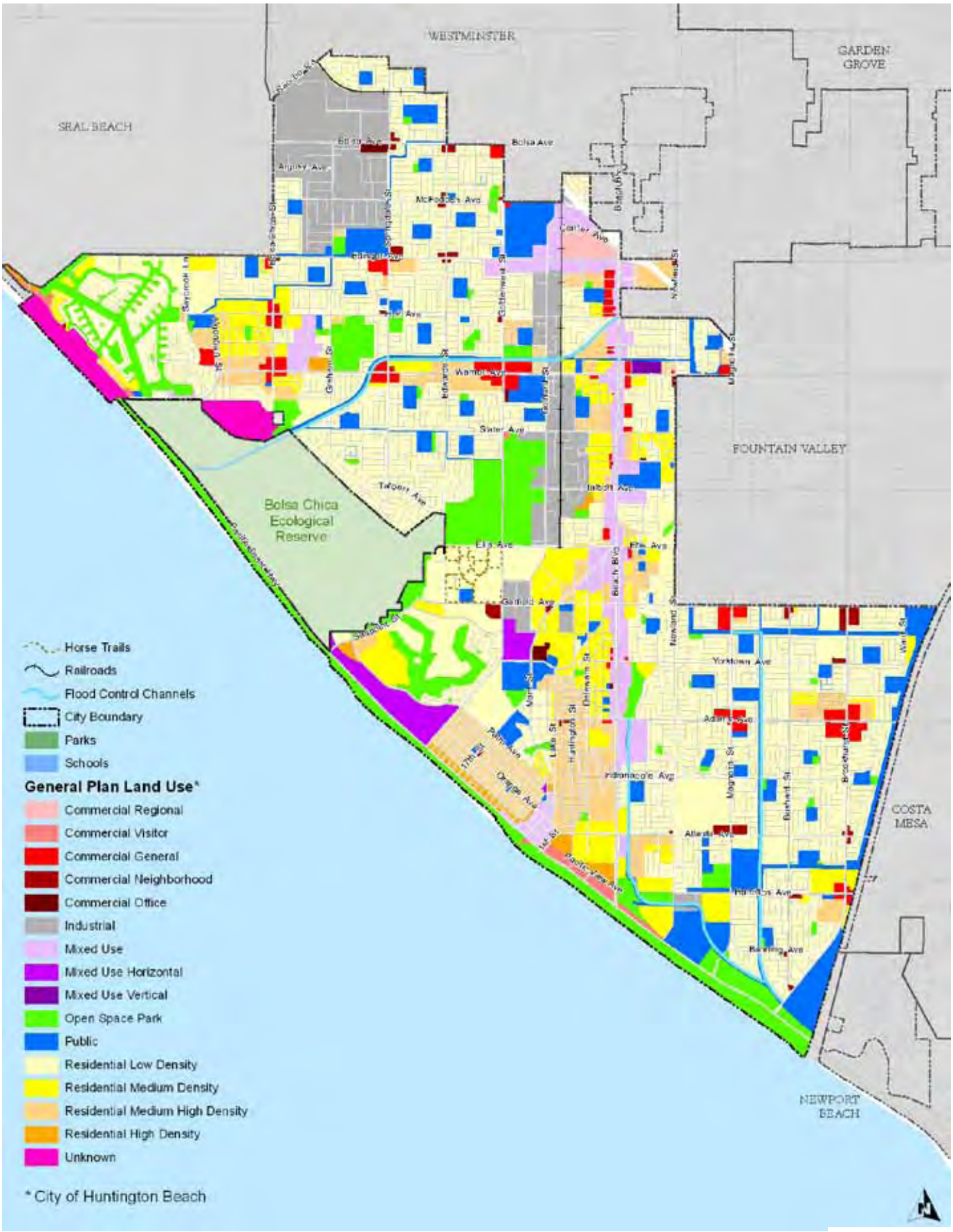


Figure 5: General Plan Land Use



Bicycle Parking Assessment

Adequate bicycle parking is essential for a bikeway network to be used to its full potential and secure bicycle parking at likely destinations is an integral part of a bikeway network. Bicycle thefts are common and lack of secure parking is often cited as a reason people hesitate to ride a bicycle. Increased bicycle parking provides an option for individuals who need to make a short trip to local retail and other services to ride their bicycle rather than drive their car. Bicycle racks should support the bicycle at two points and make it easy to use a U-shaped lock to secure the frame of the bicycle to the rack.

Adequate bicycle parking should be incorporated into any new development or redevelopment project. Bicycle parking should be given a balanced level of importance when considering car parking improvements or development. In commercial areas where bicycle traffic is more prevalent, such as downtown district, the Huntington Beach Pier, parks and shopping centers, increased bicycle parking is recommended.

Bicycle parking can be found along the Huntington Beach Multi-use Path and just below the pier entrance. Bicycle parking also exists in the downtown area, some at store fronts, on the street adjacent to angled parked and in the paseos. Bicycle parking can also be found at all the recreation centers, libraries and major parks. Most neighborhood parks lack bicycle parking. All schools have some form of bicycle parking, from simple schoolyard racks to a more secure parking like a bicycle cage at Isaac L. Sowers Middle School.

Insufficient bicycle parking is a significant issue, especially along the beach and downtown during the summer, but also during events in these areas at other times of the year. This lack of adequate bicycle parking was reflected in online survey responses as the highest scoring from among a list of suggested improvement about what would affect respondents' decisions to ride more often. (See Appendix C: Community Input Summary.)

Bicycle parking within the beach and downtown areas is routinely filled to capacity and beyond. Available racks fill early and later arrivals squeeze their bicycles in and even pile theirs on top of others. This was observed throughout the summer, especially under the pier. This can make extricating a bicycle particularly difficult and probably dissuades some cyclists from using the racks, and perhaps from even riding to their destination versus driving.

Regional Bikeways

According to the OCTA's *Commuter Bikeways Strategic Plan* (CBSP), the two regional bikeway connections within Huntington Beach are the Pacific Coast Highway and the Santa Ana River Trail. However, the City's existing bikeway network is conducive to regional travel since many arterials have bicycle lanes and connect to adjacent communities.

OCTA is currently developing a *Districts 1 and 2 Bikeway Strategic Plan* that will highlight and improve upon regional bikeway connections through these two districts. A similar effort was recently completed for District 4 and will serve as the model for this and any other district-level plans to come.

Nearby segments of the Santa Ana River Trail

2.3 Existing Programs

Education

Bicycle Classes

The City sponsors scheduled bicycle classes in City parks to serve all sectors of the community. The classes are currently priced at $12 per student to make them economically available to everyone in the community, including the traditionally underserved. Students who qualify in the very low income category are also eligible for City Instructional Class Scholarships. Families on Bikes Classes are offered for families with elementary school children. Street Skills Classes are offered for anyone 14 years old and older.

These classes and events are announced on the Community Services web site (*www.hbsands.org*) with details and instructions on how to participate. The same information and instructions are distributed quarterly, for free, via the hardcopy *HB Sands* community services guide magazines throughout the City. Other City events, including bicycle-related events, are announced and described on the City web site, *www.huntingtonbeachca.gov*. Special event announcements and educational videos, including cycling videos, are shown on the City public information cable channel HB3.

Police Education

The City has developed *Police In-Service Training for Bicycle Safety and Enforcement* focusing on the California Vehicle Code as it applies to cyclists, the real risks for cyclists, how to recognize safe lawful cyclist behavior, "share the road" principles, and unlawful/dangerous cyclist and vehicle driver behavior that should be targeted for education and/or enforcement.

Encouragement

Bicycle Valet Service

Huntington Beach maintains a very successful bicycle valet parking program to encourage residents to ride to the downtown beach area and events. This effectively reduces vehicle parking congestion during particularly high use periods.

Major Annual Events

Huntington Beach has a large population of cyclists who find it easier to ride than drive to special events. The City sponsors numerous events in the beach area near the pier (one or two per month) to which attendees are encouraged to arrive by bicycle via the very popular Huntington Beach Multi-use Beach Path. Large-scale bicycle parking facilities and the bicycle valet service are provided and the public responds in large numbers, resulting in many bicycles parked in the pier area during these events. Bicycles are an especially significant transportation choice for the City's annual Fourth of July celebration, which draws thousands. Summer Sundays band concerts in Central Park are attended by many picnickers who arrive by bicycle. The same is true for the City's Concerts on the Beach, weekly street fairs and open air market.

City of Huntington Beach Employee Rideshare Coordinator and Program

The City rideshare coordinator promotes Bike to Work Day for City employees in May with incentives and prizes. Other City encouragement programs include Dump the Pump Week, Earth Week and Ride Share Week. Bike to Work Day is also promoted in Huntington Beach and throughout Orange County by the Orange County Transit Authority (OCTA) via its web site and special events.

City of Huntington Beach Employee Shower and Changing Facilities

These facilities are available to employee cyclists in City facilities including City Hall, Fire Department Facilities, Police Facilities and some Public Works facilities.

Expanded Bicycle Event Publicity Efforts

The City shows cycling oriented videos on Public Information TV Channel HB3. HuBBA distributes fliers to bicycle shops and libraries publicizing bicycle events, including upcoming cycling classes.

Action Plan for Bicycle Friendly Communities

The Mayor and City Council members have signed an *Action Plan for Bicycle Friendly Communities*, provided by the League of American Bicyclists (LAB), which includes a commitment to: "*Establish information programs to promote bicycling for all purposes, and to communicate the many benefits of bicycling to residents and businesses*"; and "*Develop special programs to encourage bicycle use in communities where significant segments of the population do not drive (e.g. through Safe Routes to Schools programs) and where short trips are most common.*"

City Web Site

The City's web site offers information on local routes and upcoming bicycle events. Additionally, the Huntington Beach Marketing and Visitors Bureau (MVB) promotes cycling on their web site at: *http://www.surfcityusa.com/things-to-do-activities/Bicycling*.

Bicycle Diversion Course

Since 1973, the City of Huntington Beach has conducted a nationally recognized bicycle diversion course for children who have been stopped by the Police Department for a safety violation (typically helmet violations). The individual has the option to attend a two hour safety course held by the Police Department or be directed to pay the full fine of the ticket. A parent or guardian's attendance is mandatory. The safety course is well attended on a monthly basis and can also be attended by the general public.

Enforcement

Targeted Enforcement

The City of Huntington Police Department conducts targeted enforcement days of cyclists and vehicle drivers involved in cycling-related incidents.

2.4 Trip Origins and Destinations

Evaluation and Planning

Bicycle Advisory Committee

The Bicycle Advisory Committee (BAC) meets regularly to assist the City with implementation of plan projects, policies and programs. The BAC allows City Council and staff, volunteers and bicycle advocates to continue efforts to improve cycling throughout the City. This group acts as a community liaison and addresses issues of concern of local cyclists.

Bicycle Map

The City provides a map available as a digital download from the City web site. The map shows bikeway facilities, popular destinations and other important locations throughout Huntington Beach.

"Complete Streets" Policy

The City of Huntington Beach has adopted a "complete streets" policy to make sure that every street accommodates cyclists, pedestrians, vehicle drivers and transit users. A complete streets policy enhances the effectiveness of bicycle use throughout the City by having facilities that will accommodate bicycle travel, as well as walking and vehicle driving.

Safe Routes to School

This funding can be used for a variety of activities including site specific evaluation and planning, infrastructure costs and education programs. The Public Works Department of the City of Huntington Beach has successfully used the Safe Routes to School Grant program to obtain funding for physical improvements through capital grants.

Origin and Destination Summary

A number of factors drive bikeway facility recommendations. The maps on the following illustrate those analyzed for this plan, including those required to be considered by the bikeway master planning enabling legislation, *California Streets and Highways Code Section 891.2*. These factors include land use, existing and future population and employment density and activity centers.

Activity centers are defined as a community's major employers, office buildings, industrial sites, government sites, retail centers, hospitals, major attractions, colleges, universities, schools or parks and open space. The commercial and retail activity centers can also be regarded as employment centers because, in addition to the customers that constitute the typical activity center users, they also represent significant numbers of employees. The civic activity centers include Huntington Beach's parks and schools.

These centers particularly define trip origins and destinations, and generally include residential areas, employment centers, parks, schools and civic centers. Most cities have unique origins and destinations, as well as special events and variations in seasonal demand. This is especially true of Huntington Beach with its high levels of bicycle use in the popular beach area, as well as a number of beach-related events during the summer months.

Reviewing Figure 6: Activity Centers, confirms that most major employers, office buildings and industrial sites are clustered in specific areas generally associated with the main thoroughfares running through Huntington Beach. Employment density is an indicator of bikeway facility demand in terms of commuting trips, but it is also an indicator for shopping trips, especially to areas with concentrations of retail and service businesses.

Overall, activity centers tend to lie within an acceptable distance from their nearest adjacent bicycle facilities. This is supported by the locally gentle topography that drove the development pattern of a traditional street grid that provides multiple routes to any particular destination.

Figure 6: Activity Centers

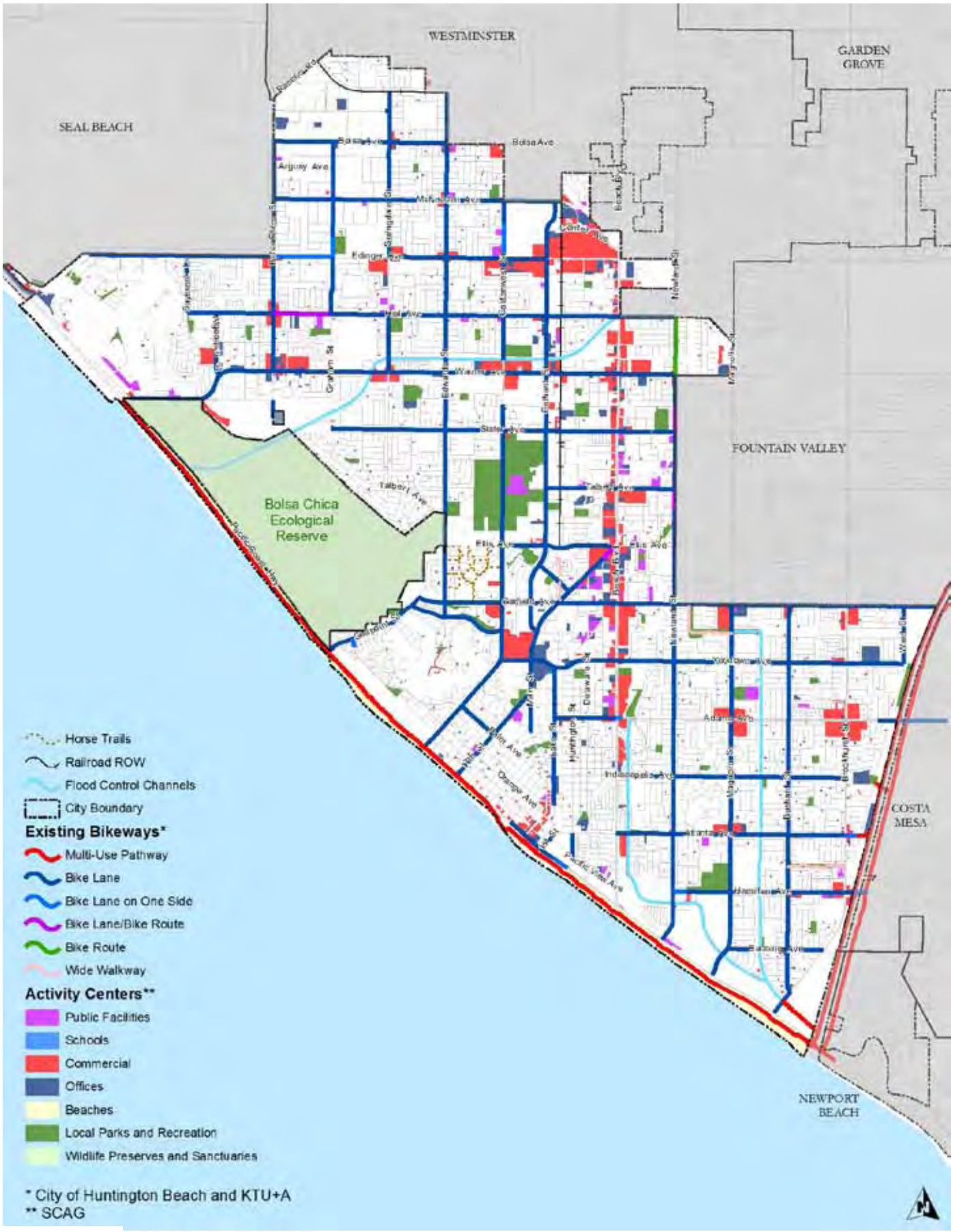


Figure 7: Existing Population Density

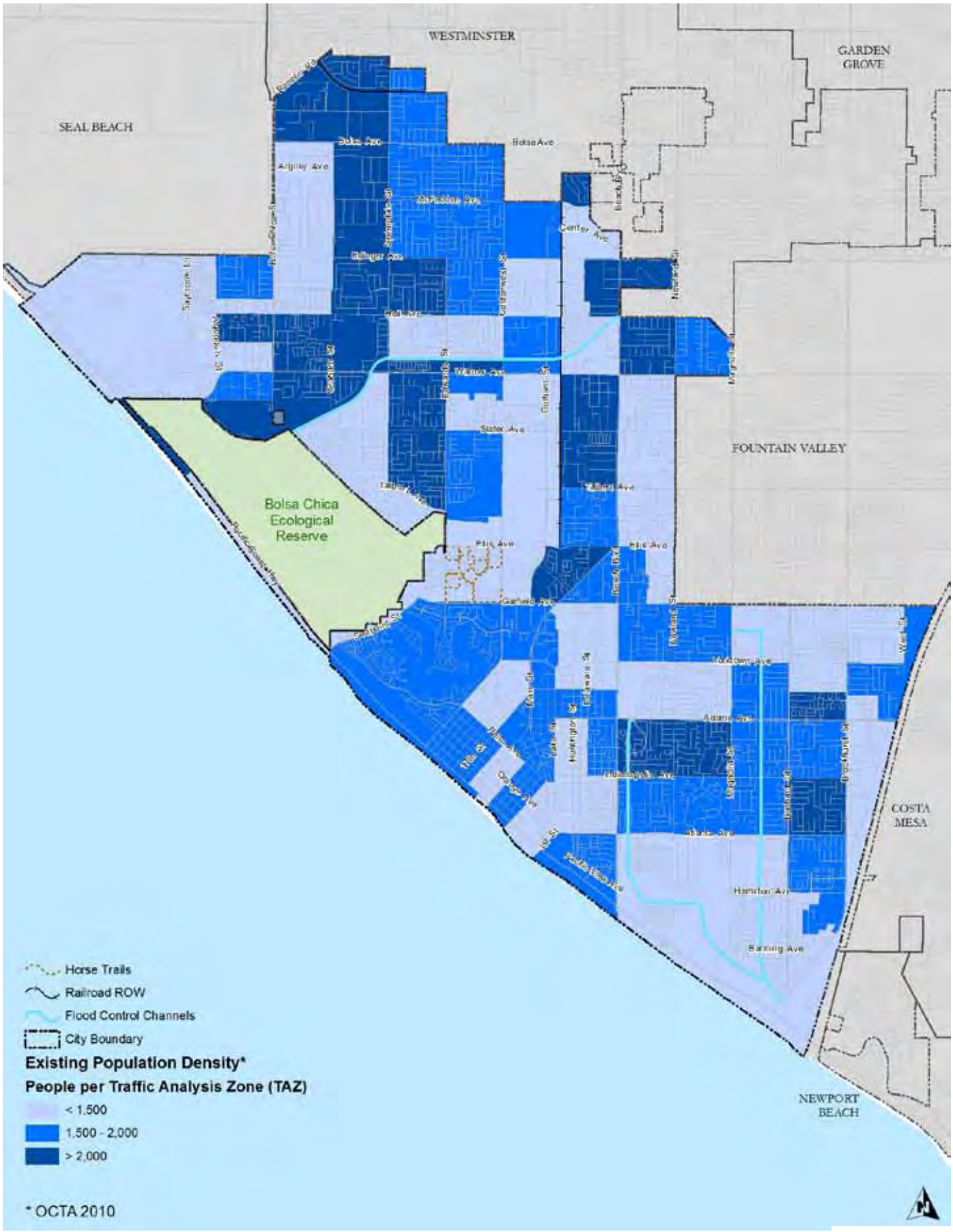


Figure 8: 2035 Population Density

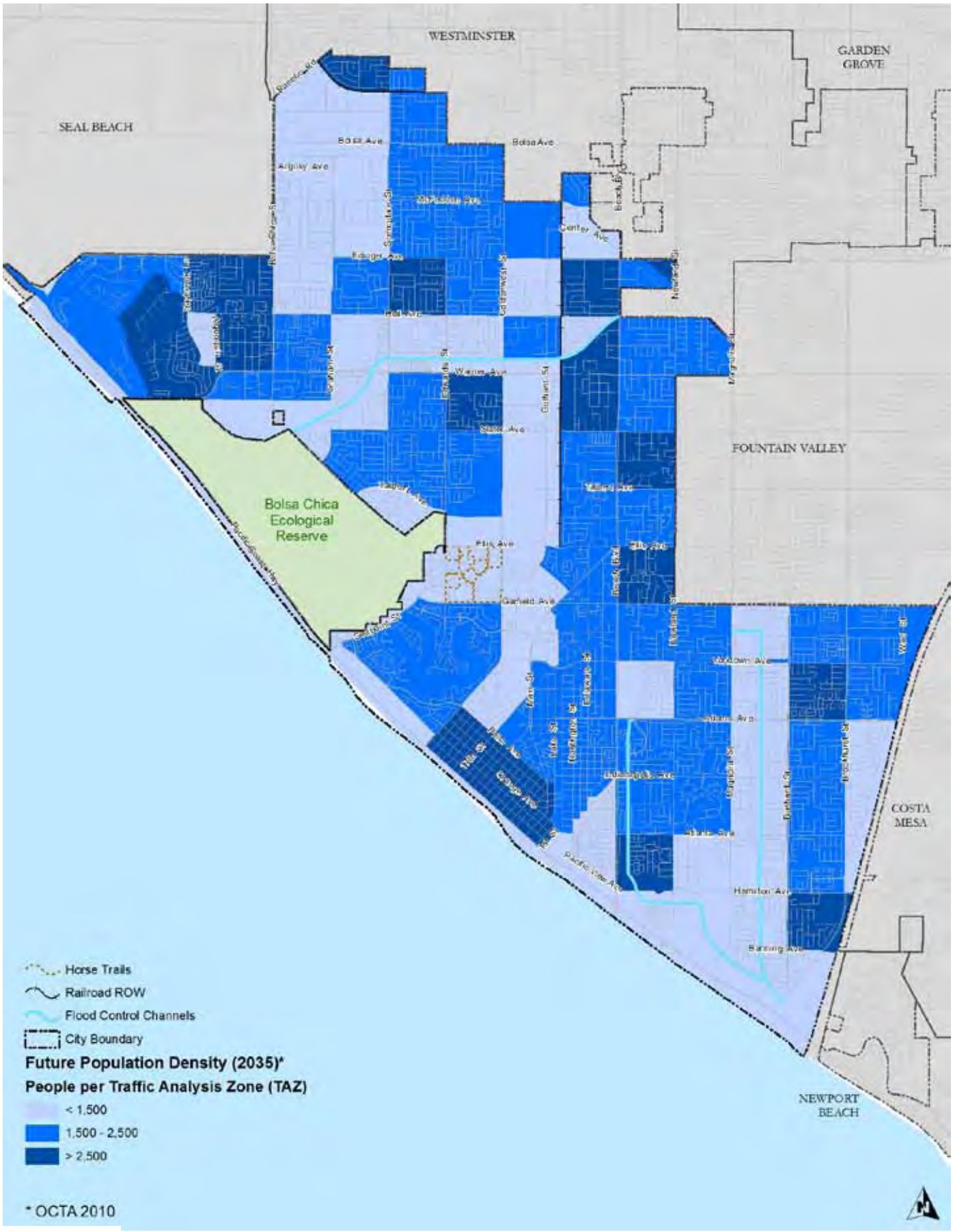


Figure 9: Employment Density

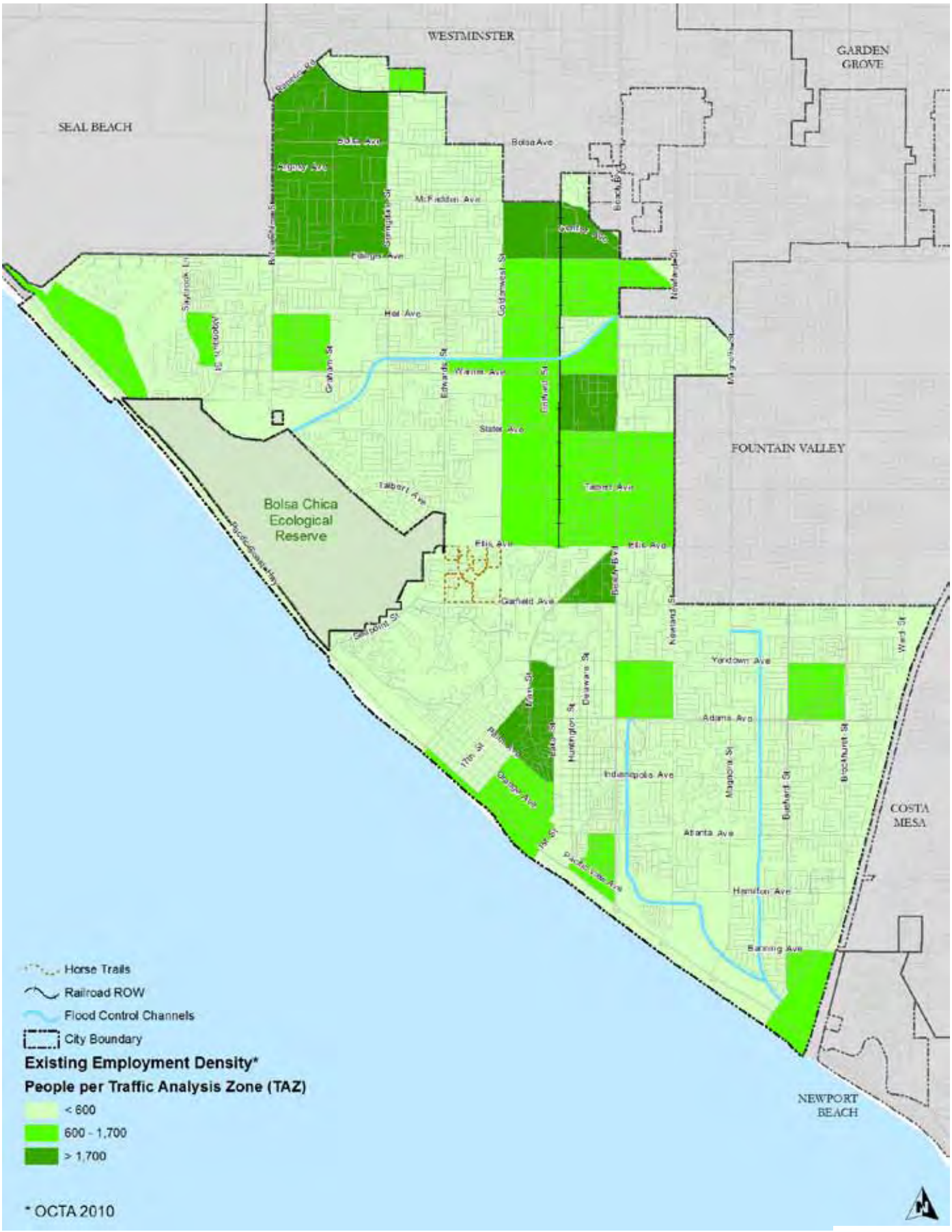
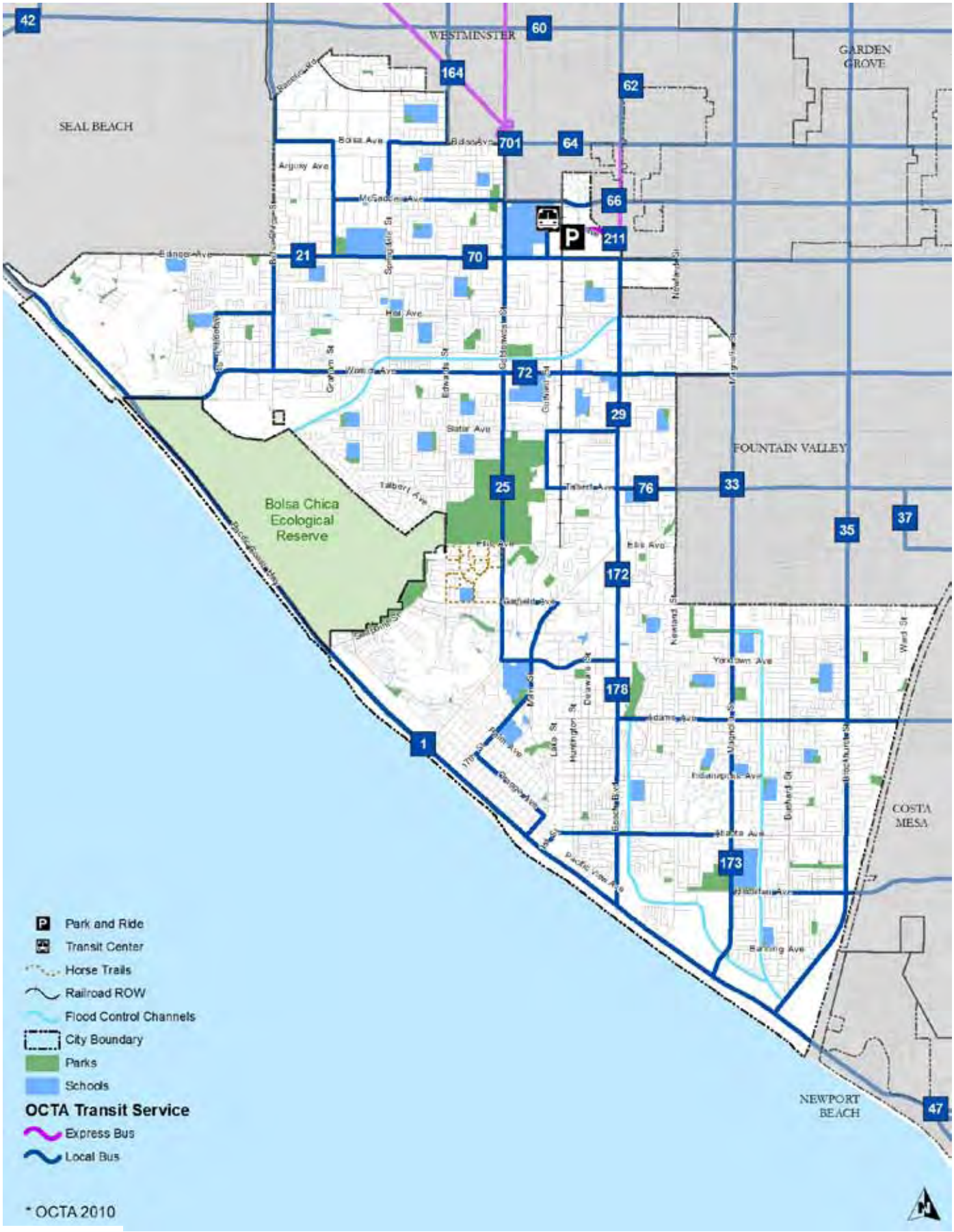


Figure 10: Transit Service



2.5 Safety Analysis

Collision Summary

Collision data were derived from the California Highway Patrol *Statewide Integrated Traffic Records System* (SWITRS). These data represent all reported bicycle/vehicle-related collisions occurring in Huntington Beach during the five year period from January 2006 through December 2010. Collisions that occurred on off-street paths are not included in the SWITRS data. Collisions involving cyclists, whether they involve vehicles, other cyclists, or pedestrians, are generally under-reported, so bicycle collisions are likely to have occurred that were not included as part of the SWITRS data.

During this five year period, there were over 700 bicycle/vehicle-related collisions, including two fatalities. For the purposes of this analysis, the collision data were reviewed in terms of collisions that occurred at intersections and those that occurred on road segments. Any collision occurring at or within 100 feet of an intersection was assigned to that intersection, while collisions occurring more than 100 feet from an intersection were assigned to that segment.

Table 6 lists the 10 intersections with the greatest number of bicycle-related collisions.

Table 6 – Top 10 Bicycle-Involved Collision Locations (Intersections), 2006-2010

Primary Street	Cross Street	Collisions
Warner Avenue	Beach Boulevard	8
Magnolia Street	Yorktown Avenue	6
Magnolia Street	Atlanta Avenue	6
Beach Boulevard	Talbert Avenue	5
Pacific Coast Hwy	1st Street	5
Bolsa Chica Street	Heil Avenue	5
Edinger Avenue	Springdale Street	5
Brookhurst Street	Adams Avenue	5
Warner Avenue	Gothard Street	5
Beach Boulevard	Indianapolis Avenue	4
Source: SWITRS, Fehr & Peers		
Notes: Collisions occurring 100 feet or closer to an intersection were assigned to the nearest intersection.		

In Figure 11, collision numbers are shown for each intersection and stratified based on the relative number of collisions. Figure 12 shows overall bicycle-involved collision density as variations in color shading.

There were two reported bicycle-involved collisions resulting in fatality in the five year study period*. These collisions occurred at:

- Brookhurst Street and Banning Avenue
- Brookhurst Street and Villa Pacific Drive

The collision density shown in Figure 12 indicates that collisions tend to occur along major streets and on or near clusters of residential uses, retail uses, or beach access points along Pacific Coast Highway. Corridors displaying a relatively high roadway segment collision density include:

- Beach Boulevard
- Pacific Coast Highway (PCH)
- Warner Avenue
- Heil Avenue
- Slater Avenue
- Main Street
- Yorktown Avenue
- Adams Avenue
- Atlanta Avenue
- Area bounded by PCH and Goldenwest, 1st and Delaware Streets

The components of the collision density analysis include a GIS based spatial analysis which captured collisions within close proximity of one another. The closer the collisions are from each other, the more intense the color. In Figure 12, the darker reds indicate a high concentration of collisions which was then matched up with the street network to show the areas of high bicycle collsions.

**There were two reported cyclist fatalities on Pacific Coast Highway in 2012, too recent to have been incorporated into available data sets.*

The roadway segment collision density appears to be concentrated at major intersections (in proximity to several top ten intersection collision locations) and east-west streets when compared to north-south streets. This likely largely reflects bicycle travel to and from the beach and associated destinations. It is also important to note that these data are based on the number of cyclist-involved collisions. The fact that many cyclist-involved collisions occur on major streets does not necessarily point to unsafe conditions. In fact, in terms of safety, the collision rates along these corridors may indicate relatively safe conditions since these routes are likely to reflect the greatest number of cyclists. Since there is insufficient cyclist data to develop bicycle collision rates, this collision analysis presents the next best available data for reviewing bicycle safety.

Additional data were reviewed for the 726 bicycle-involved collisions reported during the analysis period, including time of day and the severity of injuries.

Table 7 is a summary of time of day data for all bicycle-involved collisions in Huntington Beach. The time of day was grouped into four categories: school/business hours (7:00 AM-4:59 PM), evening hours (5:00 PM-8:59 PM), night hours (9:00 PM-2:59 AM), and morning hours (3:00 AM-6:59 AM). The greatest proportion of collisions occurred during school/business hours with 66 percent of the total, followed by evening hours at 24 percent of the total. Evening and night hours combined for 10 percent of the total bicycle-involved collisions.

Table 7 – Time of Day for Bicycle-Vehicle Collisions, 2006-2010

Time of Day	Percent of Total
7:00 AM-4:59 PM	66 Percent
5:00 PM-8:59 PM	24 Percent
9:00 PM-2:59 AM	7 Percent
3:00 AM-6:59 AM	3 Percent
Source: SWITRS, Fehr & Peers	

Table 8 is a summary of injury severity data for all bicycle-involved collisions in Huntington Beach. The collision data provide five categories as identified below, ranging from no injury information to fatality. The greatest proportion of collisions resulted in some visible injury with 55 percent of the total, followed by complaint of pain with 30 percent of the total. Severe or fatal injuries combined for less than three percent of the total bicycle-involved collisions.

Table 8 – Bicycle-Vehicle Collision Severity, 2006-2010

Injury Severity	Percent of Total
Injury – Complaint of Pain	30 Percent
Injury – Other Visible	55 Percent
Injury – Severe	2 Percent
Fatal	0.3 Percent
No Injury Indication	13 Percent
Source: SWITRS, Fehr & Peers	

Orange County Bicycle Coalition Collision Analysis - 2001-2012

On October 26, 2012, the Orange County Bicycle Coalition (OCBC) published an analysis of Huntington Beach bicycle collisions on their web site *(http://ocbike.org/2012/10/a-slice-of-huntington-beach/)* entitled "*A Slice of Huntington Beach*."

The article focused on reviewing primary factors for collisions in which a cyclist was killed or injured between January 2001 and July 2012. It also included an analysis of time of day and collision types. The data source was not provided, but a reference to the California Highway Patrol appears to indicate it was obtained from the *Statewide Integrated Traffic Records System* (SWITRS) database.

According to OCBC's analysis, there were 10 fatalities and 1,055 injuries within the period. Based on the data, 50 percent of fatalities were the fault of the cyclist, 30 percent were the fault of the vehicle driver and fault was undetermined for 20 percent. If the unknown fatalities were determined to be the fault of the cyclists, cyclists could be responsible for up to 70 percent of fatal bicycle-related collisions.

OCBC's analysis of the bicycle injury collision data indicates that cyclists were at fault in collisions just under 75 percent of the time. Approximately 46 percent of collisions identified the cyclist as at fault for riding on the wrong side or not far enough to the right of the road, in the opinion of the citing officer. It should be noted that while defining riding on the right side of the road is relatively straightforward, *California Vehicle Code Section 21202* requires some interpretation to determine when a cyclist is in violation. For example, the section states that cyclists must ride in the same direction and as close "*as practicable*" to the right-hand curb or edge of the roadway except under the following situations:

> *"When reasonably necessary to avoid conditions (including, but not limited to, fixed or moving objects, vehicles, bicycles, pedestrians, animals, surface hazards, or substandard width lanes) that make it unsafe to continue along the right-hand curb or edge, subject to the provisions of Section 21656. For purposes of this section, a "substandard width lane" is a lane that is too narrow for a bicycle and a vehicle to travel safely side-by-side within the lane."*

Additional OCBC research on collision time of day revealed that approximately 80 percent of collisions occurred between 6:00 AM and 6:00 PM, which were generally daylight hours. While it may not be surprising that the greatest number of collisions occur then, since it coincides with the most vehicle drivers and cyclists on the roads, this analysis may signal that education and enforcement efforts are needed to address issues not readily addressed through physical design or engineering solutions. This also concurs with the previous section's analysis conclusions.

The types of bicycle collisions were broken down by type, with "broadside" accounting for 53 percent of all collisions, followed by "other" at 16 percent and "sideswipe" at nine percent.

Complete bicycle-related collision rates would provide a more accurate assessment of cyclist safety than absolute numbers discussed here, but it is generally believed that many, if not the majority of non-fatal bicycle-related collisions go unreported.

Figure 11: Bicycle Related Collisions at Intersections

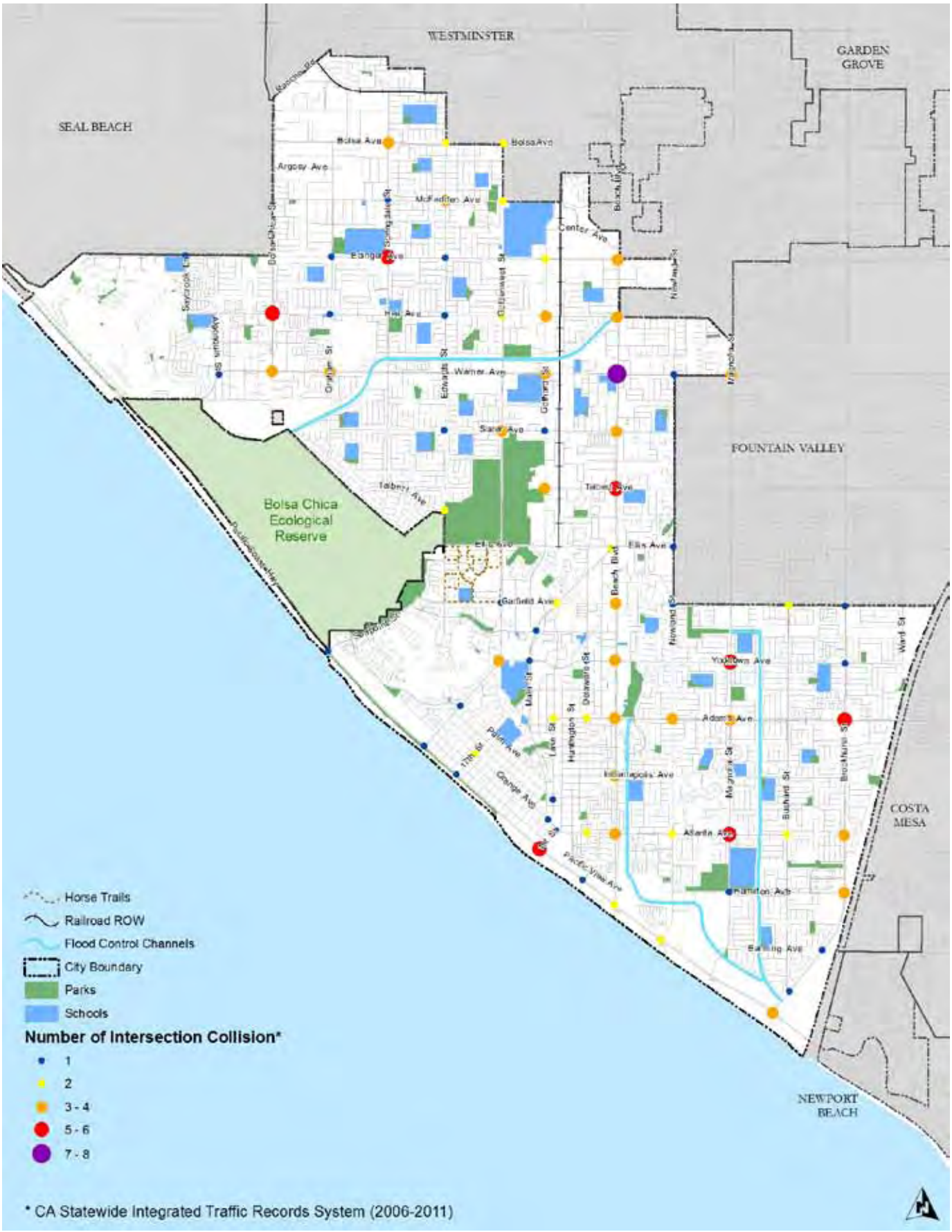
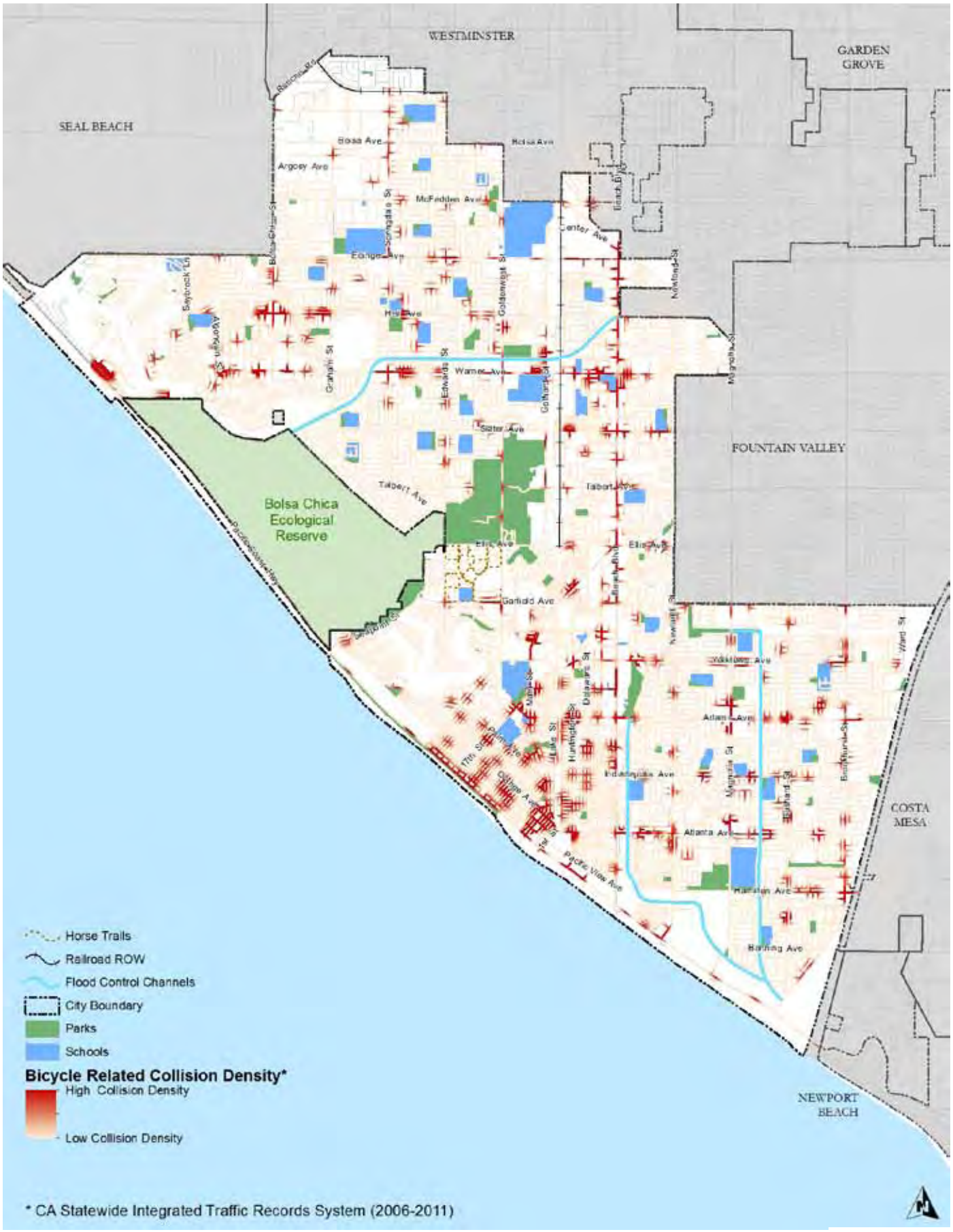


Figure 12: Bicycle Related Collision Density



High Traffic Volumes and Speeds

Studies show that most cyclists tend to prefer roadways with relatively low motor vehicle traffic volumes and speeds. Regular bicycle commuters are probably the least likely to be deterred from using more heavily traveled routes, especially if they are the most direct available, but even these riders are likely to choose quieter, less traveled routes that do not take them far out of their way, when given a choice. Recent studies have also shown that women, in particular, are more likely to go somewhat out of their way to avoid uncomfortably high vehicle volumes and speeds.

For this reason, average daily vehicle trips (ADVTs) and posted speed limits are routinely mapped for bikeway planning purposes and were also analyzed for Huntington Beach and illustrated on the next two pages.

Within the context of cyclist and pedestrian planning, high traffic volumes are commonly defined as more than 12,000 vehicles per day by the Federal Highway Administration (FHWA). In addition, cyclists are generally discouraged from sharing the roadway with vehicles when the posted speed limit exceeds 35 mph.

Some of the City's major roadways have both the highest volumes and posted speed limits, but do not have bicycle facilities. These include segments of Pacific Coast Highway and Beach Boulevard. While experienced cyclists are generally not deterred by adjacent motor vehicle speeds and volumes where bicycle lanes are available, having to share the roadway becomes a concern where facilities do not exist. Less experienced cyclists are more likely to find such conditions very uncomfortable and may be less likely to use high volume streets. They will tend to ride on alternative streets, preferably adjacent to the more heavily trafficked route they are trying to avoid, provided such routes are available.

Figure 13: Speed Limits

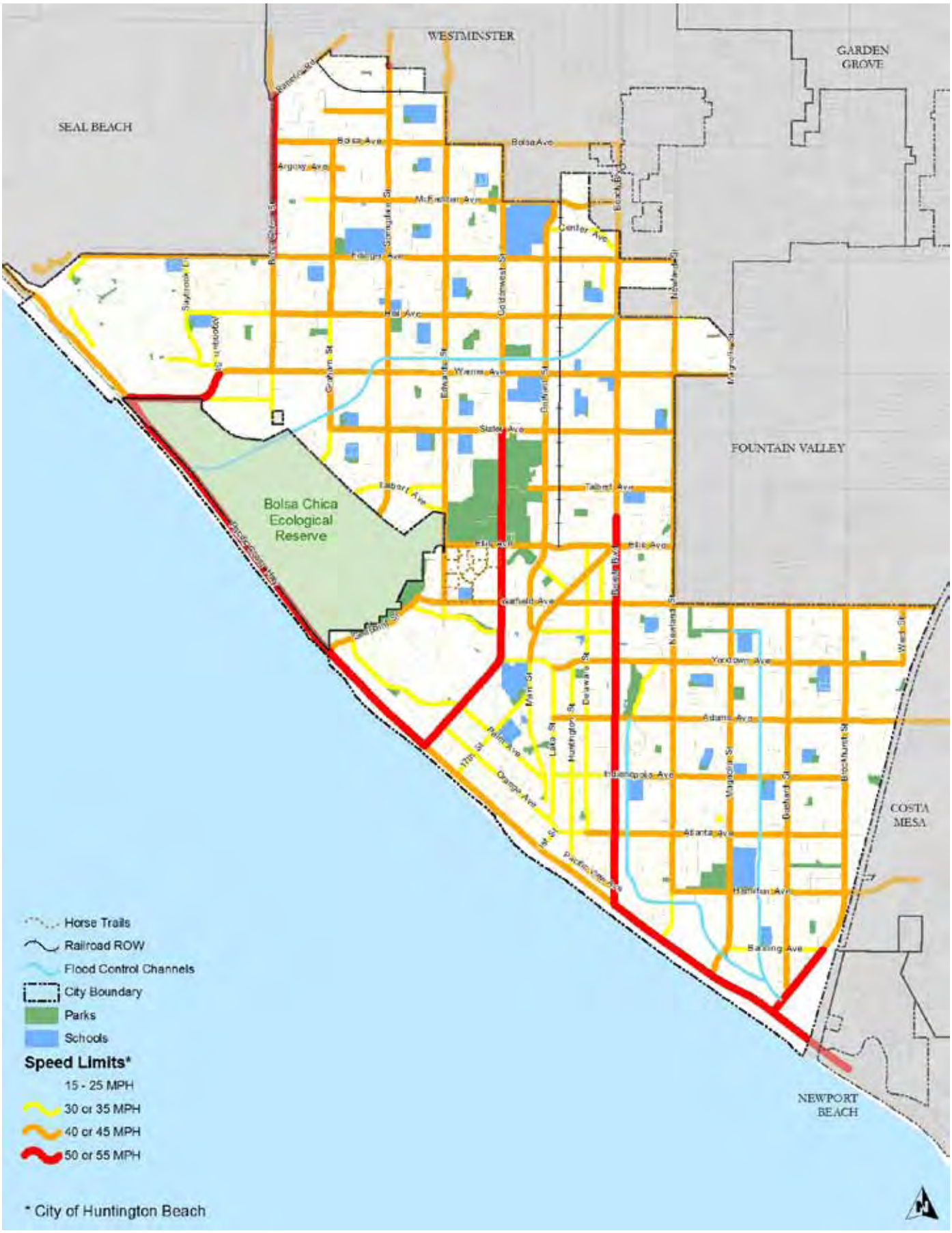
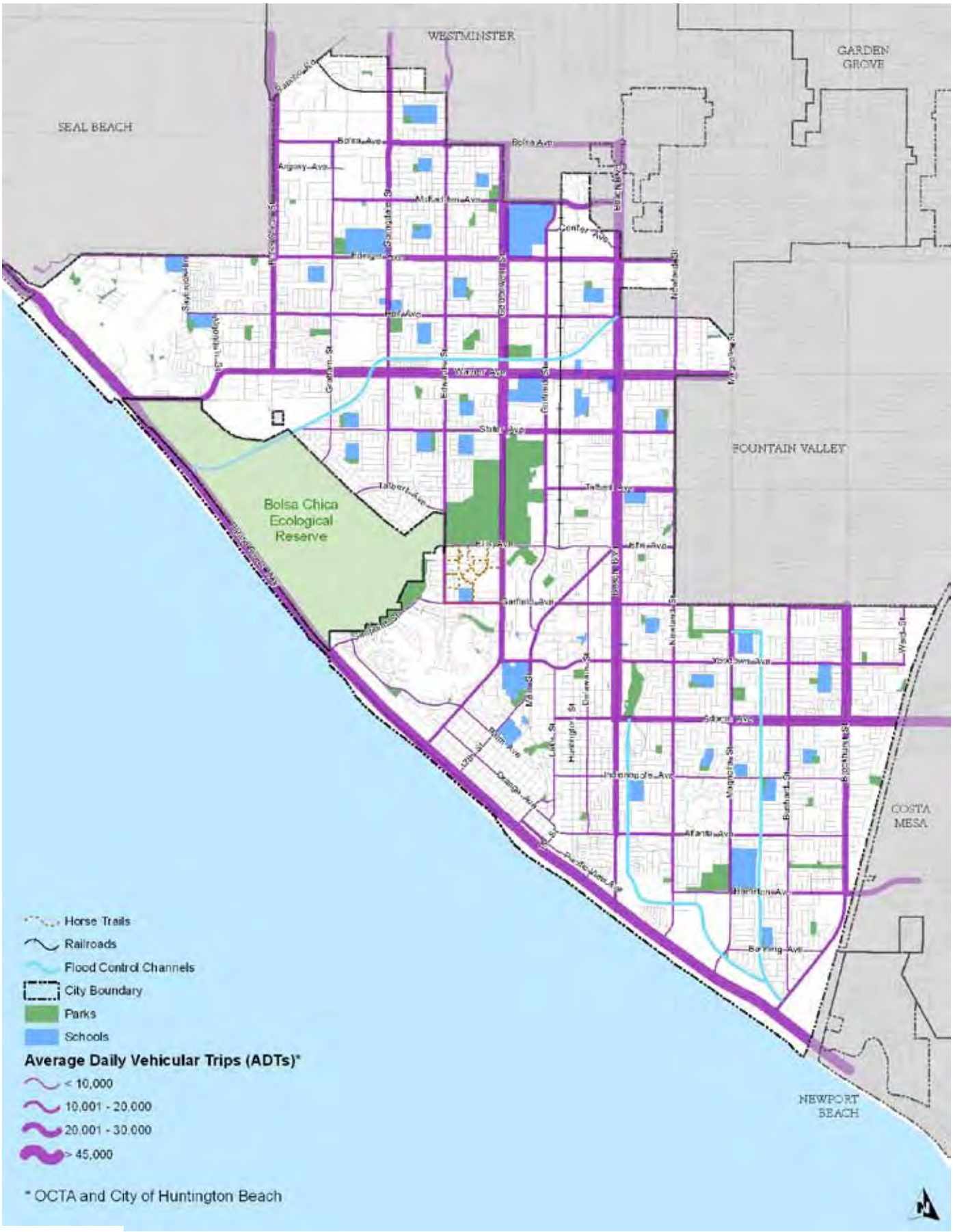


Figure 14: Average Daily Vehicular Trips (ADVTs)



2.6 Opportunities and Constraints Summary

Needs Assessment Summary

Based on this chapter's analysis of existing conditions, survey responses and GIS data, specific factors tended to drive the recommendations in the next chapter.

An important step in the planning process for any transportation project is the assessment of needs. Existing and planned land use, current and projected traffic levels and the special needs of the area population are examined. There are circumstances in which a portion of the transportation need might be served by non-motorized means, as well as locations where existing bicycle demand would be better served by improved facilities. Using the following land use and location factors help to highlight the potential for non-motorized travel and to determine the needs of cyclists at the street level. The roadway may be suitable for bicycle travel if it:

- Serves an activity center, which could generate bicycle trips
- Is included on a regional, county or municipal bicycle master plan
- Provides continuity with or between existing bicycle facilities, including those of adjacent municipalities
- Is located on a roadway that is part of a mapped event or club bicycle route or utilized regularly by local bicycle clubs
- Passes within two miles of a transit center
- Passes within two miles of a high school or college
- Passes within a half mile of an elementary school or middle school
- Passes through an employment center, especially if there is a significant residential area within a three mile radius
- Provides access to a recreation area or otherwise serves a recreation purpose

If any one of these factors exists, the roadway has the potential to attract cyclists of various types. As a result, it should be considered as potentially appropriate for designation as a bikeway.

This assessment also addresses other factors such as safety, public input, GIS modeling and fieldwork. These topics all relate to one another and help identify what is needed for a complete bikeway system. For example, safety concerns are analyzed by identifying bicycle-related collision locations, frequencies and causes, and especially the frequency at a certain notable locations. Cross-referencing these collisions and locations helps to identify where it may be best to install a bicycle facility to connect with other facilities, as well as future development.

Model Overview

As discussed in the previous section, there are many factors that can combine to create a situation where a street becomes an important bicycle connection in a community. To help to facilitate and automate this analysis, a Geographic Information Systems (GIS) model was created using maps of several of these factors. The Bicycle Suitability Model was developed to determine the most likely areas within the City where cyclists are likely to be, either currently or if improvements were made. The model was created to first prioritize areas to visit during fieldwork and consider for projects and then later to assist with ranking the implementation of projects. The Bicycle Suitability Model identifies existing and potential bicycle activity areas citywide utilizing existing data within an extensive GIS database.

The overall model is comprised of three basic models: the Attractor, Generator and Detractor Models. When these three interim models are combined, they create the Bicycle Suitability Model.

Attractors: These are cycling-related geographic features likely to attract cyclists. Examples of these features are schools, transit and shopping centers.

Generators: These are demographic data indicating potential cyclist volume based on how many people live and work within the cycling activity areas identified in the Attractor Model. Examples of generators are population and employment density, age density and primary mode of transportation to work.

Detractors: These are features likely to discourage or detract people from cycling. These are generally physical limitations such as areas with high numbers of bicycle related collisions, limited lane widths or high posted speed limits.

The model identifies the characteristics of each particular area in geographic space and assigns a numeric value for each of these characteristics. The score per area is then added to create a ranking for that particular area in geographic space. Figure 15: Bicycle Demand Index displays the results of the model. For details on the inputs and methodology of the model, see Appendix B: Suitability Model and Project Prioritization.

Field Work

Following initial mapping and model development, field investigations mostly consisted of cycling around the City to get a "cyclist's perspective" of how the facilities function individually and as a whole. During the fieldwork, roadways were evaluated by asking the following questions: What condition are the facilities in? Do they meet standards? What aspects of the facilities feel unsafe? What are possible solutions?

Further field work conducted during the spring and summer of 2012 consisted of driving and then cycling to obtain first-hand experience. Most of the field work was conducted during the summer to fully understand peak use conditions. Follow-up field work involved examining specific areas about which community input had been received, as well as detailed analysis of sites for potential recommendations.

Community Input

Computer-generated maps and data cannot be relied upon by themselves. Local residents' input is critical to fact-checking fieldwork, model results and initial impressions. As a City of Huntington Beach planning effort, community involvement was instrumental in the analysis of existing conditions and formulation of recommendations for this study. Several techniques were employed to gather information and perceptions from as broad a range of perspectives as possible.

Bicycle Advisory Committee

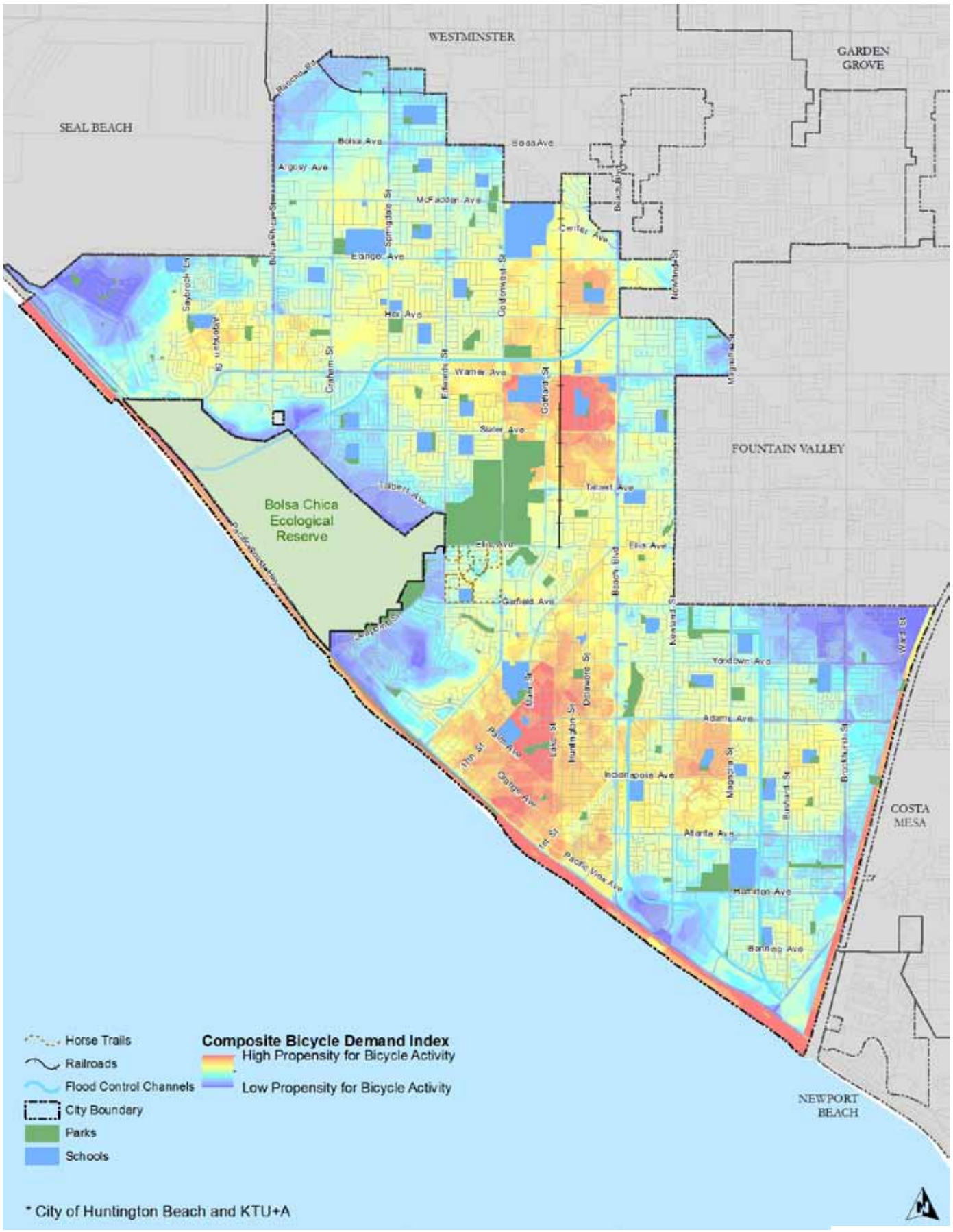
The City of Huntington Beach holds regular Bicycle Advisory Committee meetings to promote, coordinate and help carry out projects to make the City more bicycle-friendly. The committee members include Huntington Beach City Council members, City staff representatives from Public Works, Planning, Economic Development, Community Services and the Police Department, and bicycle advocates. Since its inception, it has been co-chaired by a City Council member and a bicycle advocate. Master plan consultants met with the BAC to take advantage of the group's familiarity and experience with Huntington Beach to review goals and objectives, suggest policies and actions and to review draft documents. The BAC was also instrumental in directing the study, providing guidance on appropriate analyses and in developing and prioritizing project and program recommendations.

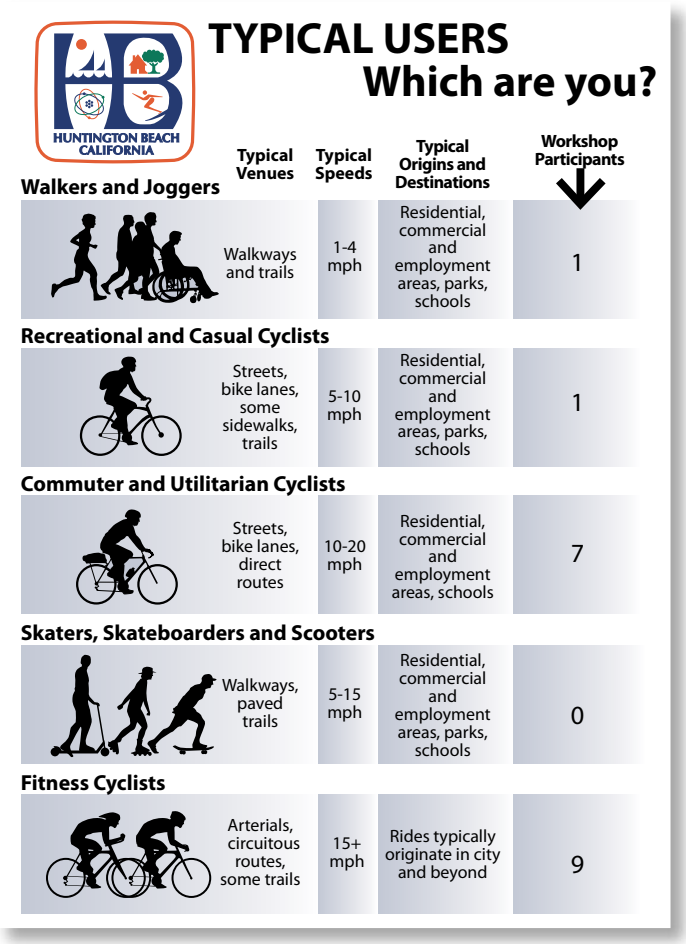
Community Workshops

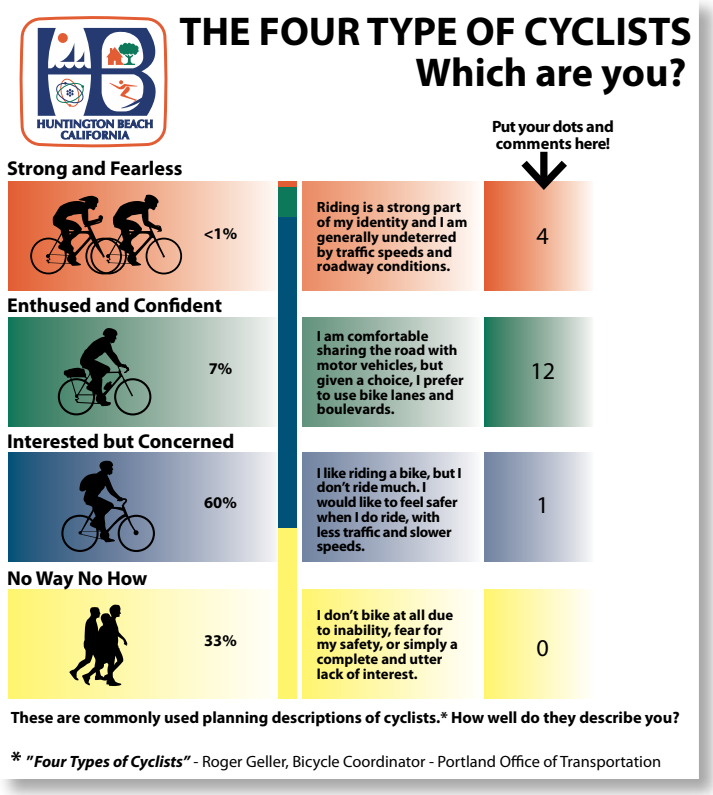
Two community workshops were held during the course of this master plan's development. At the first workshop, on 20 June 2012, large illustrative maps of existing conditions, along with depictions of potential facility types, were arranged around the room on easels to help educate participants about issues and potential solutions. In addition, high-resolution aerial plots of the entire City were placed on tables for participants to draw and write comments about their knowledge of the local cycling environment. This included where they currently did or did not ride and why, any existing facility gaps or other deficiencies, as well as where they would like to see additional facilities. There was also an instructional video shown throughout the workshop, the League of American Bicyclists' "*Essential Bicycling Skills*."

Discussion groups formed around the graphics and table maps resulting in substantial brainstorming and feedback. There were some suggestions about roadways missing facilities or reports of facilities that had been resurfaced and never repainted. However, the main message the KTU+A team received was that Huntington Beach is in need of an extensive outreach and education program. Meeting attendees stated that better cyclist and vehicle driver awareness (that they both share the same roads, have the same rights and responsibilities and must follow the same rules) were among their highest concerns or desires.

Figure 15: Bicycle Demand Index







These graphics are two boards used at the workshop to provide a snapshot of workshop attendees. Since they were a self-selecting population, both by attendance and by participating in this exercise, it is understood that the input may not reflect the opinions and preferences of the overall cyclist population. For this reason, while most attendees categorized themselves as "Enthused and Confident," the planning perspective used for this plan is the "8-80" concept intended to address bicycle facilities, programs and policies for users of all ages, including the "Interested but Concerned" group of cyclists noted on the board that make up an estimated 60 percent of the population.

The second workshop on April 11, 2013 focused on what was to be included in the draft plan, and to have participants help prioritize draft facility segments, suggested programs and policies.

Website and Online Survey

A study website was maintained through the draft phase of the project, on which meeting products and notices were posted. Probably its most important contribution to the project was its online survey. Such surveys have proved valuable because they allow respondents to compose their thoughts at their leisure, often resulting in more comments overall and with more in-depth insight about specific locations than what is generally provided at public meetings alone. To reach as broad a community constituency as possible, the survey was advertised via City events during the spring of 2012, such as at Surf City Nights and Orange County Transportation Authority's (OCTA) Bike Festival during Bike to Work Week, as well as through media and web outlets.

The survey was also distributed via email lists to those that had registered to hear more about the Bicycle Master Plan and to members of the Huntington Beach Bicycle Advocates (HuBBA). Workshop attendees were also informed about the survey, and fliers were distributed to area bicycle shops and other businesses. By November 2012, 143 people had completed the online survey. The flyer and survey response compilation can be found in Appendix C: Community Input.

Safety Analysis

The official causes of bicycle collisions are almost exclusively attributed to the behavior of either the cyclist or another roadway user (typically a vehicle driver). Both physical changes to the roadway and educational programs can have a corrective influence over the behavioral causes of bicycle collisions. The bicycle collision history presented earlier was considered when developing both infrastructure and programmatic recommendations.

In the following chapter, infrastructure improvements are recommended at high collision intersections and roadway segments wherever possible. In other cases, improvements to the Citywide bicycle network will provide cyclists with alternatives to problematic intersections or roadway segments.

Bicycle Facility Criteria Analysis and Feasibility

A list was developed of proposed bicycle facilities with the goal of improving connectivity and generally expanding the dedicated bicycle network. Existing conditions, field observations and public input were all considered during this project development. The proposed facilities were then assessed for feasibility. The proposed facilities were split into four groups:

- Class 1 Multi-use Paths – dedicated off-street facilities
- Class 2 Bicycle Lanes – marked and signed lanes in roadways
- Class 3 Bicycle Routes – signage (and lane markings) indicating that cyclists may share roadway space
- Bicycle Boulevards – long roadway segments featuring modifications to improve bicycle flow that do not also increase vehicular flow

The facilities were assessed against criteria specific to the facility type they represented. In some cases, they were assessed against other facility types to determine if a facility could be upgraded. The criteria are described in the follow paragraphs.

Class 1 Multi-use Paths

The typical width and horizontal clearance were measured using very high-resolution aerial photos provided by the City for segments where there appeared to be constraining factors. The minimum width for a Class 1 Bikeway was considered to be 10 feet for this study, with at least two feet of clearance from obstructions on each side. Crossings at streets or physical barriers were also assessed and special considerations noted.

It should be noted that California State Parks owns and operates approximately five miles of Class 1 paths within the study area, the majority of the local Class 1 system. Any proposed changes or additions should consider continuity and connection between the City and State Parks.

Class 2 Bicycle Lanes

Feasibility was determined by comparing the actual curb-to-curb roadway width with the minimum width necessary to support the current number of lanes plus five foot bicycle lanes in each direction. For this analysis, the minimum lane widths were considered to be 10 feet for through/turn lanes, and 12 feet for lanes adjacent to curbs. Where parking was permitted, eight feet was added to the total lane width. Painted medians and two-way left turn lanes were considered to be through/turn lanes in most cases. Raised medians and curb lines were considered to be static. These analyses assume that no physical construction or demolition would occur.

Through this comparison, it was determined whether bicycle lanes can be installed along a roadway segment without decreasing the number of lanes or eliminating any parking. The analysis typically broke proposed segments into smaller segments depending on changes in layout or physical characteristics. This meant that a bicycle lane may be feasible within one block and infeasible within the next block if lanes were added or total width changed.

Class 3 Bicycle Routes

Bicycle routes were typically selected where connectivity could be improved by filling gaps in the system, but there was not sufficient space to install bicycle lanes. For this analysis, the total widths of the proposed bicycle route streets were compared to the minimum widths necessary for bicycle lanes (as outlined previously) to ensure that a full Class 2 facility could not be implemented.

Bicycle Boulevards

Feasibility was assessed based on the number of intersections currently requiring cyclists to stop along the route. Bicycle boulevards were differentiated from standard Class 3 route facilities by having an increased flow rate for cyclists, so the number of stops or conflicts was a key factor. Since it is assumed that all bicycle boulevards would be considered Class 3 facilities, total width was also recorded to assess the feasibility of sharing the lanes.

Recommendations 3

3.1 Recommended Projects

The recommended projects shown in this chapter identify improvements to the existing bikeway system. These projects will have a significant impact, such as closing major gaps and extending or developing multi-use paths, bicycle lanes or routes along major transportation corridors. The numbering used to identify projects within each bikeway facility class in the following sections does not necessarily imply priority beyond the facility category. Bicycle facility implementation has no specific time line, since the availability of funds for implementation is variable and tied to the priorities of the City's capital projects.

This chapter's tables list recommended projects and the associated figures identify their locations and project ranking. If there is desire, proposed projects can be re-ranked within the five year bicycle master plan update cycle at whatever interval best fits funding cycles or to take into consideration the availability of new information, new funding sources, updated crash statistics, updated CIP lists, etc. Bikeway facility prioritization and implementation should be fine-tuned and adjusted accordingly based on future circumstances. More information regarding the ranking process can be found in Appendix B: Suitability Model and Project Prioritization. Cost estimates for these projects are included in Chapter 4: Bikeway Funding.

Class 1 Multi-Use Paths

Because they are constructed independently of existing or programmed motor vehicle facilities, Class 1 paths are by far the most expensive of all bicycle facilities. Typical costs per mile can vary a great deal due to possible right-of-way acquisition, bridges and other potential major expenses such as extensive grading due to hilly topography and facility width. For example, a Class 1 facility being converted from a former rail roadbed across flat terrain will require far less grubbing, grading and structural enhancements than a facility being constructed through an undeveloped area with hilly topography and stream crossings.

Additional multi-use paths are primarily recommended along the flood control channels and railroad rights-of-way to provide off-street connections throughout the City. These routes provide bicycle facilities separated from vehicular traffic and connect to parks, schools and other existing and proposed bicycle facilities.

Class 2 Bicycle Lanes

Huntington Beach has enjoyed the benefit of having bicycle lanes already installed on many major arterials. Additional recommended bicycle lanes are primarily gap closures and traffic calming installations. The latter applies to some cases to very wide streets without bicycle facilities, and bicycle lanes are recommended to both perceptually narrow the streets to slow vehicular traffic, as well as providing a facility for cyclists.

Class 3 Bicycle Routes

Bicycle routes are recommended as additional gap closures and connections where the vehicular speed, geometry and traffic volumes allow cyclists to share the road with vehicles. In many cases, the gap closures are short segments that connect bicycle lanes, schools and parks in low volume, low speed residential streets. Where bicycle lanes cannot be accommodated because of available right-of-way, bicycle routes are recommended when safety criteria are met.

Bicycle Boulevards

Bicycle boulevards are generally shared lane facilities with prominent pavement markings. Traffic diverters, roundabouts, traffic circles and other calming measures are all amenities that can make up a bicycle boulevard. However, the priority of bicycles over vehicles is what makes a street with bicycle facilities a bicycle boulevard. The recommended bicycle boulevards primarily connect schools near the downtown district and higher density population areas. For example, the Utica Avenue bicycle boulevard provides direct access to Huntington Beach High School.

Bicycle boulevards require additional planning and engineering prior to implementation. Impacts to vehicular traffic flow, bicycle and pedestrian safety improvements at intersections and crossings, right-of-way acquisition, signage and utilities are examples of associated items that would require in-depth analysis. Education and enforcement of these facilities is also recommended to assist the community in correctly utilizing them following implementation. Examples of education programs are included in this chapter.

The following maps and tables describe the recommended projects developed through project analysis and City staff, community and advocacy group input.

The tables show the results of the analysis along with notes about facilities and any field observations. The "Notes" column provides additional information addressing the existing condition for each segment. This may include additional constraints, guidelines or other unique factors that should be considered prior to project development. Total width was verified in the field where it was within four feet of the minimum needed. The width columns illustrate the difference between the needed width and existing width for the recommended facility type. The "Delta" column employs a color coding system to summarize improvement feasibility. Green indicates feasible, red indicates infeasible and blue indicates a value within four feet of the minimum width needed.

Figure 16: Proposed Class 1 Multi-Use Pathways ("Bicycle Paths")

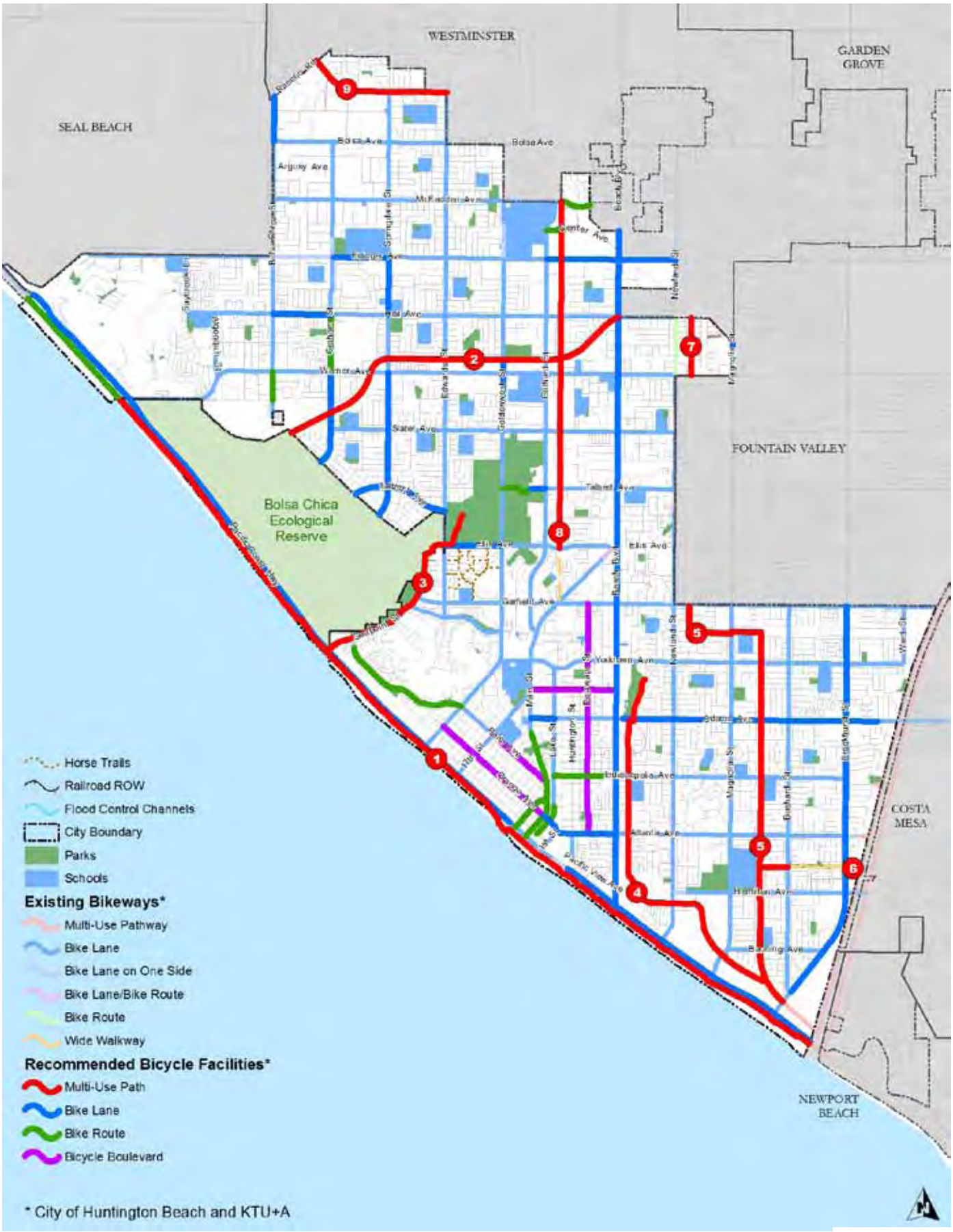


Table 9: Proposed Class 1 Multi-Use Paths

No.	Facility	From	To	Min Typ Width (ft)	Notes
1	**Huntington Beach Multi-use Beach Path**				
Existing multi-use path.		Seal Beach	Newport Beach	N/A	• Add center line stripe in select locations as safety measure • Widen beach path from current minimum 8' to 12' to better accommodate heavy weekend summertime use • Minimize landscape water overflow onto path to improve safety • Add additional berms adjacent to existing asphalt/wooden berms as needed to prevent sand from encroaching onto path • Widen constricted turns on path (Wider turn may increase some wheeled users' speeds) • Install stairway next to ADA ramp at intersection of Seapoint and beach path to minimize steep trail use - source of heavy erosion of sand onto path • Stencil "Yield" signs in lieu of "Stop" where appropriate at select path intersections • Path within state beaches owned and maintained by State Parks. Improvements require coordination with California State Parks system
2	**East Garden Grove - Westminster Channel**				
Multi-use path feasible using existing graded areas along top of each levy and access ramps for each side at roadway crossings.		Heil Avenue	Pacific Coast Highway	16	• At-grade crossings at Heil, Gothard, Goldenwest, Edwards, Springdale, Warner and Graham • Railroad crossing east of Gothard on north side would provide access to more open spaces and would not require bridge east of rail crossing • County plans to install bikeway between Slater and end of channel (Planned facility in GP but not in circulation update) • East side of channel already observed to be used by cyclists/pedestrians (Fence between channel and dog park north of ecological preserve has been cut to allow access) • Some roadway overcrossings (e.g. Graham) have vertical curvature that reduce sight distance and may impede drivers' view of crossing cyclists/pedestrians • California Department of Fish and Wildlife does not allow cycling. Cyclists required to walk their bicycles.

No.	Facility	From	To	Min Typ Width (ft)	Notes
3	**Seapoint Street Multi-use Path**				
Bikeway feasible.		Huntington Central/West Park	Garfield Avenue	N/A	• Open space bikeway alignment • At-grade crossing needed at Edwards • Mix of oil production and a power substation in this area • Graded trails currently exist and are in use • Overlook Drive provides trails and parking access
		Garfield Avenue	Palm Avenue	21	• Buffered bicycle lane in place along west side of Seapoint, as well as open space to west • Measured width is existing side-walk plus bicycle lane and buffer • Bikeway could be constructed in open space or by using space occupied by bicycle lanes/ sidewalk
		Palm Avenue	Pacific Coast Highway	21	• Buffered bicycle lanes in place • Measured width is existing sidewalk plus bicycle lanes and buffer • Open space not available • Riders could be directed to use existing Class 2 lanes in this segment
4	**Huntington Beach Channel**				
Multi-use path feasible using existing graded paths along the top of each levy and access ramps for each side at roadway crossings.		Bartlett Park	Talbert Channel	16	• Begins in Bartlett Park along Coldwater Lane. • Convert Coldwater Lane to Class 3 bicycle route when Barlett Park segment is built to access controlled intersection at Yorktown Avenue • At-grade crossings needed at Seabridge, Indianapolis, Atlanta, Newland and Magnolia • Graded path on west/south side ends at wet-lands/Magnolia Marsh • Existing bridge could carry bikeway users to north side and north side path could share new bridge with Talbert Channel Bikeway.
5	**Talbert Channel**				
Multi-use path feasible using existing graded areas along top of each levy and access ramps for each side at roadway crossings.		Hyde Park Drive	Brookhurst Street	16	• At-grade crossings needed at Yorktown, Adams, Indianapo-lis, Atlanta, Hamilton and Banning • West side accesses more public areas/schools • Bridge would be required to cross channel to east side at intersection with Huntington Beach Channel.
6	**Edison Greenway**				
Multi-use path feasible.		Santa Ana River Trail	Talbert Channel	N/A	• Open space, portion currently used as nursery • At-grade crossings at Brookhurst and Bushard • Existing pathway in Greenway would need to be widened in some segments to meet multi-use path standards

No.	Facility	From	To	Min Typ Width (ft)	Notes
7	**Edison Greenway**				
Multi-use path feasible.		City limit	City limit	N/A	• Open space, currently in use as nursery • Coordination needed with Edison, Fountain Valley and Westminster for path continuation
8	**UPRR Rail ROW**				
Multi-use path not feasible with current spacing (width measured from center of track to fence or other physical barrier). Multi-use path would have to cross active track multiple times. Recommend keeping project in long-range plan should rail go inactive.		McFadden Avenue	Edinger Avenue	West: 15/ East: 22	
		Edinger Av-enue	Heil Avenue	West: 12/ East: 25	• Trapezoidal drainage channel on east side
		Heil Avenue	1300' s/o Talbert Avenue	West: 17/ East: 18	• Sidetrack between Warner and Slater, further reducing clearance
		1,300' s/o Talbert	Ellis Avenue	45	• Track removed in this segment
9	**US Navy ROW**				
Multi-use path feasible.		City limit	City limit	N/A	• Coordination needed with US Navy and West-minster for path continuation

Figure 17: Proposed Class 2 Bicycle Lanes

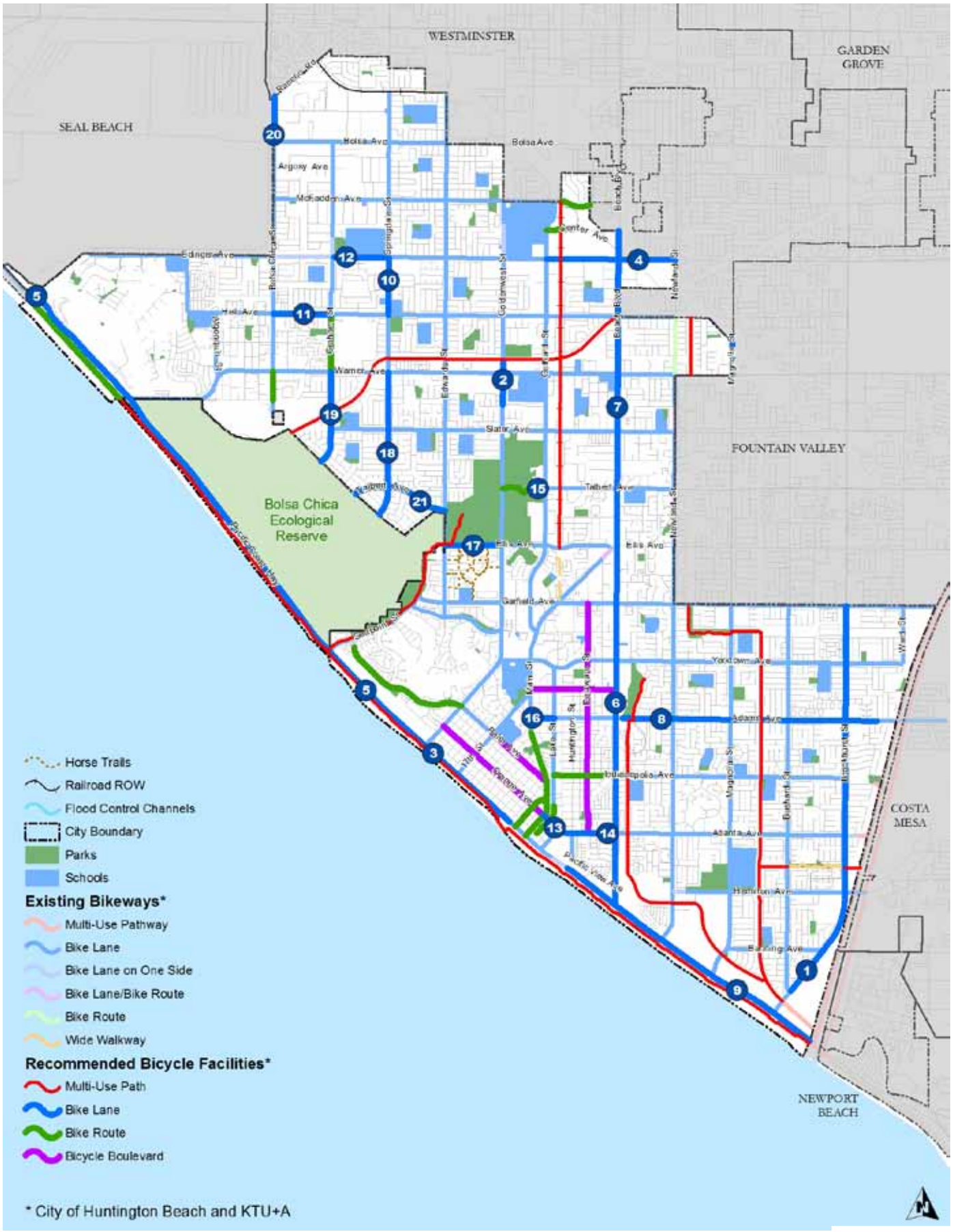


Table 10: Proposed Class 2 Bicycle Lanes

No.	Facility	From	To	Required Width (ft)	Existing Width (ft)	Delta	Notes
1	**Brookhurst Avenue**						
Bicycle lanes feasible.		Talbert Avenue	Yorktown Avenue	97	94	-3	Bicycle lane would terminate at southbound and northbound right turn lanes onto Talbert, Garfield, Ellis and Yorktown Avenues
		Yorktown Avenue	Adams Avenue	92	94	2	Bicycle lane would terminate at southbound right turn lane
		Adams Avenue	Atlanta Ave	88	94	6	Bicycle lane would terminate at southbound right turn lane
		Atlanta Avenue	Hamilton Avenue	90	100	10	Bicycle lane would terminate at southbound right turn lane
		Hamilton Avenue	Banning Avenue	104	104	0	Bicycle lane would terminate at northbound right turn lane
		Banning Avenue	Bushard Street	104	104	0	Bicycle lane would terminate at southbound right turn lane
2	**Goldenwest Street**						
Bicycle lanes not currently feasible. Lacks pavement width approaching Warner. Traffic volumes and connections make this an important route. Further study needed to accommodate bicycle lanes. Road diet an option.		Flood Channel	440' n/o Warner Ave	84	85	1	Bicycle lanes exist in both directions
		440' n/o Warner	Warner Ave	94	84	-10	5 southbound movements
		Warner Ave	250' s/o Warner Ave	104	91	-13	6 northbound movements
		250' s/o Warner Avenue	Betty Drive	90	82	-8	
3	**Pacific Coast Highway (7th to Goldenwest Street)**						
Bicycle lanes feasible with on-street parking or outside lanes narrowed. Reduced lane widths would require Caltrans design exception.		7th Street	Goldenwest Street	78	83	4	• Class 1 bikeway on ocean side • Class 2 route intended to accommodate cyclists who prefer separation from other users such as pedestrians • Caltrans standards call for 6' bicycle lanes where posted speed exceeds 40 mph
4	**Edinger Avenue**						
Bicycle lanes not currently feasible. Further study needed.		Gothard Street	200' e/o Fortuna Lane	88	82	- 6	Road diet from six to four lanes would be needed to accommodate bicycle lanes - Additional study needed prior to implementation
		200' e/o Fortuna Lane	Bella Terra	98	92	- 6	
		Bella Terra	Beach Blvd	98	92	- 6	

No.	Facility	From	To	Required Width (ft)	Existing Width (ft)	Delta	Notes
5	**Pacific Coast Highway (Goldenwest Street to City Limit)**						
Bicycle lanes would be feasible in most locations, with adequate space within striped shoulders.		Goldenwest Street	Bolsa Chica Ecological Reserve	66	80	14	• Striped 6-8' shoulder • Cyclists were observed riding on shoulders
		Bolsa Chica Ecological Reserve	650' west of Reserve	60	76.5	16.5	Striped 6-8' shoulder
		650' west of Reserve	2,440' w/o Reserve	60	76	16	Striped 6-8' shoulder
		2,440' w/o Reserve	Warner Drive	62	76	14	Striped 6-8' shoulder
		Warner Drive	City limit	76	80	4	Striped 6-8' shoulder on east side
6	**Beach Boulevard**						
Bicycle lanes feasible south of Main Street. Classified as a Smart Street within OCTA Master Plan of Arterial Highways. May be ineligible for M2 funds if downgraded from a Smart Street.		Main Street/ Ellis Avenue	Graziadio Drive	92	108	16	Bus pad ends at north end of segment, widens to 114', loses one lane in each direction
		Graziadio Drive	Adams Avenue	104	110	6	Some areas where parking unlikely, but no signs/striping it
		Adams Ave	Knoxville Avenue	98	110	12	At least one side of street has restricted parking
		Knoxville Avenue	Pacific Coast Highway	104	110	6	Some areas where parking unlikely, but no restricting signs/ striping
7	**Beach Boulevard**						
Available width varies along block north of Main Street, making determination at this phase difficult. To install bicycle lanes, travel lanes would need to be reduced to below curent Caltrans standards. Classified as Smart Street within OCTA Master Plan of Arterial Highways. May be ineligible for M2 funds if downgraded from Smart Street.		City Limit (I-405)	Edinger Ave	112	118	6	
		Edinger Avenue	Stark Drive	116	116	0	
		Stark Drive	MacDonald Drive	120	120	0	
		MacDonald Drive	Alhambra Drive	118	120	2	Bicycle lane would begin north of curb extension between Alhambra and Heil on east side
		Alhambra Drive	Terry Drive	112	110	-2	
		Terry Drive	Blaylock Drive	112	108	-4	
		Blaylock Drive	Main Street/ Ellis Avenue	112	110	-2	Bus pad opens at south end of segment, widens to 114'

***"Delta"** column represents difference between required right-of-way width for bicycle lanes versus existing width. Range between -2 or greater (per side) indicates possibility of bicycle lane installation with some additional design considerations.*

Color coding indicates improvement feasibility: Green indicates feasible, red indicates infeasible and blue indicates field-verified value within four feet (two feet per side) of minimum required.

6	*Green = feasible*
-3	*Red = infeasible*
2	*Blue = value within four feet of minimum*

No.	Facility	From	To	Required Width (ft)	Existing Width (ft)	Delta	Notes
8	Adams Avenue						
Bicycle lanes feasible except for vicinity of intersection with Brookhurst.		Beach Boulevard	Slater 50/50 dwy entrance	88	98	10	Bicycle lane already striped westbound
		Slater 50/50 dwy entrance	Newland Street	88	102	14	
		Newland Street	Magnolia	88	98	10	Striped bicycle lanes exist in both directions
		Magnolia	Bushard	88	95	7	
		Bushard	500' w/o Brookhurst Street	88	98	10	Bicycle lane would terminate where dedicated right turn lanes begin
		500' w/o Brookhurst Street	Brookhurst Street	108	102	-6	Widens to two lanes with double left and eastbound right turn lane
		Brookhurst Street	495' e/o Brookhurst Street	106	96	-10	
		495' e/o Brookhurst Street	Ranger Lane	88	81	-7	
		Ranger Lane	Santa Ana River Trail	84	84	0	Striped bicycle lane exists in both directions but decreasing median width approaching river

"Delta" *column represents difference between required right-of-way width for bicycle lanes versus existing width. Range between -2 or greater (per side) indicates possibility of bicycle lane installation with some additional design considerations.*

Color coding indicates improvement feasibility: Green indicates feasible, red indicates infeasible and blue indicates field-verified value within four feet (two feet per side) of minimum required.

6	*Green = feasible*
-3	*Red = infeasible*
2	*Blue = value within four feet of minimum*

No.	Facility	From	To	Required Width (ft)	Existing Width (ft)	Delta	Notes
9	**Pacific Coast Highway (Huntington Street to City Limit)**						
Bicycle lanes feasible in most locations with adequate space within striped shoulders.		Huntington Street	Just n/o Beach Boulevard	78	83	5	
		Just n/o Beach Boulevard	Beach Boulevard	99	100	1	• Cyclists observed using painted median between right and through movements for intersection storage
		Beach Boulevard	950' s/o Beach Boulevard	90	108	18	• Striped 8' shoulder • Roadway width measured EOP to EOP
		950' s/o Beach Boulevard	920' n/o Newland Street	85	104	19	• Striped 8' shoulder • Roadway width measured EOP to EOP • Some sand along west side
		920' n/o Newland Street	650' n/o Newland Street	96	108	12	• Limited space and no shoulder along northbound right turn lane • Width check on northbound shows 48' for 4 lanes, adequate for bicycle lane, but Caltrans may require full 12' lanes on Highway 1
		650' n/o Newland Street	430' n/o Newland Street	84	107	23	• Striped 8' shoulder • Roadway width measured edge-to-edge • Some sand along west side
		430' n/o Newland Street	Newland Street	92	107	15	• Width check northbound shows 48' for 4 lanes, adequate for bicycle lane, but Caltrans may require full 12' lanes on Highway 1
		Newland Street	405' s/o Newland Street	92	110	18	• Northbound right turn lane limits space for bicycle lane • Width check shows 48' for 4 lanes, adequate for bicycle lane, but Caltrans may require 12' lanes on PCH
		405' s/o Newland Street	City limit	79	96	17	• Striped 8' shoulder (min.) • Roadway width measured EOP to EOP • Some sand along west side • Narrow median with barrier

EOP - Edge of Pavement

No.	Facility	From	To	Required Width (ft)	Existing Width (ft)	Delta	Notes
10	**Springdale Street**						
Bicycle lanes feasible.		Edinger Avenue	Meadowlark Drive	70	78	8	• Red curb sections exist both sides north of Meadowlark • Existing on-street parking elsewhere
		Meadowlark Drive	Heil Avenue	76	78	2	• Red curb on both sides near churches • On-street parking
11	**Heil Avenue**						
Full bicycle lanes may not be feasible for entire segment.		Bolsa Chica Street	Regina Circle	64	63	-1	Striped bicycle lane in both directions
		Regina Circle	268' w/o Del Mar Lane	70	63	-7	Shared parking/bicycle lane (13') westbound, no facilities eastbound
		268' w/o Del Mar Lane	Del Mar Lane	70	69	-1	Shared parking/bicycle lane (13') westbound, no facilities eastbound
		Del Mar Lane	270' east of Del Mar Lane	68	68	0	• Parking and bicycle lane striped westbound • Bicycle lane only striped eastbound
		270' east of Del Mar Lane	Graham Place	58	63	5	• Parking and bicycle lane striped westbound • Bicycle lane striped east-bound
		Graham Place	Graham Street		62		Striped bicycle lanes exists in both directions
12	**Edinger Avenue**						
Bicycle lanes not feasible in segments with street parking.		Graham Street	300' e/o Club-house Lane	70	67	-3	Road diet from four lanes to two needed to accommodate bicycle lanes or remove on-street parking - Further study needed
		300' e/o Clubhouse Lane	Springdale Street	64	67	3	

No.	Facility	From	To	Required Width (ft)	Existing Width (ft)	Delta	Notes
13	**Orange Avenue**						
Bicycle lanes feasible.		Main Street	N/o 2nd Street	46	50	4	Bus stops southbound and northbound at Main
		N/o 2nd Street	2nd Street	40	58	18	
		2nd Street	N/o 1st Street	50	73	23	
		N/o 1st Street	1st Street	50	73	23	
14	**Atlanta Avenue**						
Bicycle lanes feasible.		First Street	Huntington Street	70	70	0	• Marked eastbound bicycle lane at intersection • Median not centered, but both directions could support bicycle lanes • On-stree parking westbound
		Huntington Street	Delaware Street	44	44	0	44' at narrowest point
		Delaware Street	Beach Boulevard	76	84	8	Parking existing on west side of Beach Blvd
15	**Talbert Avenue**						
Bicycle lanes feasible.		Gothard Street	Talbert Avenue bulb near ball field	34	42	8	Red curb entire length of segment
16	**Adams Avenue**						
Bicycle lanes not feasible with parking maintained.		Main Street	Lake Street	46	40	-6	Additional turn lane striped at Lake Street
17	**Ellis Avenue**						
Bicycle lanes feasible with road diet.		Edwards Street	Goldenwest Street	54	46	-8	Two eastbound and one westbound lane exist west of Goldenwest
18	**Springdale Street**						
Bicycle lanes feasible.		Warner Avenue	Slater Avenue	76	82	6	
		Slater Avenue	Hamshire Drive	56	82	26	
		Hamshire Drive	Talbert Ave	56	82	26	"Stop Ahead" marking for two lanes southbound, but no lane striping observed.
		Talbert Avenue	City limit	56	82	26	Dead ends into Bolsa Chica Ecological Reserve

No.	Facility	From	To	Required Width (ft)	Existing Width (ft)	Delta	Notes
19	**Graham Street**						
Bicycle lanes feasible.		Warner Avenue	200' s/o Warner	60	63	3	Dedicated right and left turn lanes at Warner Avenue
		200' s/o Warner	100' s/o Kenilworth	46	62	16	
		100' s/o Kenilworth	Glenstone Drive	34	50	16	No bicycle lane exists, just edge line. Potential coastal issues with parking removal
		Glenstone Drive	City limit	46	62	16	
20	**Bolsa Chica Street**						
Bicycle lanes feasible.		City limit	Bolsa Ave	92	90	-2	Roadway width in transition for majority of segment
21	**Talbert Avenue**						
Bicycle lanes feasible.		City limit	Grimsby Drive	56	62	6	
		Grimsby Drive	200' w/o Varsity Drive	56	62	6	
		200' w/o Varsity Drive	Varsity Drive	60	62	2	Dedicated right turn lane for eastbound right
		Varsity Drive	200' e/o Fieldbury Lane	56	62	6	
		200' e/o Fieldbury Lane	Edward Street	46	46	0	Dedicated right turn lane for eastbound right

Figure 18: Proposed Class 3 Bicycle Routes

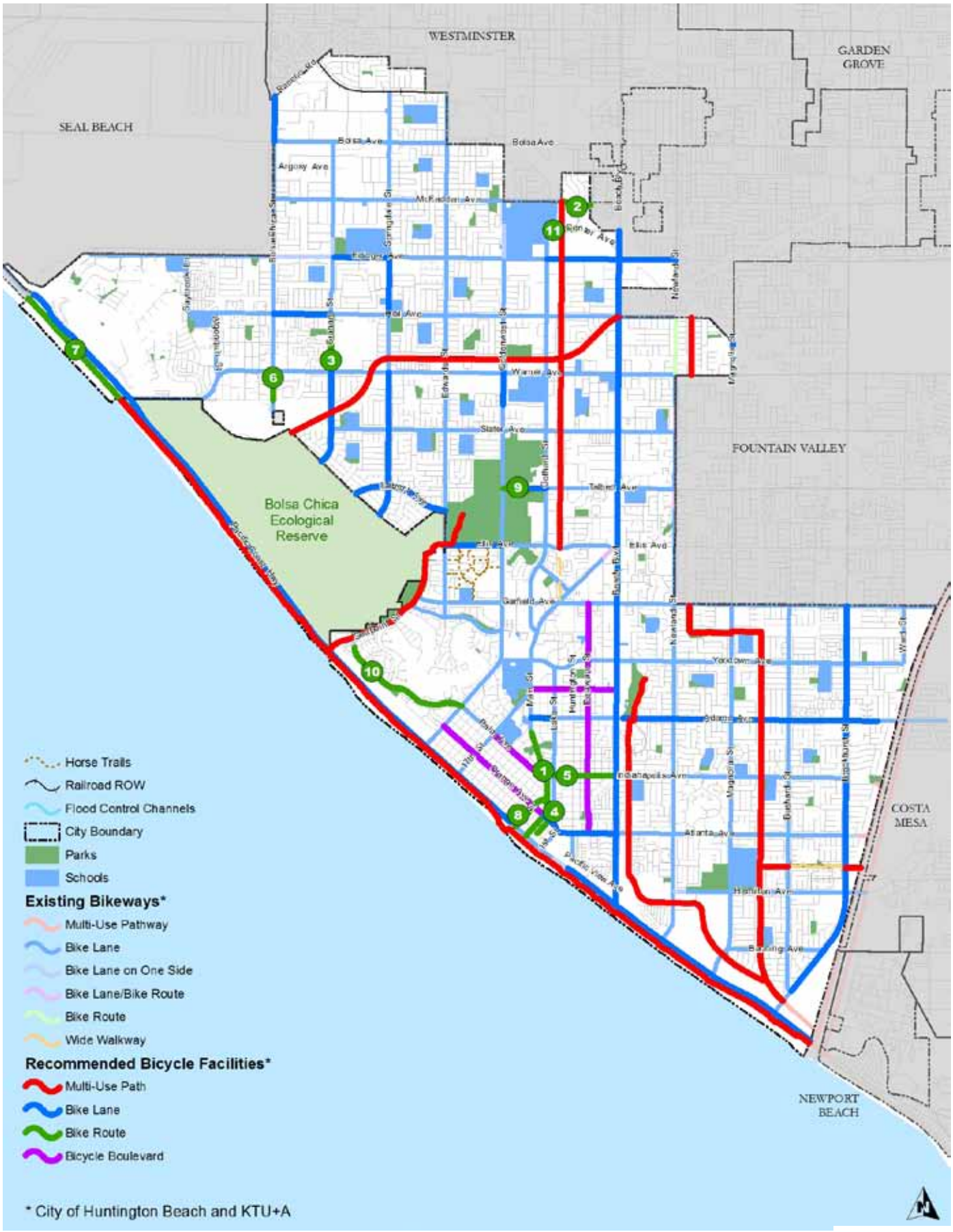


Table 11: Proposed Class 3 Bicycle Routes

No.	Facility	From	To	Required Width (ft) for CLASS 2 FACILITY	Existing Width (ft)	Delta	Notes
1	**Main Street**						
Class 3 feasible. Main Street adjacent to beach narrow but features extensive traffic calming. Recommend sharrows in this segment. Note: Existing width not measured from curb-to-curb because angled parking would not be accurately accounted for - Instead width between angled parking striping or curb to angled parking striping measured		13th Street	Palm Avenue	46	44	-2	
		Palm Avenue	Pecan Avenue/ Acacia	46	48	2	
		Pecan Avenue/ Acacia	Just s/o Acacia	34	24	-10	
		Just s/o Acacia	6th Street	56	48	-8	
		6th Street	Bulbout s/o 6th Street	44	34	-10	
		Bulbout s/o 6th Street	Pecan Avenue	46	46	0	Parallel parking northbound, angled parking southbound
		Pecan Avenue	Bend in roadway	38	40	2	• Angled parking both sides
		Bend in roadway	PCH	40	24	-16	• Northbound angled parking • Parallel parking along southbound segment, not included in width • Many breaks in parking, as well as "no parking" zones
2	**McFadden Avenue**						
Class 3 feasible. Recommend Sharrows in this segment. Note: Long-range plan to replace bridge as part of I-405 widening project.		UPRR Rail	Just e/o Huntington Village	64	64	0	Roadway merges to two lanes just east of this point
		Just e/o Huntington Village	Freeway bridge	34	37	3	
		Freeway bridge	Sugar Avenue East	44	40	-4	
		Sugar Avenue East	Pacific Street	52	61	9	
		Pacific Street	Just e/o Pacific Street	56	64	8	

"Required Width (ft) for CLASS 2 FACILITY" *represents required right-of-way width to upgrade to Class 2 facility. In some cases where short segments of right-of-way are not wide enough for bicycle lanes, it is recommended to maintain Class 3 status throughout the segment for consistency.*

No.	Facility	From	To	Required Width (ft) for CLASS 2 FACILITY	Existing Width (ft)	Delta	Notes
3	**Graham Street**						
Class 3 feasible. Recommend sharrows in this segment.		Heil Avenue	Just s/o Fernhill Circle	50	43	-7	• Width measure from southbound striping to northbound curb • Southbound walkway unpaved
		Just s/o Fernhill Circle	North edge of Meadowlark Country Club	46	62	16	
		North boundary of Meadowlark Country Club	N/o Old Pirate Drive	40	42	2	• Width measure from southbound curb to northbound striping • Northbound sidewalk unpaved
		N/o Old Pirate Drive	Meadowlark Country Club parking entrance	34	25	-9	Width measured from southbound striping to northbound striping. Northbound and southbound sidewalk unpaved
		Meadowlark Country Club parking entrance	265' n/o Diamond Drive	40	38	-2	Northbound sidewalk unpaved
		265' n/o Diamond Drive	Diamond Drive	34	29	-5	Northbound sidewalk unpaved
		Diamond Drive	Warner Avenue	44	58	14	Northbound sidewalk unpaved
4	**Lake Street/3rd Street**						
Class 3 feasible. Recommend sharrows in this segment.		Walnut Ave	Lake Street south split	46	38	-8	
		Lake Street south split	Pecan Avenue	56	64	8	
5	**Indianapolis Avenue**						
Class 3 feasible. Recommend sharrows in this segment.		Lake Street	Georgia Street	46	40	-6	Approx 85' red curb westbound at Lake, remainder has parking
		Georgia Street	Beach Boulevard	50	50	0	

"Required Width (ft) for CLASS 2 FACILITY" *represents required right-of-way width to upgrade to Class 2 facility. In some cases where short segments of right-of-way are not wide enough for bicycle lanes, it is recommended to maintain Class 3 status throughout the segment for consistency.*

No.	Facility	From	To	Required Width (ft) for CLASS 2 FACILITY	Existing Width (ft)	Delta	Notes
6	**Bolsa Chica Street**						
Class 3 feasible. Recommend sharrows in this segment.		Warner Avenue	150' s/o Dunbar	50	44	-6	
		150' s/o Dunbar	Los Patos	50	100	50	Buffer striped northbound, included in existing width. Northbound parking not included in inventory
7	**North Pacific and South Pacific Avenues (Sunset Beach)**						
Class 3 feasible. Recommend sharrows in this segment.		Anderson Street	Warner Ave	34	28	-6	One-way street couplet with diagonal on-street parking, separated by median walkway and open space
8	**6th Street**						
Class 3 feasible. Recommend sharrows in this segment.		Main Street	Orange Avenue	58	50	-8	
		Orange Avenue	Pacific Coast Highway	46	54	8	
9	**Talbert Avenue**						
Class 3 feasible. Recommend sharrows in this segment.		Goldenwest Street	Goldenwest cul-de-sac	89	86	-3	Library driveway entrance
		Goldenwest cul-de-sac	Just east of Goldenwest cul-de-sac	34	30	-4	Sharrows and appropriate signage recommended to demarcate route through library parking area
		Just east of Goldenwest cul-de-sac	Talbert Avenue	34	35	1	

"Required Width (ft) for CLASS 2 FACILITY" *represents required right-of-way width to upgrade to Class 2 facility. In some cases where short segments of right-of-way are not wide enough for bicycle lanes, it is recommended to maintain Class 3 status throughout the segment for consistency.*

No.	Facility	From	To	Required Width (ft) for CLASS 2 FACILITY	Existing Width (ft)	Delta	Notes
10	**Palm Avenue**						
Class 3 feasible. Recommend sharrows in this segment.		Camelback Drive	End of buffer striping 578' s/o Camelback Drive	70	80	10	Red curbed and northbound buffer striping s/o Camelback ~578'
		End of buffer striping 578' s/o Camelback Drive	Just n/o Cherryhill Drive	68	63	-5	
		Just n/o Cherryhill Drive	Cherryhill Drive intersection	71	80	9	Raised median and left turn pocket = raised median width
		Cherry-hill Drive intersection	Just n/o Goldenwest	83	80	-3	On-street parking present on some segments on both sides
		Just n/o Goldenwest	Goldenwest	75	81	6	Raised median and left turn pocket = raised median width
11	**Center Avenue**						
Class 3 feasible. Recommend sharrows in this segment.		Huntington Village Lane	Gothard Avenue	64	57	-7	

"Required Width (ft) for CLASS 2 FACILITY" *represents required right-of-way width to upgrade to Class 2 facility. In some cases where short segments of right-of-way are not wide enough for bicycle lanes, it is recommended to maintain Class 3 status throughout the segment for consistency.*

Figure 19: Proposed Bicycle Boulevards

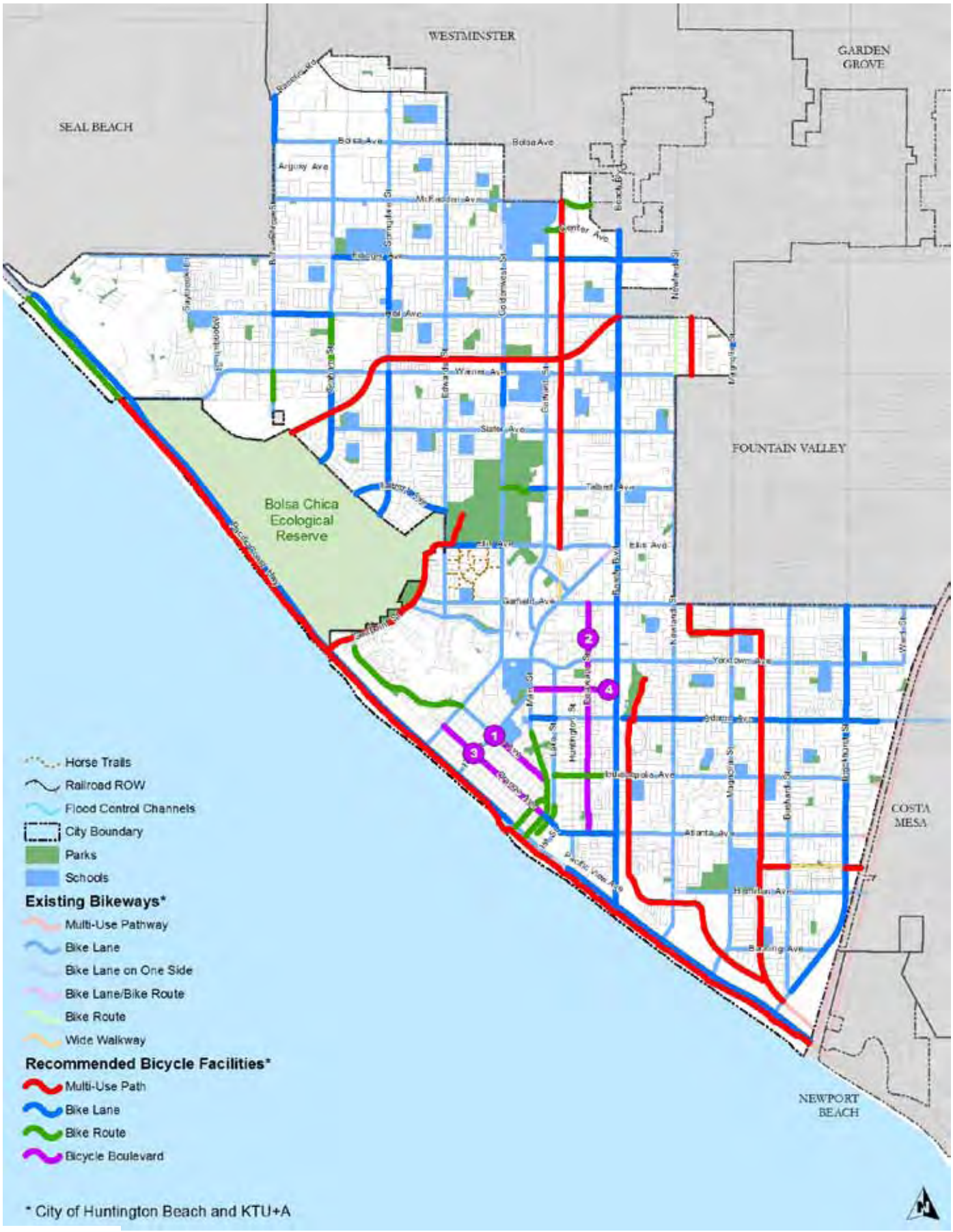
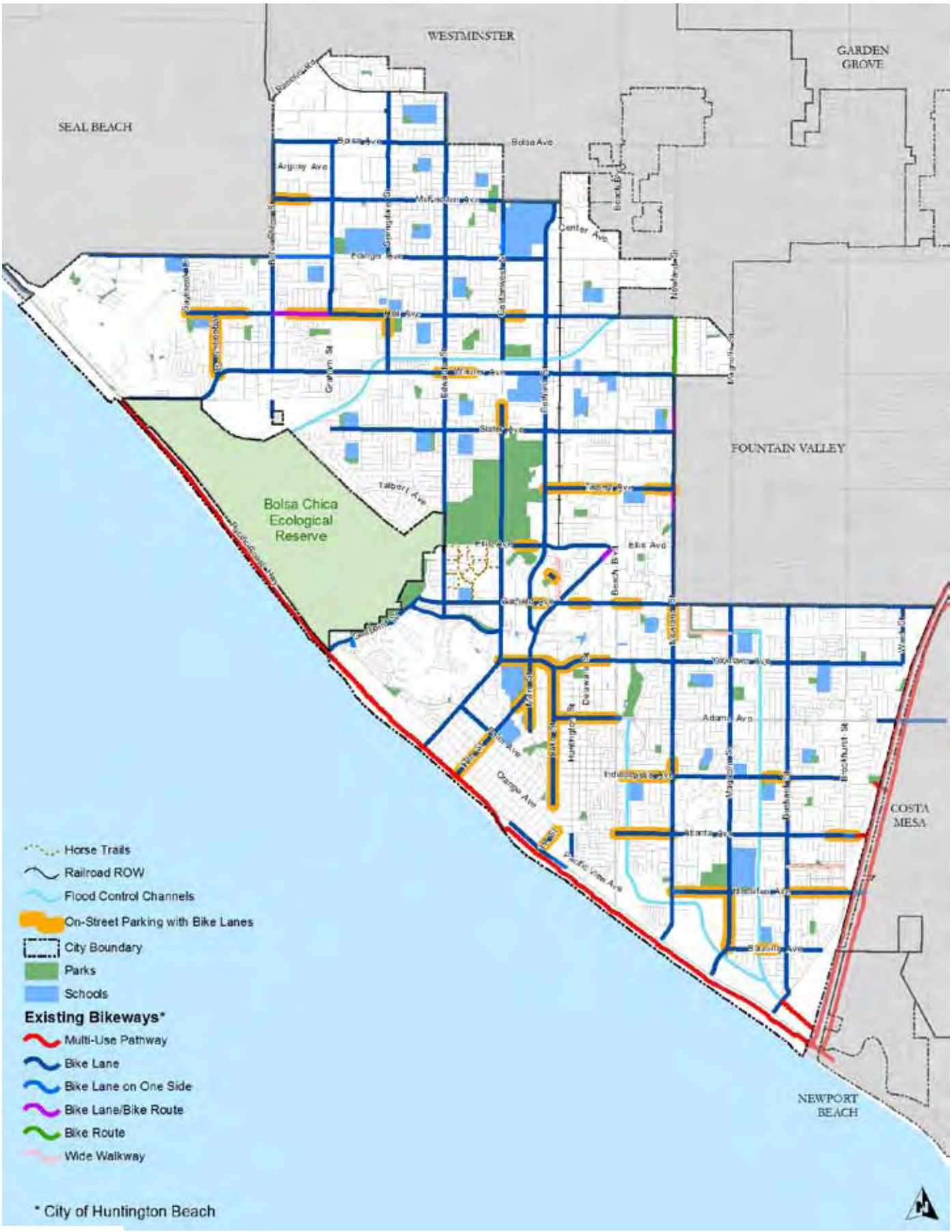


Table 12: Proposed Bicycle Boulevards

No.	Facility	Between... (N/W)	... and (S/E)	Existing Width (ft.)	Intersections	Traffic Control	Notes
1	**Palm Avenue**						
Bike boulevard feasible. (Bike boulevard components can include sharrows, roundabouts and diverters. Detailed study and design required.)		17th Street	Main Street	40	9	AWS at 11th and 14th Street	• Garage access alleys open onto Palm • On-street parking typically present
2	**Delaware Street**						
Bike Boulevard feasible. (Bike boulevard components can include sharrows, roundabouts and diverters. Detailed study and design required.)		Atlanta Avenue	Frankfort Avenue	64	5	AWS at Atlanta and Frankfort.	• On-street parking typically present • Other intersections are SSSC
		Frankfort Avenue	Memphis Avenue	52	10	AWS at Frankfort, Indianapolis and Memphis.	• On-street parking typically present • Other intersections are SSSC
		Memphis Avenue	Yorktown Avenue	62	11	AWS at Adams, Memphis, Utica and Yorktown.	• Center turn lanes present • On-street parking typically present • Other intersections are SSSC
		Yorktown Avenue	Garfield Avenue	64	5	AWS at Adams, Yorktown, 17th and Garfield	• On-street parking typically present • Other intersections are SSSC
3	**Orange Avenue**						
Bike Boulevard feasible. (Bike boulevard components can include sharrows, roundabouts and diverters. Detailed study and design required.)		Goldenwest Street	17th Street	48	7	AWS at Goldenwest and 17th St.	• On-street parking typically present • Other intersections are SSSC
		17th Street	Main Street	50	13	AWS at 17th, 6th, 9th, 10th, 11th, and 14th.	• On-street parking typically present • Other intersections are SSSC
4	**Utica Avenue**						
Bike boulevard feasible. (Bike boulevard components can include sharrows, roundabouts and diverters. Detailed study and design required.)		Main Street	Beach Boulevard	40	9	AWS at Lake, Huntington, Delaware and Florida	• Garage access alleys open onto Palm • On-street parking typically present • SSSC against Utica

AWS - All Way Stop
SSSC - Side Street Stopped Controlled

Figure 20: On-Street Parking adjacent to Bicycle Lanes



3.2 Improvements to Existing Facilities

"Door Zone" Analysis

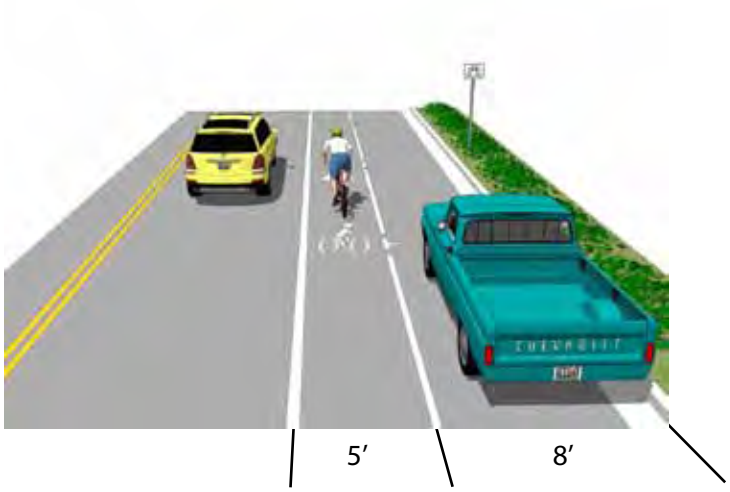
The majority of the bicycle lanes within the City are adjacent to curbs and fulfill CA MUTCD bicycle lane width recommendations, but may not meet cyclists' real safety needs. The table on the following pages lists bicycle lanes adjacent to on-street parking to identify any deficiencies. All but four segments meet the recommendations of five foot bicycle lanes (where parking is permitted) and an eight foot parking stall. Some segments of Hamilton, Yorktown, Garfield and Heil Avenues have sections below the standard 13 foot width (five foot bicycle lane and eight foot parking lane). However, these dimensions may vary depending on the existing striping.

The minimum width found was 12 feet, which corresponds to a four foot bicycle lane, which does not meet CA MUTCD recommendations of five feet adjacent to on-street parking. Bicycle lane width will vary if there is no striping separating it from the parking lane, and vehicles are parked at variable distances from the curb, making the functional lane dependent on the size and location of the parked vehicles. This type of striping is the most common in the City.

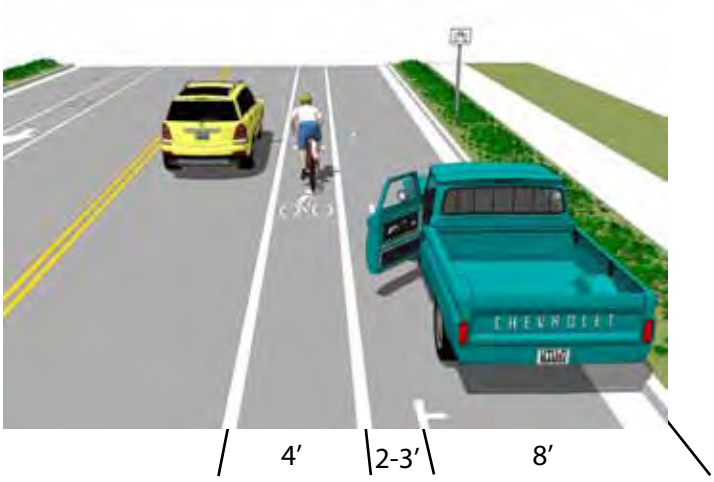
At a minimum, the on-street parking adjacent to a bicycle lane should have parking space markings. Delineation of the parking space can be either an outside bicycle lane line or T-shaped parking space markings, or a combination of the two. This provides guidance for vehicle drivers to park within the designated space and to limit encroachment into the bicycle lane.

Additionally, during any road resurfacing on streets where the bicycle lane and adjacent on-street parking do not quite meet the minimum width requirements, the bicycle lanes should be re-striped to a minimum of five feet and parking stalls to eight feet for a total of 13 feet. Whenever possible, a six foot bicycle lane is recommended to provide additional separation between parked vehicles and cyclists. Especially where parking turnover is high, it is also recommended that a buffer line be painted two feet out from the parking stall Ts to further perceptually separate the resulting four foot bicycle lane and the on-street parking. This will reduce incidents of cyclists colliding with opening car doors and potentially being thrown into the travel lane.

Bicycle Lane Marking adjacent to On-Street Parking



Minimum standard width for bicycle lanes adjacent to on-street parking is five feet with eight foot parking stalls, for a total width of 13 feet. Lines on both sides of the bicycle lanes are recommended.



Where more than 13 feet is available, the extra space should be used for a buffer between the parking stalls and bicycle lanes. The bicycle lanes can be reduced to four feet minimum only when a buffer is provided between the bicycle lanes and parking stalls.

Table 13: Existing "Door Zone" Inventory				
Roadway	**Segment**	**Lane Direction**	**Total Lane Width (Feet)**	**Bicycle Lane/ Parking Separation**
McFadden Avenue	Bolsa Chica Street and Camby Lane	Westbound	14	No stripe
McFadden Avenue	Bolsa Chica Street and Camby Lane	Eastbound	13	No stripe
Heil Avenue	Saybrook and Caballero Lanes	Both	13	No stripe
Algonquin Street	Heil and Warner Avenues	Southbound	15	Bicycle lane stripe and No Stripe
Algonquin Street	Heil and Warner Avenues	Northbound	13	No stripe
Heil Avenue	Bolsa Chica and Springdale Street	Westbound	13	No stripe
Springdale Street	Heil Avenue and Midiron Circle (Adjacent to Carr Park)	Northbound	13	No stripe
Heil Avenue	Goldenwest Street and Flood channel	Eastbound	12	No stripe
Warner Avenue	Warner Avenue and Edwards Street	Eastbound	13	Bicycle lane stripe
Warner Avenue	St George Lane and Edwards Street	Westbound	13	Bicycle lane stripe
Warner Avenue	Edwards Street and Sculpin Lane	Both	14	Bicycle lane stripe
Goldenwest Street	Ford Drive and Betty Drive	Northbound	13	No stripe
Talbert Avenue	Gothard Street and Beach Boulevard	Both	13	No stripe
Talbert Avenue	Good Shepherd Cemetery and Newland Street	Both	13	No stripe
Ellis Avenue	Ashley Drive and Bentley Lane (Adjacent to Baca Park, parking turn-out present)	Eastbound	16	No stripe
Garfield Avenue	Huntington and Florida Streets	Westbound	13	Bicycle lane stripe
Garfield Avenue	Beach Boulevard and Colchester Lane	Westbound	12	No stripe
Newland Street	Milford Circle and Bridgeport Drive	Southbound	14	No stripe
Yorktown Avenue	Goldenwest and Main Streets	Eastbound	12	Bicycle lane stripe
Yorktown Avenue	Main and Lake Streets	Both	13	Parking Ts
Yorktown Avenue	Lake and Huntington Streets	Both	13	No stripe
Yorktown Avenue	Huntington and Delaware Streets	Westbound	14-18	No stripe
Yorktown Avenue	Delaware and Florida Streets	Both	13	Bicycle lane stripe
Main Street	Yorktown and Adams Avenues	Both	13	No stripe
Main Street	Adams and Loma Avenues	Northbound	13	No stripe
Lake Street	Park Street and Pecan Avenue	Both	13	No stripe

Table 13: Existing "Door Zone" Inventory				
Roadway	**Segment**	**Lane Direction**	**Total Lane Width (Feet)**	**Bicycle Lane/ Parking Separation**
Adams Avenue	Lake and Alabama Streets	Westbound	13	No stripe
Adams Avenue	Alabama and Florida Streets	Both	13	No stripe
Indianapolis Avenue	Huntington Beach Channel and Newland Street	Both	15	Bicycle lane stripe
Indianapolis Avenue	Titan Lane and Bushard Street	Westbound	13	Bicycle lane stripe
Newland Street	Vail Drive and Indianapolis Avenue	Southbound	13	No stripe
Atlanta Avenue	Huntington Beach Channel and Newland Street	Both	13	No stripe
Atlanta Avenue	Brookhurst Street and multi-use path connector	Westbound	14	Bicycle lane stripe
Hamilton Avenue	Surveyor Circle and Magnolia Street (Adjacent to Edison Park)	Westbound	12	No stripe
Hamilton Avenue	Bushard Street and Santa Ana River Trail	Both	12	Bicycle lane stripe
Magnolia Street	Bermuda Drive and Banning Avenue	Southbound	13	No stripe
1st Street	Walnut and Olive Avenues	Both	13	Parking Ts
17th Street	Pacific Coast Highway and Palm Avenue	Both	13	No stripe

Improvements to Other Existing Facilities

Based on public input and field verification, the following are improvements recommended for existing bicycle facilities.

Multi-use Paths

- Add distance markers.
- Along heavily used segments, a centerline stripe is recommended to identify right-of-way travel for all users.

Bicycle Lanes

Bicycle Detectors: Whenever repaving projects occur, or repairs on streets with bicycle lanes, install bicycle detector loops or signal actuators similar to those on Beach Boulevard and Gothard Street.

Buffered Bicycle Lanes: Wherever width is available, add a bicycle lane buffer between the bicycle lane and parked cars or between adjacent travel lane and bicycle lane where on-street parking is not present.

Warner Avenue: Widen westbound bicycle lanes to six feet between Algonquin Street and Bolsa Chica State Park. Cyclists can generate higher speeds on this downhill segment and a wider lane will allow more movement within the lane to avoid debris, etc. Signage to Bolsa Chica State Park and the beach are also recommended.

Bicycle Routes

Add Shared Lane Markings or "Sharrows" to existing bicycle routes, particularly if the transition from bicycle lanes to a shared travel lane. Also install "Bikes May Use Full Lane" (CA MUTCD R4-11) signs along these routes.

Bicycle Parking

Secure bicycle parking at likely destinations is an integral part of a bikeway network. Bicycle thefts are common and lack of secure parking is often cited as a reason people hesitate to ride a bicycle. The same consideration should be given to cyclists as to vehicle drivers, who expect convenient and secure parking at all destinations. Bicycle parking should be located in well-lit, secure locations close to the main entrance of a building, no further from the entrance than the closest automobile parking space. Bicycle parking should not interfere with pedestrian movement.

Bicycle racks should support the bicycle well and make it easy to secure it with a U-shaped lock through the bicycle's frame and the rack. The examples shown are a standard "inverted–U" rack and another art design rack that meets these criteria.

Adequate bicycle parking should be incorporated into any new development or redevelopment project. Bicycle parking should be given a balanced level of importance when considering car parking improvements or development. In commercial areas where bicycle traffic is more prevalent, such as downtown district, the Huntington Beach Pier, parks and shopping centers, increased bicycle parking is recommended. Increased bicycle parking provides an option for individuals who need to make a short trip to the local store to ride their bicycle rather than drive their car.

Increasing and providing secure bicycle parking will help promote and encourage kids to ride their bikes to school if they know their bikes will be safe. Bicycle parking should also be a standard amenity for existing and future parks.

Bicycle rack type plays a major role in the utilization of the bicycle racks. Only racks that support the bicycle at two points and allow convenient locking should be used. Racks that can secure the entire bicycle are preferred and recommended for installation in commercial areas, schools, parks and local businesses.

Custom racks that showcase local businesses may also be encouraged to improve aesthetics as long as the racks provide adequate security and reflect local context. For example, special districts, especially if they are historically themed, may benefit from custom racks whose design aesthetic relates to other street furniture.

A successful bicycle rack design enables proper locking, which means the user must be able to secure a typically sized U-lock around the frame and one wheel to the locking area of the rack. Racks that support the bicycle, but either provide no way to lock the frame or require awkward lifting to enable locking, are not acceptable unless security is provided by other means, such as a locked enclosure or monitoring by attendants. (See Appendix A for more detailed information on bicycle parking design and placement.)

Bicycle racks must be designed so that they:

- Do not bend wheels or damage other bicycle parts
- Accommodate high security U-shaped bicycle locks
- Accommodate securing the frame and both wheels
- Do not trip pedestrians
- Are easily accessed yet protected from motor vehicles
- Are covered where users will leave their bikes for long periods

To provide real security for the bicycle (with its potentially easily removed components) and accessories (lights, pump, tools and bags), either bicycle enclosures, lockers or a check-in service is required. Bicycle parking facilities are generally grouped into two classes:

Long Term - provides complete security and protection from weather. It is intended for situations where the bicycle is left unattended for long periods of time: apartments and condominium complexes, schools, places of employment and transit stops. These are usually lockers, cages or rooms in buildings.

Short Term - provides a means of locking the bicycle frame and both wheels, but does not provide accessory and component security or weather protection unless covered. It is primarily for decentralized parking where bicycles are left for short periods of time and are visible and convenient to the building entrance.

To identify the number of bicycle parking at a specific land use, other cities have used various measurement methods such as a percentage of auto parking, unit count, proportion of building square footage and even building occupancy. There is a downside when determining bicycle parking spaces based on a percentage of vehicular parking spaces because when developments reduce the amount of parking spaces to create a more bicycle and pedestrian friendly environment, this reduction in the amount of vehicular parking also reduces the amount of bicycle parking. This then actually becomes a deterrent to increasing bicycle parking.

Determining bicycle parking demand is more appropriate when using the proportion of square footage or building occupancy. These units of measure are commonly used during plan check and can be easily integrated into the planning process.

The bicycle racks can be customized to incorporate an area's aesthetics, or designed to complement a specific building or business. For example, the City of Long Beach maintains a program funded by the American Recovery and Investment Act to help business owners install bicycle racks. Their program provides a range of rack designs, or business owners can provide their own custom designs.

Bicycle Corrals

Bicycle corrals are vehicle parking stalls converted to bicycle parking. Most have been on-street conversions, but they are now being incorporated into shopping center parking lots as well. Corrals can accommodate up to 20 bicycles per former car parking space. On-street bicycle corrals provide many benefits where bicycle use is high and/or growing:

- Businesses - corrals provide a much higher customer to parking space ratio and advertise "bicycle friendliness." They also allow more outdoor seating for restaurants by moving the bicycle parking off the sidewalk. Some cities have instituted programs that allow local businesses to sponsor or adopt a bicycle corral to improve bicycle parking in front of their business.
- Pedestrians - corrals clear the sidewalks and those installed at corners also serve as curb extensions.
- Cyclists - corrals increase the visibility of cycling and greatly expand bicycle parking options.
- Vehicle drivers - corrals improve visibility at intersections by preventing large vehicles from parking at street corners and blocking sight lines.

Especially downtown, where bicycle parking is very limited, an occasional parking space could be converted into a bicycle corral to increase the attraction of cycling to the commercial district instead of driving there. There is great variety in design including signage, protective barriers, curbs, custom paving or even simply striping.

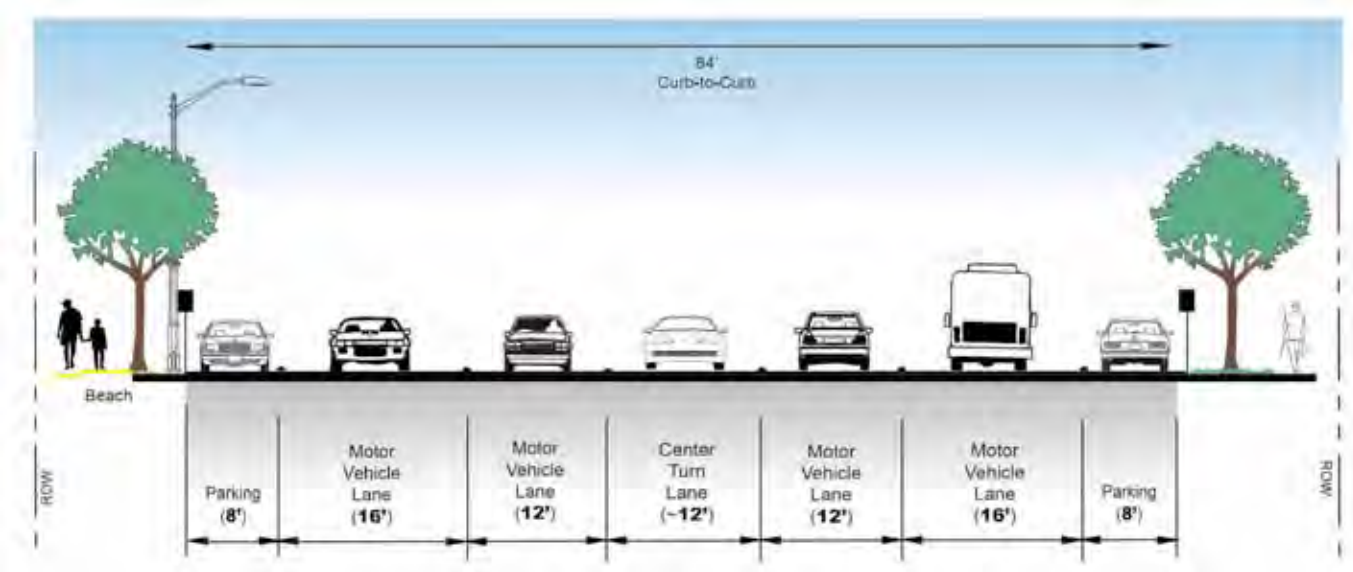
In terms of placement, it is desirable to put bicycle corrals near intersections. Mid-block placement is not recommended because the corral can be hidden by parked motor vehicles, reducing visibility for both vehicle drivers and cyclists. Bicycle corral racks can be customized and have been designed and fabricated to complement specific locations, as well as available "off-the-shelf" designs sized to fit within a standard vehicle parking space. Refer to Appendix A: Design Guidelines and the APBP *Bike Parking Guidelines* for additional information.

Pacific Coast Highway Alternatives

Existing Conditions

- **Right-Of-Way Width:** 84'
- **Horizontal Alignment:** 2x8' parking lanes, 2x ~16' outside travel lanes, 2x12' travel lane, 1x ~12' center turn lane

The following recommendations are based on the continuity of the proposed bicycle lanes between Goldenwest Avenue and 7th Street. This segment is primarily adjacent to commercial and residential land uses along the northbound lanes and Huntington State Beach on the southbound lanes. These alternatives allow cyclists to ride on Pacific Coast Highway and to avoid pedestrian conflicts on the adjacent Huntington Beach Multi-use Beach Path.



Existing Conditions - Cross Section

Alternative 1: Bicycle Lanes with Buffers (Parking removed on one side)

Proposed Horizontal Alignment

Parking: 1x8′
Bicycle Lane Buffers: 2x1.5′
Bicycle Lanes: 2x6′
Curb Side Travel Lane: 2x12′
Inside Travel Lanes: 2x12′
Center Turn Lane: 13′

Opportunities:

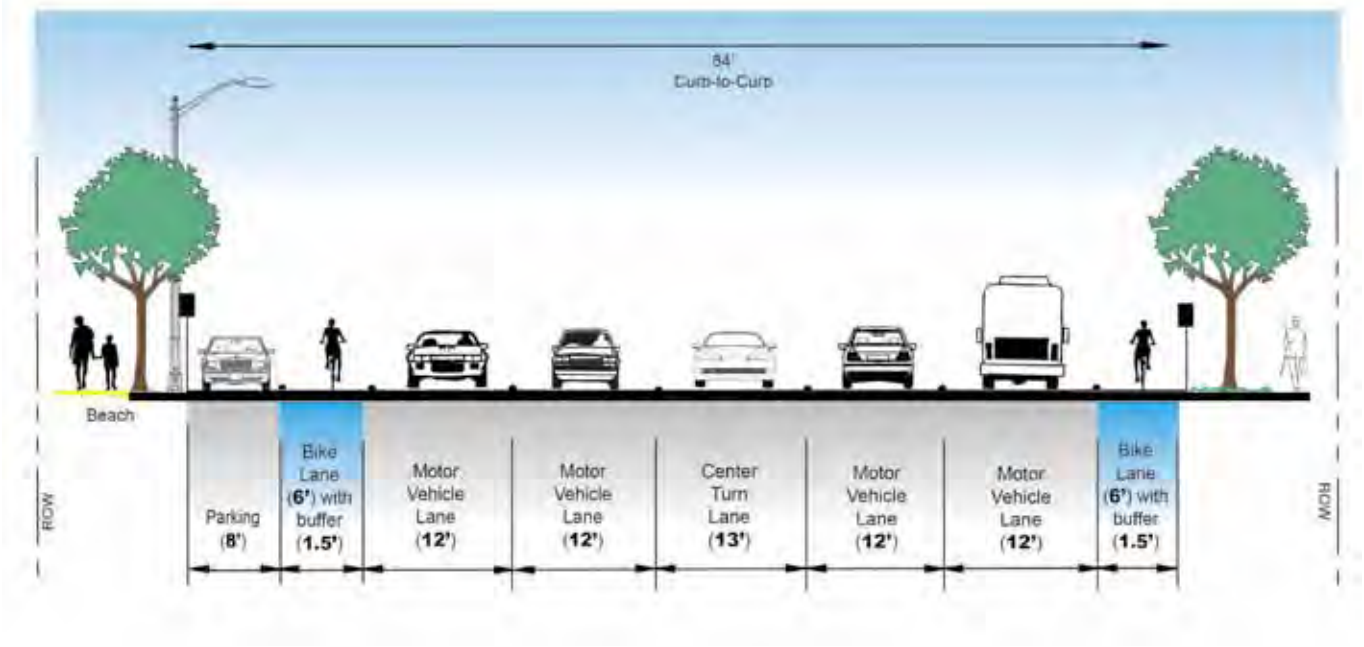
- Provides additional horizontal clearance from parked vehicles and reduces the chances of conflicts with open vehicle doors.
- Metered parking remains on southbound lanes to access beach.
- Exceeds CA MUTCD and *Highway Design Manual* standards.
- Provides additional clearance for larger weekend cycling groups. More than 50 percent of collisions on Pacific Coast Highway have occurred on weekends.

Constraints:

- Parking removed from northbound lanes.
- City Zoning and Subdivision Ordinance 231.28 - *If any existing oceanside or on-street parking within the coastal zone is removed, it shall be replaced on a one for one basis in an area that would not result in the loss of any sandy beach area and within walking distance of the existing site. Replacement parking shall be assured prior to the issuance of the coastal development permit and shall be provided before any existing parking is removed so that there will be no reduction in the number of parking spaces available.*
- Loss of revenue from removal of metered parking.
- Bus pads will encroach into bicycle lanes.
- Proposed configuration requires significant improvements beyond striping.
- Reconfiguration would require Caltrans approval.

Notes:

- Ordinance 231.28 would require revision or repeal for this alternative to be implemented without replacement parking.



Alternative 1 - Cross Section

Alternative 1 - Pacific Coast Highway (view northbound)

Alternative 2: One-Way Cycle Track and Bicycle Lane Hybrid

Proposed Horizontal Alignment

Parking: 2x8′
Cycle Track Buffers: 1x2′
One-Way Cycle Track Lanes: 1x5′
Bicycle Lanes: 1x6′
Curb Side Travel Lane: 2x11′
Inside Travel Lanes: 2x11′
Center Turn Lane: 11′

Opportunities:

- Provides a protected bicycle only cycle track southbound and standard bicycle lane northbound.
- Existing metered parking remains on both sides.
- Minimal driveway and intersection conflicts on southbound cycle track.

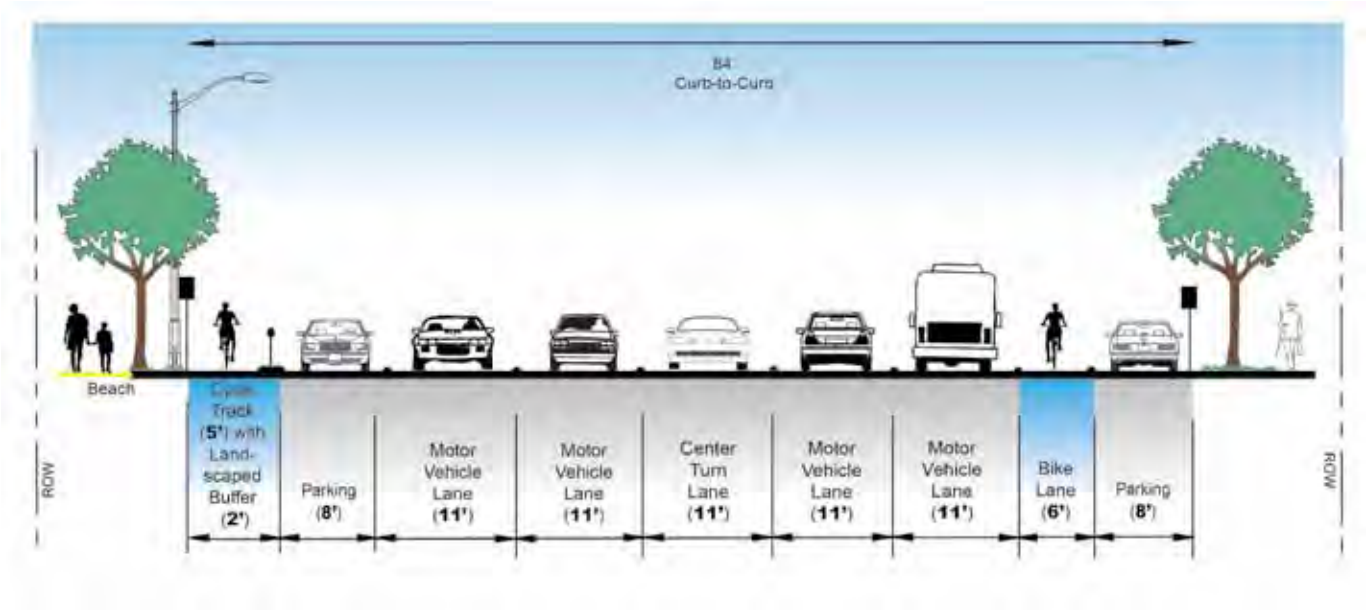
Constraints:

- Street sweeping maintenance.
- Pedestrian and bicycle conflict when crossing cycle track from parked vehicles.
- Bus pads will encroach into bicycle lanes.
- Reduction to 11′ travel lanes would require Caltrans design exception and Caltrans Construction for Evaluated Program for Experimental Features approval.
- According to NACTO, three foot minimum is desired width for parking lane buffer.

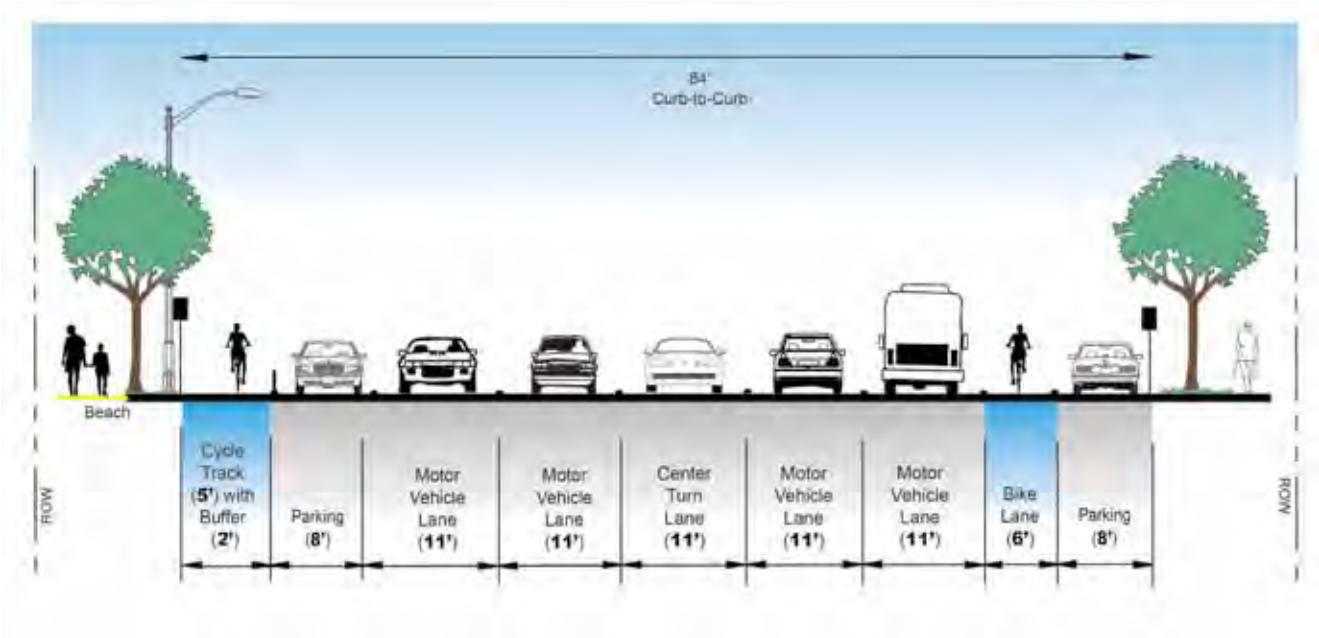
Notes:

- Landscape or planters are optional within raised curb. Parking may be reduced to seven feet to accommodate wider landscaped curb (Alternative 2b). Reflective and flexible bollards recommended to provide visual cue for parallel parking and additional visual separation if raised curb not installed.
- Option to use multi-space parking meters or kiosks or timed paper slip meters on sidewalks to reduce number of meters needed.
- Additional treatments needed for bus stops in southbound direction. Options can include floating bus stop within parking lane and cycle track.

Alternative 2a - Pacific Coast Highway (View northbound)



Alternative 2b - Cross Section



Alternative 2a - Cross Section

Alternative 3: Bicycle Lane (On-street parking retained)

Proposed Horizontal Alignment

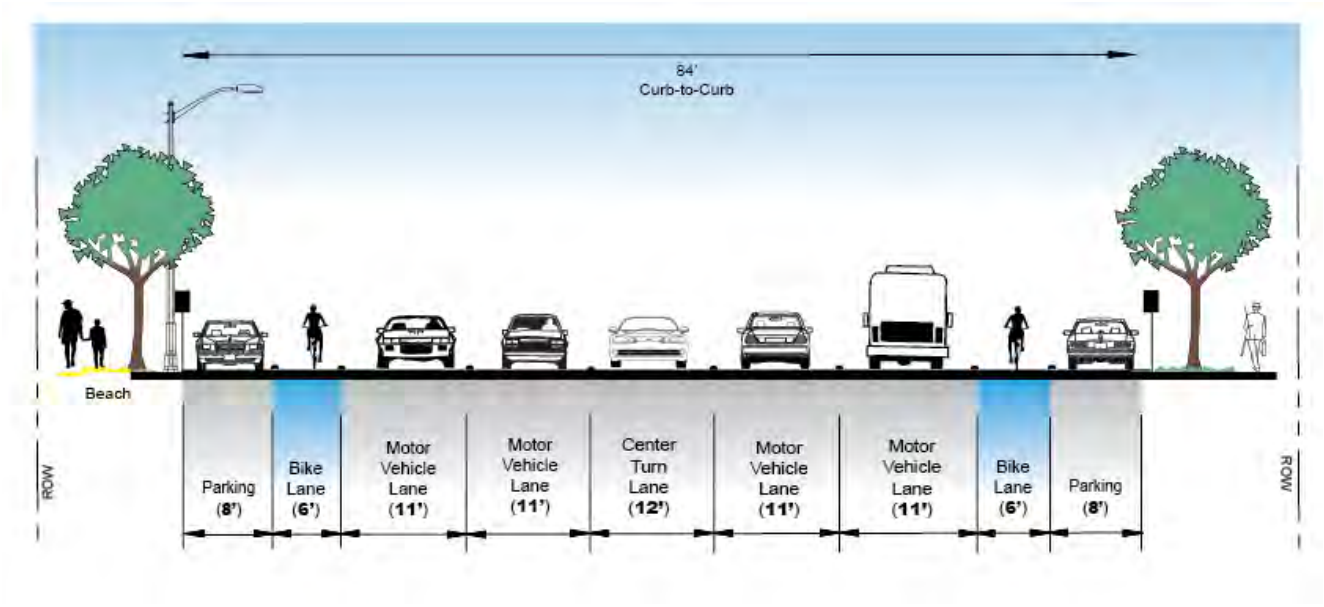
Parking: 2x8′
Bicycle Lane Buffers: N/A
Bicycle Lanes: 2x6′ (Advisory)
Curb Side Travel Lane: 2x11′
Inside Travel Lanes: 2x11′
Center Turn Lane: 12′

Opportunities:

- Meets CA MUTCD and *Highway Design Manual* standards.
- Existing parking remains on both sides.

Constraints:

- Provides minimum horizontal clearance from parked vehicles and opened vehicle doors.
- Meets minimum required lane width for trucks and buses.
- Bus pads will encroach into bicycle lanes.
- Six foot bicycle lanes preferred where speed limit exceeds 40 mph.
- Reduction to 11 foot travel lanes would require Caltrans design exception and Caltrans Construction for Evaluated Program for Experimental Features approval.
- Bus stop encroachment within bicycle lanes.



Alternative 3 - Cross Section

Alternative 3 - Pacific Coast Highway (View northbound)

Alternative 4: One-Way Cycle Tracks

Proposed Horizontal Alignment

Parking: 2x8′
Cycle Track Buffers: 2x1.5′
One-Way Cycle Track Lanes: 2x5′
Curb Side Travel Lane: 2x11′
Inside Travel Lanes: 2x11′
Center Turn Lane: 11′

Opportunities:

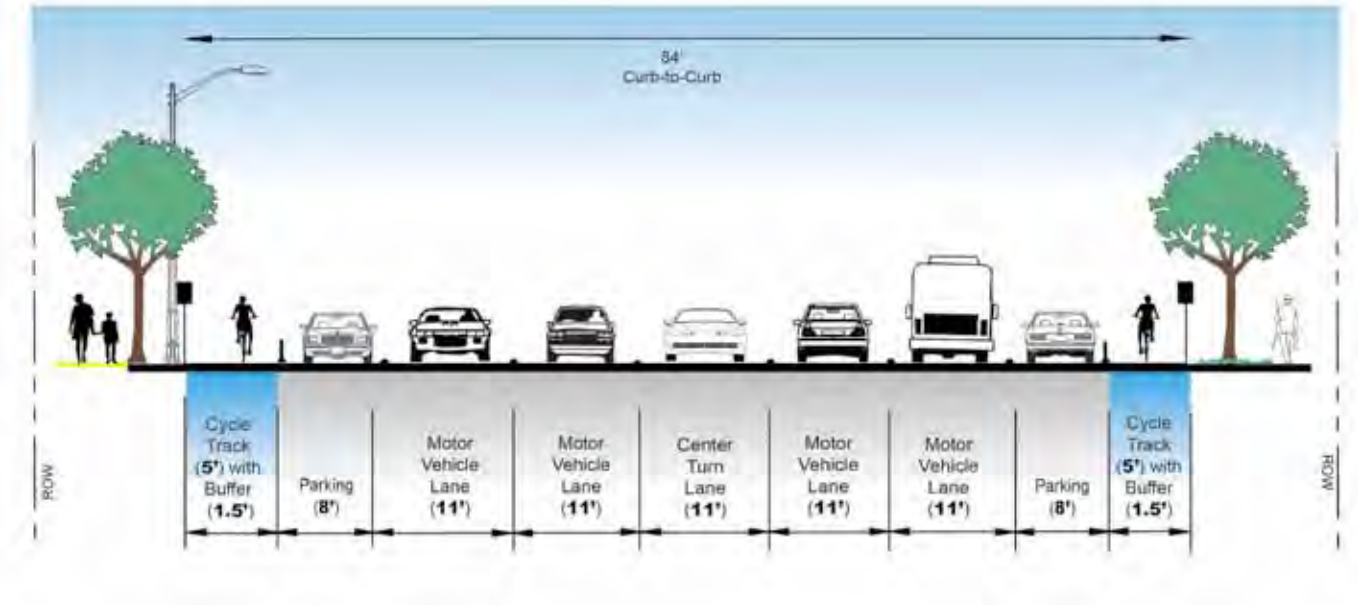
- Provides protected bicycle-only lane in both directions.
- Existing parking remains on both sides.
- Minimal driveway and intersection conflicts on southbound cycle track.

Constraints:

- Street sweeping maintenance.
- Additional treatments needed at intersections and northbound driveways.
- Pedestrian and bicycle conflict when crossing cycle track from parked vehicles.
- Additional treatments needed for bus stops. Options can include "floating" bus stop in parking lane and cycle track.
- Reduction to 11′ travel lanes would require Caltrans design exception and Caltrans Construction for Evaluated Program for Experimental Features approval.

Notes:

- Landscape or planters optional within raised curb. Parking may be reduced to seven feet to accommodate wider landscaped area. Reflective and flexible bollards recommended to provide visual cue for parallel parking and additional visual separation if raised curb not installed.
- May need to use multi-space parking meters or kiosks or timed paper slip meters on sidewalks to reduce number of meters needed.
- Additional treatments needed for bus stops in southbound direction. Options can include "floating" bus stop within parking lane and cycle track.
- According to NACTO, three foot minimum desired width for parking lane buffer.



Alternative 4 - Cross Section

Alternative 5: Two-Way Cycle Track

Proposed Horizontal Alignment

Parking: 1x8′
Cycle Track Buffers: 2x3′
One-Way Cycle Track Lanes: 1x11′
Curb Side Travel Lane: 2x13′
Inside Travel Lanes: 2x12′
Center Turn Lane: 12′

Opportunities:

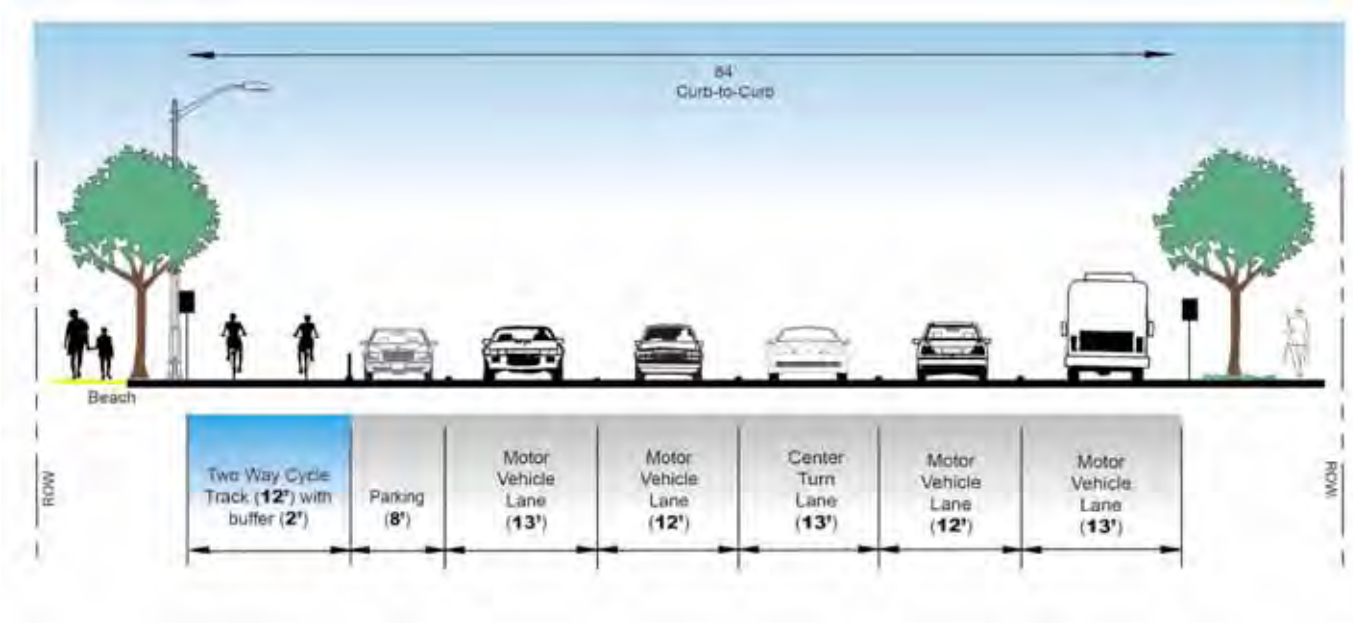
- Provides protected bi-directional bicycle-only cycle track on beach side of Pacific Coast Highway.
- Existing parking remains on southbound lanes.
- Minimal driveway and intersection conflicts.

Constraints:

- Street sweeping maintenance.
- Pedestrian/bicycle conflict when crossing cycle track from parked vehicle.
- Parking on northbound lanes removed.
- Loss of revenue from removed parking.
- Additional intersection treatments needed at Goldenwest and Huntington Streets to inform cyclists to navigate to cycle track.
- Some cyclists will still stay on PCH travel lanes to ride at higher speeds, stay in larger groups and avoid pedestrians.
- Conflicts between large cycling group rides and pedestrians.
- Huntington Beach Multi-use Path exists adjacent to PCH.
- Median reconstruction to accommodate cycle track.
- Displacement of transit stops on southbound lanes.
- Cyclists will be riding opposite direction of traffic.
- Would require a Caltrans Construction for Evaluated Program for Experimental Features approval.
- City Zoning and Subdivision Ordinance 231.28 - *If any existing oceanside or on-street parking within the coastal zone is removed, it shall be replaced on a one for one basis in an area that would not result in the loss of any sandy beach area and within walking distance of the existing site. Replacement parking shall be assured prior to the issuance of the coastal development permit and shall be provided before any existing parking is removed so that there will be no reduction in the number of parking spaces available.*

Notes:

- Landscape planting optional within raised curb. Parking may be reduced to seven feet or cycle track to 11 feet to accommodate wider landscaped area. Reflective and flexible bollards recommended to provide visual cue for parallel parking and additional visual separation if raised curb not installed.
- May need to use multi-space parking meters or kiosks or timed paper slip meters on sidewalks to reduce number of meters needed.
- Loss of approximately 99 parking spaces and implications of Ordinance 231.28 (see text under Option 1).
- Additional treatments needed for bus stops in southbound direction. Options can include “floating” bus stop within parking lane and cycle track.
- Additional education and outreach needed prior to construction and implementation of cycle track.



Alternative 5 - Cross Section

Common Issues and Solutions

The following section shows the typical bicycle safety issues, briefly discusses them and provides possible solutions. The graphic below and Table 14 illustrate issues that may be commonly experienced by regular cyclists. See Table 15 and the following pages for examples of possible solutions.

Typical Bicycle Issues

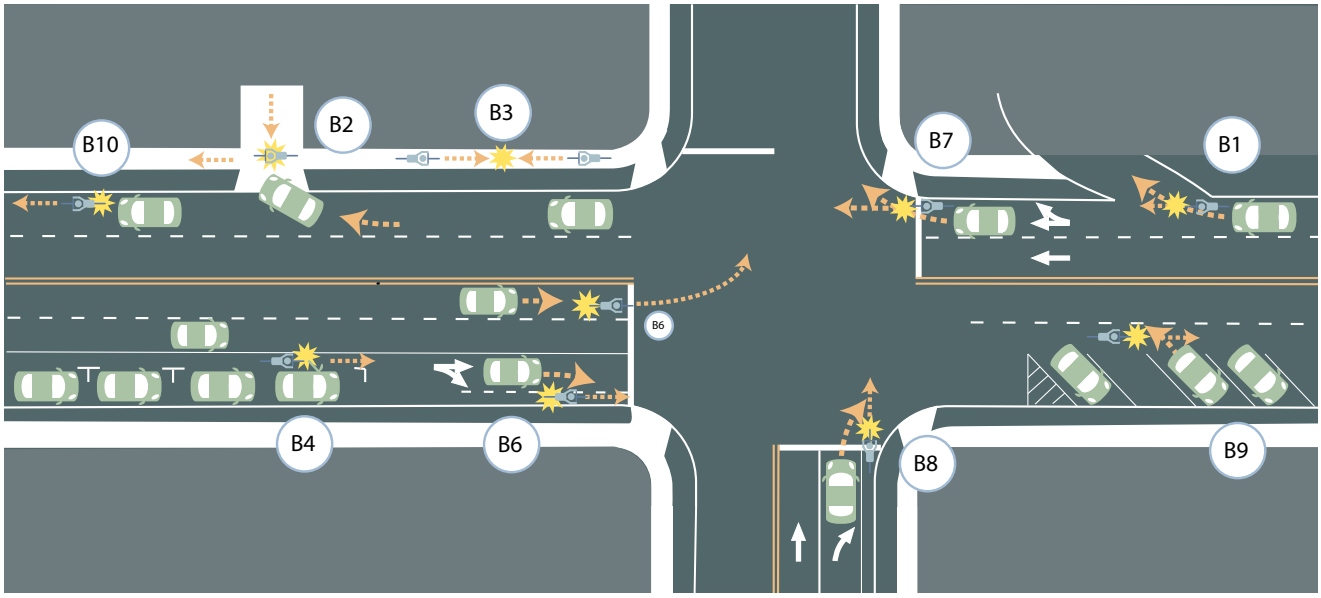


Table 14: Common Bicycle Issues	
Bicycle Issues	**Possible Solutions**
B1 - Crossing Freeway on-ramps: Bicycle facilities that cross freeway on-ramps put cyclists in conflict with crossing traffic accelerating to highway speeds.	**1B, 8B, 9B**
B2 - Alley Conflicts: Cyclists that use alleys for travel must be aware of visibility problems for drivers, pedestrians and other cyclists.	**1B, 2B**
B3 - Sidewalk Conflicts: Cyclists riding on sidewalks may not be operating at pedestrian speeds and are at risk of collision with pedestrians and with vehicles at every driveway, intersection, alley and business entrance.	**1B, 2B, 3B, 14B**
B4 - Door Zone: Cyclists riding adjacent to parallel parked vehicles can not be expected to ride closer than three feet to parked vehicles. They are at risk for being hit or running into an opening car door. This type of collision between a car door and a cyclist is often referred to as "dooring," and is especially hazardous because cyclists can be thrown into the travel lane.	**4B**
B5 - Left Turning Conflicts: Cyclists needing to turn left must navigate their way to left turn lane (or left lane) are at risk for being hit because they are no longer where they are more likely to be seen.	**7B, 8B**
B6 - Right Turning Vehicles: Cyclists proceeding straight through intersection are at risk for being hit by right turning vehicles. This type of collision is often referred to as a "right hook."	**9B, 10B**
B7 - Right Turn Only Lanes: Cyclists proceeding straight through an intersection are at risk for being hit by right turning vehicles. Bicycle lanes or shared lanes end before the intersection without providing a facility to allow cyclists to continue through intersection.	**9B, 11B, 12B**
B8 - Bicycle Lanes Placed in the Wrong Location at an Intersection: Bicycle lanes are installed to right of Right Turn Only Lanes. Cyclists proceeding straight through intersection are at risk for being hit by right turning vehicles. This type of collision often referred to as a "right hook."	**9B, 11B**
B9 - Angled Parking: Cyclists riding behind angled parking are vulnerable to being backed into due to impeded visibility from adjacent vehicles.	**10B**
B10 - Outside Lane Too Narrow: Outside travel lane is too narrow for bicycle lanes to be installed and to share with vehicles.	**1B, 4B, 8B, 13B**

Table 15: Possible Bicycle Solutions
1B: Use caution, yield to slower users
2B: Ride in designated bicycle lanes, routes or streets
3B: Ride bicycle at pedestrian speed
4B: Mark proper lane placement with Shared Lane Markings or "Sharrows"
5B: Install a bicycle lane (6' preferred)
6B: If space is available, install 3' striped buffer between the bicycle lanes and parking lane edge
7B: Install bike box
8B: Increase bicycle awareness signage, "Share the Road" or "Bikes May Use Full Lane"
9B: Add color to the bicycle lane at conflict points
10B: Install reverse angled head-out parking for improved sight lines and increased safety
11B: Install bicycle lanes between through travel and right-turn-only (RTL) lane
12B: Follow Caltrans MUTCD Figures 9C-4 and 9C-5
13B: Install Sharrows in through lane to direct cyclists through the intersection
14B: Create districts where cycling is not allowed on sidewalks

1B) Sign and enforce appropriately when pedestrians and bikes share the sidewalk - Sacramento, CA

2B & 5B) Bicycle lanes on Pacific Coast Highway - Huntington Beach, CA

3B) Enforce cycling speed limits when sharing facilities with pedestrians - Huntington Beach, CA

4B) Shared lane markings or "Sharrows" remind vehicle drivers that cyclists can be expected in the roadway and to help cyclists properly place themselves within the roadway. On high bicycle volume streets, a green stripe can be included to further provide horizontal bicycle placement - Oceanside and Long Beach, CA

6B) A buffer removes extra space from a travel lane and increases the distance between vehicular and motor traffic. If the extra space is added to the bicycle lane and not diagonally striped, the bicycle lane can appear wide enough to be confused with a travel lane - Top: Huntington Beach, CA (Photo credit bottom: APBP)

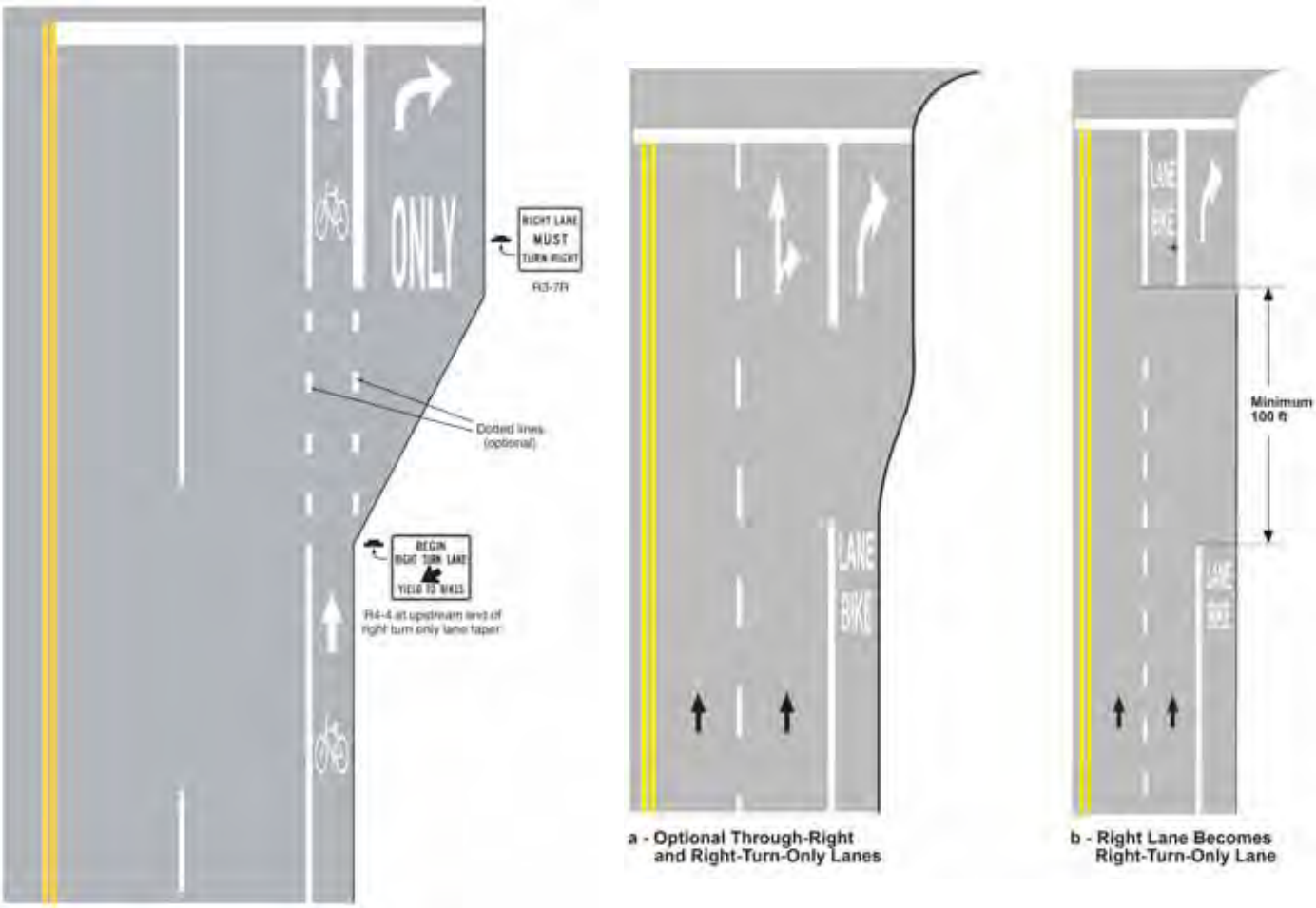
7B) A bike box creates an advanced stop bar for cyclists. This extra room provides an area for cyclists to cue up in front of vehicles waiting at red light. While this treatment is still considered experimental by the MUTCD, it is thought that it increases a cyclist's visibility, and therefore safety - Cambridge, MA

8B) Supplemental signage reminds drivers of bicycle traffic on the street - San Clemente, CA

9B) Color in the bicycle lane is a visible reminder to vehicle drivers to expect cyclists in the bicycle lane (Photo credit: Seattle DOT)

10B) Reverse angled parking allows greater visibility when vehicle drivers are exiting a parking stall

11B) Bicycle lane properly installed between through travel lane and right-turn-only lane - Huntington Beach, CA



12B) Examples of Bicycle Lane Treatment at Right Turn Only Lane (Credit: 2012 CA MUTCD)

13B) Example of Shared Lane Marking directing cyclists through intersection - Philadelphia, PA (Photo credit: City of Philadelphia)

14B) Example of business and commercial district signs enforcing bicycle policies on sidewalks - Coronado, CA

3.3 Recommended Programs

The League of American Bicyclists (LAB) has developed a set of guidelines called the "Five Es" to assist cities in becoming bicycle-friendly communities: Engineering, Education, Encouragement, Enforcement and Evaluation and Planning. These criteria are good references for any community seeking to improve its bicycle environment. The basic strategies are as follows:

Encouragement: Incentives, promotions and programs that inspire and enable people to ride

Education: Programs that ensure the safety, comfort and convenience of cyclists and fellow roadway users

Enforcement: Equitable laws and programs that ensure vehicle drivers and cyclists are held accountable

Engineering: Physical infrastructure and hardware to support cycling

Evaluation and Planning: Processes that demonstrate a commitment to measuring results and planning for the future

Equity (often referred to as the "sixth E"): Actions that support equitable roadway use by cyclists, pedestrians and vehicle drivers

This chapter's program recommendations are meant to be a starting point. They describe a range of examples that could be implemented in the City of Huntington Beach, including some already in place, in which case, the recommendation is to continue them.

The Bicycle Advisory Committee provided prioritization input based on relative importance and feasibility. The five suggested programs that received the most committee support are highlighted with a star symbol (example at right). However, it should be noted that any program may rise in feasibility for a number of reasons, such as if committed volunteers step forward to champion it, if it piques community interest, or if a funding source emerges.

Encouragement Programs

Expand Bike Month Encouragement Efforts

Have the Mayor continue to proclaim May as Bike Month and participate in Bike to Work Week events. Host pit stops during Bike to Work Weeks and Days. To increase encouragement, host Bike to Work days more often, such as monthly. Coordinate with other agencies on bicycle events such as "Bike to School Day," a ciclovia and bicycle safety courses.

Improve Route Wayfinding Markers

Directional signage allows new cyclists and tourists alike to find their way to their destination or nearby landmark via a recommended route.

The purpose of signage is to direct people and provide information about destinations, directions and/or distances. It increases comfort, assists navigation, warns of approaching roadway crossings and guides users through diverse environments. In the unfortunate event of an emergency, directional signage provides important location information to a potentially uninformed visitor. When applied on a regional level, wayfinding can link communities and provide consistent visual indicators to direct cyclists to their destinations along the route of their choice. Wayfinding signage can achieve public objectives, such as promotion of a community's attractions, education, mile marking and directional guidance. A good wayfinding system functions to achieve the following purposes:

- Help people find destinations from various travel modes
- Establish clear pathways through the use of signs, maps and other landmarks
- Carry user-friendly and understandable messages

People are the single most important component in developing a wayfinding strategy. By identifying user patterns and destinations, wayfinding users understand how the bicycle facility system operates and how to move through spaces and get directed to their destinations.

Street/bicycle boulevard signage - Vancouver, B.C.

Bicycle wayfinding signage - San Antonio, TX

In designing a wayfinding strategy or system, the following questions need to be considered:

- What user types are likely to use the wayfinding system?
- Where are these users going?
- What do the users or visitors want to see and hear?
- Is the goal navigation, directional information, orientation, location information, or interpretation?
- Is the signage sending a clear message?
- Based on the expected user types, what are the safest or most logical paths or routes?

Bicycle wayfinding sign - Portland , OR

Source: www.pedbikeimages.org)

Host Ciclovia Events

Ciclovias are events in which streets are temporarily closed to motorized traffic and instead reserved for non-motorized transportation. It is a celebration of livable streets and communities, encouraging citizens and businesses to get out onto the streets and enjoy their city through active participation.

A Ciclovía (also cyclovia) is Spanish for "bicycle path" and describes either a permanently designated bicycle route or a temporary event, such as the closing of a street to automobiles for use by self-propelled transportation. Bogotá, Colombia, is often credited with starting ciclovias. These events, sometimes referred to as "Sunday Parkways," occur across the United States, including League Bicycle Friendly Communities Madison, Wisconsin, Portland, Oregon and Washington, D.C. The events typically occur on Saturday or Sunday on a city's main streets. The closed streets often form a circuitous route and are adjacent to a park. In some cities the event occurs once or twice a year, while others occur every weekend throughout the summer. The Portland and Chicago events have different locations around the city each weekend. Los Angeles' most recent events have attracted 150,000 participants.

Musicians and groups promoting free, healthy activities are often stationed along the route. These elements are a unique mix in each city. The theme is often centered on health, exercise and active transportation.

In Huntington Beach this could happen more easily on neighborhood streets and avoid the City's arterial streets. The biggest cost of hosting an event is traffic control and closing streets. If a neighborhood organizes and agrees to close their local streets, the cost and city-wide traffic impact is reduced. By starting small at the neighborhood level, this event can gain attention and excitement for a larger event in the future. Proposed loops are approximately a mile in length and include a park or school where possible. Larger group activities such as a group fitness class or bike rodeo can occur in the park. Proposed loops are depicted for informational purposes only, interested neighborhoods should find a loop route that works best for their needs and interest.

Los Angeles' CicLAvia event (Source: www.pedbikeimages.org)

Suggested Huntington Beach ciclovia routes

Business and Employer Incentive Programs

The City and local businesses can support cycling and the development of a comprehensive bicycle transportation system as a viable alternative to driving.

The City can support the League of American Bicyclists' (LAB) Bicycle Friendly Business program to encourage alternative modes of transportation by employees and customers. Businesses can give discounts, gifts and incentives to those who frequent their business by bicycle. Incentives can also be given to employees who commute by bicycle. The City and local businesses can provide employees with secure bicycle parking and shower and locker facilities to encourage more bicycle commuting.

The City and businesses can also provide fringe benefits through the Bicycle Commuter Benefit Act, which allows employers to reimburse bicycle commuters who regularly use their bikes for a substantial portion of travel between home and work. Companies can reimburse employees on a tax-free basis for "reasonable expenses" incurred as a bicycle commuter. This can include the actual purchase of a bicycle and almost any type of accompanying equipment and accessories such as lights, racks and clothing, up to an annual limit of $240.

If momentum moves beyond a few distinct businesses to a cluster of participating businesses, this effort can be a Bicycle Friendly Business District. Long Beach championed this concept as a pilot project in several neighborhoods: *http://www.bikelongbeach.org/welcome/bike-share-program/bicycle-friendly-business-district-program.*

Implement a Bicycle Sharing Program

Bicycle sharing is an innovative approach to increase bicycle usage throughout an urban area. Providing a bicycle share program, combined with other transportation systems, allows a more diverse, flexible and cost-effective method of alternative transportations. This program can reduce the number of overall vehicle trips and travel time between residences and transit stops, schools and shopping centers.

Successful bicycle sharing programs have been implemented in Canada, Europe and many U.S. cities like Washington DC and Chicago. These systems are highly advanced using key cards, online advanced rental, GPS and Radio Frequency Identification (RFID) technologies making bicycle sharing convenient and simple. Bicycle fleets have been implemented on university campuses, local businesses or for municipal staff use.

Programs such as B-Cycle can even track riders by their associated membership numbers. Data such as distance, duration, calories burned and carbon offset are captured and uploaded to personal web pages at *Bcycle.com*. This data can also be helpful for those commuting and exercising that the same time.

Recently, companies like Bike Nation, DECO Bike and others have implemented their systems at no cost to the host city. These privately funded systems rely upon corporate sponsorship for implementation. DECO Bike has successful systems in Miami Beach and Surfside, FL and Long Beach, NY. Bike Nation has plans for a fleet in Los Angeles, Long Beach and Anaheim.

Zot Wheels bicycle station - UC Irvine

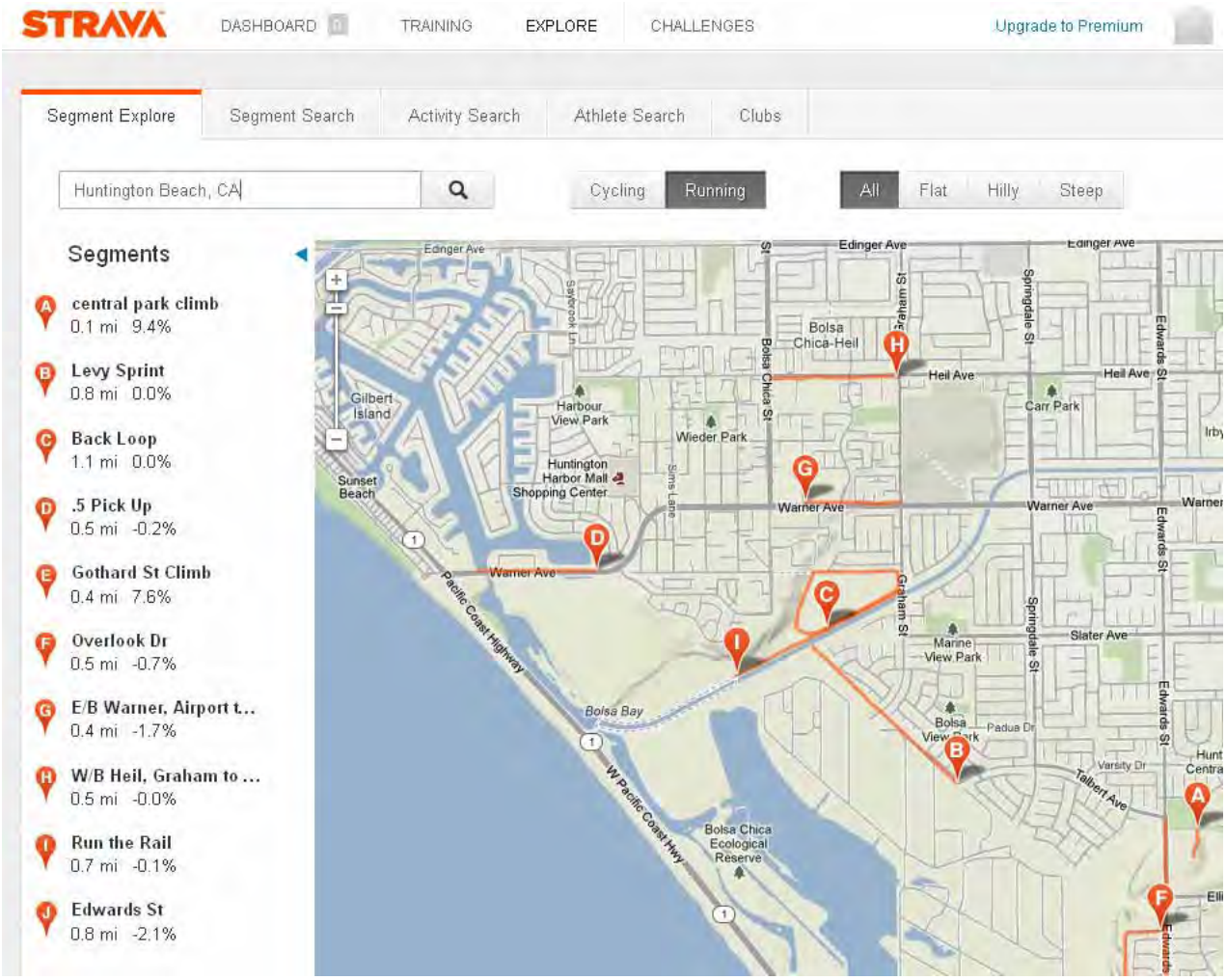
Capitol Bikeshare bicycle station - Washington D.C.

Develop a Series of Short Loop Rides

Southern California is one of the best locations for bicycle riding. The mild year-round weather attracts many professionals and recreational cyclists throughout the year. Bicycle racing and cycling clubs are a great way to get new cyclists into the sport that then carries on to daily life such as bicycle commuting. Local cities such as Long Beach, Ladera Ranch, Carson, Dana Point and San Diego participate in bicycle racing during the spring.

The City can work with the local bicycle clubs and shops to promote and organize a bicycle race and/or weekly bicycle rides throughout the City. Start local races that showcase Huntington Beach's landmarks. Local races can draw attention to the City and at the same time encourage cycling as a fun and healthy sport.

Jax Bicycle Center offers a group ride on Saturday mornings from their Huntington Beach shop. Websites like Strava®, Endomondo® and MapMyRide® also show rides others have published. Very short rides could be held on the small loops developed as possible ciclovia routes.



Example short loop rides - Strava® web site image capture

Implement the Boltage Program at Schools

This program's goal is to increase the number of children regularly riding or walking to school using advanced technology to count and provide incentives.

A solar-powered, Radio Frequency ID (RFID) tag reader called a Zap machine automatically registers RFID tags attached to backpacks or helmets. As they pass, the Zap machine registers the number of times children ride or walk to school and securely uploads the data to the Boltage web site so children can see how close they are to earning a prize. The Boltage program is not a competition between children, classes, or schools, but simply an encouragement to get children to ride their bikes to school more often. For more information on pricing and funding this program, go to *www.boltage.org*.

BOLTAGE

Boltage program logo

Participate in Walk and Bike to School Day

This annual one-day event is an international effort in more than 40 countries to celebrate the many benefits of safely walking and cycling to school and to encourage more families to consider getting out of the car and onto their feet on the way to school in October. Walking and rolling to school also embodies the two main goals of First Lady Michelle Obama's Let's Move! campaign: to increase children's physical activity levels and to empower parents to make healthy mobility choices.

The National Center for Safe Routes to School, which serves as the clearinghouse for the federal Safe Routes to School (SRTS) program, coordinates online registration efforts and provides technical support and resources for Walk to School Day. Safe Routes to School programs are sustained efforts by parents, schools, community leaders and local, state and federal governments to improve the health and well-being of children by enabling and encouraging them to walk and bicycle to school. Safe Routes to School activities range from building sidewalks, to getting vehicle drivers to slow down in school zones, to encouraging students to take active trips to school with school-wide competitions. On average, at least half of Walk to School Day events are part of an ongoing SRTS program each year. For more information, go to *www.walktoschool.org*.

Bike to School event with police officer - Phoenix, AZ (Source: www.pedbikeimages.org)

Promote the Bicycle Train 4

These programs are volunteer-based in which children are assisted by adults bicycle to school. This program can be as informal as two families taking turns riding their bikes to school or a more structured route with meeting points, a timetable and a regularly rotated schedule for trained volunteers. Parents often cite safety issues as one of the primary reasons they are reluctant to allow their children to ride to school. Providing adult supervision may help reduce those worries for families who live within cycling distance to schools.

The City can start with one school as a pilot program and expand to other school if there is demand. Success with a bicycle train may inspire a community to build a more structured program. This may include additional routes, more days of cycling and more children. Alternating days between walking and biking to school can provide variety to a structured program. These programs and volunteer efforts require coordination and potential attention to other issues, such as safety training and liability. These efforts can coincide with other educational programs such as "bike rodeos" at the schools. The participating school principal and administration, law enforcement and other community leaders should be involved to help promote an alternative travel to automobiles. For more information, visit *www.walkingschoolbus.org*.

Bicycle Ambassador Program

A Bicycle Ambassador Program can be implemented employing paid or volunteer bicycle ambassadors to distribute education materials and provide assistance to local users and tourists. Assistance can be in the form of wayfinding, mechanical adjustments, proper bicycle riding and other local knowledge. This is particularly useful in areas with a lot of tourists who may not receive educational and outreach material through traditional means such as a City web site, news outlets or official mailings. The program should include adequate training of ambassadors to provide this wide variety of bicycle assistance.

Bicycle ambassador program logo - Ft. Collins, CO

Continue the Bicycle Valet Service

Huntington Beach maintains a very successful bicycle valet parking program to encourage residents to ride to downtown beach area events. This effectively reduces vehicle parking congestion during particularly high use periods.

Just like vehicle valet operations, users drop off their bicycles and are given a claim ticket to be redeemed when they return to pick up their bicycle. Valet parking allows the consolidation of a large number of bicycles in a relatively compact configuration. Users have the convenience of not having to provide their own locks or having to look for a secure locking location at a time when demand is particularly high.

Valet parking hours are Tuesdays from 5 to 9 PM (during the weekly Surf City Nights street fair and farmer's market) and Saturdays and Sundays from 10 AM to 6 PM throughout the year. The service is free and provided by the City as part of downtown economic development with funding from the South Coast Air Quality Management District. This popular program should serve as a model for other coastal communities. For more information, go to *http://www.huntingtonbeachca.gov/government/departments/ed/business-improvement-districts/downtown-valet-link.cfm.*

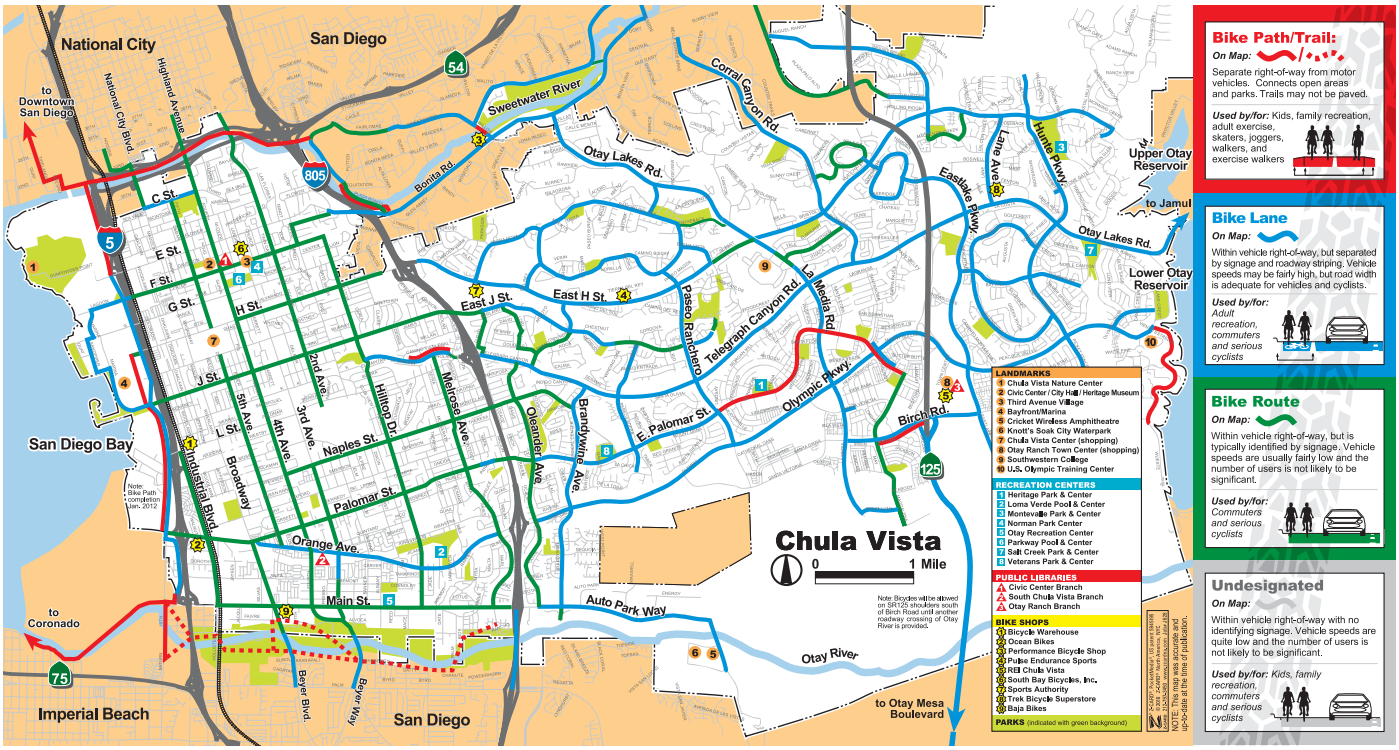
Huntington Beach bicycle valet (Source: City of Huntington Beach)

Update and Refine City Bicycle Facility Map

It is critical to provide a regularly updated map as new bicycle facilities are implemented or existing ones change, which users appreciate. The latest version can be made available digitally via the City web site and distributed as hard copy.

A map showing the facilities, popular destinations and other useful information can encourage more bicycle use. The reverse side of the map can be used for education materials and sponsorship information. If printing costs are prohibitive, seeking funding though grants and sponsorship is recommended. The cartography and graphic design work can be part of a class project through a local GIS or design class.

The City provides a downloadable map as a 36" x 48" PDF file. For ease of use, the City could make this online content available as a more user-friendly Z-Card® folding map, a proprietary design easier to carry, unfold and re-fold than conventional maps. The accompanying images illustrate an example map distributed and updated annually by the City of Chula Vista in southern San Diego County, as well as an excerpt from the reverse side on the next page.



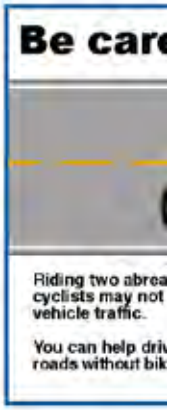
Example bicycle system map
(http://www.chulavistaca.gov/clean/conservation/climate/alternative.asp)

SHARING THE ROAD SAFELY

Please take a moment to read through these tips to learn more about cycling safely in Oceanside.

Be polite and be smart. Show respect for all road users and you'll get respect in return.

Remember: Cyclists and drivers share the same roads, have the same rights and responsibilities, and must follow the same rules.



Portion of example educational graphics from reverse side of bicycle system map shown on previous page (http://www.ci.oceanside.ca.us/civica/filebank/blobdload.asp?BlobID=23013)

Education Programs

Institute a Public Education Campaign Aimed at Cyclist, Pedestrian and Vehicle Driver Behavior 3

Develop an education program designed to makes streets a more pleasant and safer place, which can reduce the number of traffic-related collisions, injuries and deaths. This program can address the traffic problems by informing all users, including vehicle drivers, pedestrians and cyclists. The intent is to raise public awareness and discussion about peoples' attitudes and actions on the streets. It can offer new ways of thinking and reinforce that laws are to be followed.

Simultaneous outreach with media, targeted enforcement with cyclist and driver education, handouts, street signage and more will reach the widest audience. To support the effectiveness of a new facility, such as Shared Lane Markings ("Sharrows") and "Bikes May Use Full Lane" signs, this campaign must be timed to occur just before the facility is implemented.

Another approach is targeted outreach to individuals customized to their interests and preferences. The outreach effort can be expanded to include transit and ride share programs. This program, called SmartTrips, has been implemented in several cities and has been attributed to increasing the number of non-motorized trips in Portland.

Newport Beach hung light post banners depicting a "Share the Road" message and created business cards with information about the purpose of "Sharrows." It is likely that future banners will highlight the sharrow graphic to familiarize the public with this relatively new roadway symbol.

The City of San Jose has developed a program and strategic objectives for this type of campaign. Information can be found at *http://www.getstreetsmarts.org*.

The City of San Diego in partnership with the local MPO and bicycle coalition has created a public education campaign called "Lose the Roaditude." More information can be found at *http://losetheroaditude.com*.

"Share the Road" banner - Newport Beach (Source: Frank Peters)

"Sharrow" education card - Newport Beach (Source: Frank Peters)

Expand the Safe Routes to School Program and Encourage All Schools to Get Involved

Encouraging schools to actively participate in the Safe Routes to School grant program may increase the number of children that ride their bikes or walk to school. Inactivity among children is a health issue, one that must be taken seriously. In the age of computers, the internet and video games, outdoor activity has taken a back seat to indoor entertainment. Riding to school is a way to get children active and to introduce exercise into their daily routine. Many parents feel that riding a bicycle on the street is unsafe and do not allow their children to ride to school. Bicycle safety education is important and can be incorporated into after school activities for both children and parents.

Funding to support these education efforts can be obtained at both the federal and state level for a Safe Routes to School program. This funding can be used for a variety of activities including site specific evaluation and planning, infrastructure costs and education programs. The Public Works Department of the City of Huntington Beach has successfully used the Safe Routes to School Grant program to obtain funding for physical improvements through capital grants. Future grant awards could be used for more programmatic elements like student education.

Assistance with funding applications and program facilitation is available from local non-profits. More information can be found at *http://www.saferoutesinfo.org*.

The following are steps to begin the development of a Safe Routes to School Program:

- Include youth perspectives in the development of the Safe Routes to School improvement plan.
- Determine areas of the improvement planning process that student perspectives will be most useful.
- Have students make field observations and conduct assessments on their knowledge, attitudes and beliefs around Safe Routes to School concepts.
- Integrate student assessments into the planning process.
- Identify a youth Safe Routes to School liaison at the participating school district and/or school.
- Use the SafeRoutes toolkit for in-depth descriptions of classroom activities to educate students during the assessment step: *http://www.saferoutesinfo.org/resources/index.cfm*.

Step 1: Form a Safe Routes to School Task Force that involves parents, school administrators and teachers, neighbors and community organizations, City officials and staff, bicycle safety professionals and students.

Step 2: Evaluate existing conditions through parents surveys, student surveys, traffic counts, injury data, speed checks, safe routes checklists and schools policies relevant to school travel modes and physical activity (i.e., P.E. requirements, recess time and after-school activities).

Step 3: Expand the circle by presenting findings to the community, holding a design workshop, having an open house and convening a strategy meeting.

Step 4: Develop a project list and accompanying map by identifying problem areas, setting priorities, grouping projects by geographic area, identifying short-term and long-term solutions, costing out the program and using the whole toolbox of solutions (education, encouragement, enforcement and engineering).

Step 5: Make it official by going through the regular planning process and having the plan adopted in the City plan.

Step 6: Get improvements funded by developing a funding program, identifying funding opportunities and working with the City to apply for grants.

Street crossing - Montclair, NJ ((Source: www.pedbikeimages.org))

Institute a Cycling Education Program through Schools or City's Parks and Recreation Department

Teaching cyclists how to safely ride their bicycle on the streets of Huntington Beach is an important element in making the City a safer place to ride a bike. Currently, Huntington Beach offers classes through Parks and Recreation. However, expanded class options are encouraged in schools or bicycle clubs.

There are numerous examples of successful programs throughout the country. Education programs will need support from the school administration, teachers, parents and community. Education should be considered as essential, if not more essential, than new bicycle facilities.

Among existing programs, the SafeCyclist curriculum is nationally recognized as a comprehensive bicycle safety education course. It is directed at fourth and fifth grade elementary school physical education teachers and their students. In an attempt to institutionalize bicycle safety and physical fitness standards in Texas schools, the Texas Bicycle Coalition Education Fund (TBCEF) sends field instructors to school districts across the state to train and certify P.E. teachers in the program so that they may, in turn, train their students in bicycle and pedestrian safety education. Teachers report that the SafeCyclist Curriculum is easy to implement in the classroom and that students enjoy the materials.

With the financial support of the Texas Department of Transportation, the U.S. Department of Education and committed private and member donors, TBCEF is able to offer the certification training and all curriculum materials to each participating teacher for free. The SafeCyclist Program has gained both national and international recognition and is considered the model for youth bicycle safety education. In 2003, the National Highway and Traffic Safety Administration (NHTSA) conducted an evaluation of the program and concluded that the program positively influenced children's behavior, essential skills and knowledge gain.

If it is not possible to fit it in the curriculum or budget, this program can be a successful after-school or summer school program. An interested bicycle club could host a bicycle education class for the children of its members. The children can learn while the parents are out for a ride. Seeking financial support from a private health care source, like the Kaiser Permanente Foundation, is also an option.

To support expanded education efforts, there is a need for more licensed cycling instructors in Huntington Beach. The training for League of American Bicyclists cycling instructors is done in groups as needed when the number of interested cyclists reaches a minimum. The City, HuBBA, local bicycle club or the Bicycle Advisory Committee must coordinate efforts to gather interest from City departments, local volunteers, advocates and cyclists.

Bike rodeo - Phoenix, AZ (Source: www.pedbikeimages.org)

Include Education Messages in Local Activities

Increased education for vehicle drivers and cyclists is needed. Increase public awareness of the benefits of cycling and of available resources and facilities. Getting more people on bikes will also help modify vehicle drivers' behavior. In other cities, the primary method of education being used to reach both vehicle drivers and cyclists is the LAB's BikeEd Road 1 course.

More educational opportunities such as bicycle rodeos, public service announcements and increased education at schools are opportunities to be investigated to increase awareness within the city and to demonstrate to more people that cycling to work or for recreation is easy, safe and fun. The Orange County Bicycle Coalition (OCBC) and HuBBA are other local resources to utilize for information and assistance.

Install Warning Signage along Popular Routes

Warn vehicle drivers that there may be cyclists sharing the roadway with them. Increase vehicle drivers' awareness of cyclists with cautionary and safety messages. Cycling is an important component of the transportation system and should be respected by other modes of transportation. However, since cyclists are more vulnerable to injury in a collision with an automobile, vehicle drivers should pay particular attention to their presence and safety.

The "Bikes May Use Full Lane" Sign (R4-11) may be used on roadways where no bicycle lanes or adjacent shoulders usable by cyclists are present and where travel lanes are too narrow for cyclists and motor vehicles to safely operate side-by-side. This will coincide with wherever a Shared Lane Marking is used, on most Class 3 facilities planned throughout the City. Additionally, a bicycle warning sign "Share the Road" (W11-1 and W16-1P) can be placed as appropriate.

Sign R4-11 (CA MUTCD)

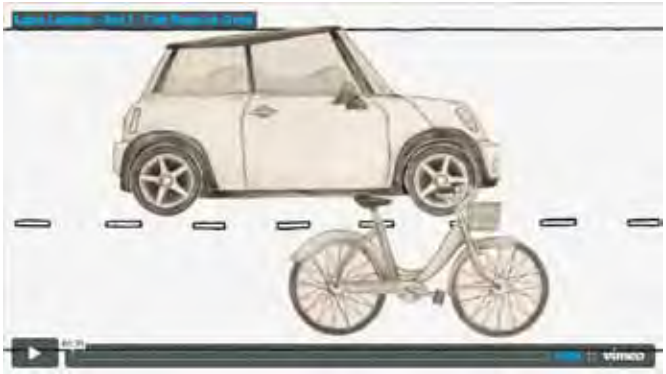
Implement a Proper Helmet Use Program

There are many resources available for assistance with curriculum, materials and information about bicycle safety and specifically helmet usage, fitting and safety statistics. The California Department of Public Health lists California specific resources for teachers: *http://www.cdph.ca.gov/HEALTHINFO/INJVIOSAF/Pages/BicycleSafety.aspx*.

The Bicycle Helmet Safety Institute is another resource with a wealth of information, links and free toolkits. It is a small, non-profit consumer-funded program providing bicycle helmet information at *http://www.bhsi.org*.

Expand Driver Education Efforts

Expand education efforts with the installation of "BICYCLES MAY USE FULL LANE" signage and application of shared lane markings. Educating vehicle drivers and cyclists is an important tool for the safety of those using the roads. The more knowledgeable all users are about the rights and rules each party has, the less potential there will be for conflict and incidents. The education effort should include working to add the "share the road" message in local driver's education classes. These efforts to education can be in driver's education, lunch seminars, through the Huntington Beach Police Department, fliers in water bills, messages on HBTV3 and light post banners. Long Beach has aired several educational messages through the theme "Love Letters" between a bicycle and a car. These videos can be viewed at *http://vimeo.com/45808780*.



"Love Letters" - City of Long Beach web site screen capture

Enforcement Programs

Maintain a Police Bicycle Liaison 2

This liaison would be the main contact for the residents concerning bicycle-related incidents. A liaison that serves the cycling community is an integral piece of communication between law enforcement and the cycling community. The liaison would be in charge of educating fellow officers about bicycle rules, etiquette and behavior to better serve both vehicle drivers and cyclists alike, such as recognizing lawful lane positioning. This liaison should be trained in bicycle safety, as well as ride a bicycle while on duty, as appropriate. Allocate funding for the training and support of this duty, as well as for necessary bicycle equipment.

Taking advantage of the liaison's intimate knowledge of local cycling conditions and trends, the City could rely on its liaison to make recommendations to revise City codes and policies to improve safety and convenience.

This has been successful in Los Angeles. Four officers are solely dedicated to bicycle safety and outreach, one for each Los Angeles Police Department Traffic Division. Each Traffic Division is responsible for the investigation of traffic collisions and traffic-related crimes located in its respective bureau.

Encourage Targeted Enforcement

The Huntington Beach Police Department should continue to use targeted enforcement to educate vehicle drivers and cyclists about applicable traffic laws and to share the road. These efforts are an effective way to expand driver and cyclist education. Targeted enforcement should be expanded to warn and educate vehicle drivers and cyclists about breaking the laws, the rules of the road and safety procedures. This could be in the form of a brochure or tip card explaining each user's rights and responsibilities. This will help educate law enforcement, vehicle drivers and cyclists. Possible traffic safety problems where enforcement is part of the solution may include the following:

Vehicle Drivers

- School zone traffic law violations
- Illegal passing of school bus
- Parking violations – bus zone, crosswalks, residential driveways, bicycle lanes, time zones
- Opening vehicle doors into cyclists' path of travel
- Violating cyclists' right-of-way
- Harassing cyclists
- Passing cyclists too close

Cyclists

- Wrong-way cycling, helmet use, and lane positioning

Officer conducting bike rodeo (Source: Prescott Area Daily Photo)

Targeted enforcement (Source: www.pedbikeimages.org)

Establish a Law Enforcement Referral Process

Design a communication process that encourages students and parents to notify the school and police of the occurrence of a crash or near-miss during school commute trips involving auto, bus, pedestrian, or bicycle transportation. Include the Huntington Beach Police Department and City of Huntington Beach Public Works in this reporting system to help produce more valuable data. Enlist the help of law enforcement with a number of traffic safety duties:

- Enforcement of traffic laws and parking controls through citations and warnings.
- Targeted enforcement of problem areas – an intensive, focused effort during the first two weeks of school and a strategy for the rest of the year.
- Participation in School Safety Committees and Safe Routes to School task force to help identify safety problems and solutions.

Los Angeles has a successful program called the LA Bike Map® that allows cyclists to submit incidents, see them displayed instantly, and study the overall pattern, dynamically, in one place: *http://bikesidela.org/labikemap.*

LA Bike Map® web site image capture

Engineering Programs and Policies

Practice a "Complete Streets" Policy 1

The City of Huntington Beach has adopted a "complete streets" policy. Every street should accommodate cyclists, pedestrians, vehicle drivers and transit users. A complete streets policy will enhance the effectiveness of bicycle use throughout the City by having facilities that will accommodate bicycle travel as well as walking and vehicle driving.

The City of Seattle has documented their complete streets policy implementation here: *http://www.seattle.gov/transportation/compSt_how.htm.*

Expand and Maintain the Bicycle Network

Expand bicycle access to all parts of the City through a signed network of on and off-street facilities, low-speed streets and secure parking. Assist cyclists to cross barriers (such as Interstate 405) and to reach their desired destinations in a convenient, timely and comfortable manner on a bicycle route network. Consider bicycle-friendly design using new technologies and innovative treatments at intersections and on roads and bikeways. Install bicycle stencils and bicycle-sensitive loop detectors (or other detector type) on bikeways as part of new signals, signal upgrades and resurfacing/re-striping projects conforming to the latest CA MUTCD guidelines. More facilities within the bicycle network will encourage bicycle use as a transportation and recreation mode. Drivers will note increased bicycle use throughout the City, which acts as a recurring reminder to safely share the road. Implement candidate facilities through prioritized projects corresponding with available funding.

Local cyclists should be involved in identifying maintenance needs and ongoing improvements. Develop a maintenance schedule for bicycle facilities. This includes regular sweeping and debris removal. When the City or other agencies such as utilities repair roads, the road needs to be restored to satisfactory quality, with particular attention to surface smoothness and restriping suitable for cycling.

Require Training for City Staff and Law Enforcement on Accommodating Cyclists

Require and provide expanded training opportunities for engineering, planning staff and law enforcement on how to best accommodate cyclists. Help City staff to better understand cyclists' needs and behavior, their right to use City streets, as well as multi-use paths for transportation. For example, in California a source for outside evaluation is the Institute of Transportation Studies at the University of California, Berkeley, which has been one of the world's leading centers for transportation research, education and scholarship. Its mission is to conduct research and provide instruction to transportation professionals. Additionally, the City can contact the Orange County Bicycle Coalition (OCBC) for staff training available on a fee for service basis. Membership to the Association of Pedestrian and Bicycle Professionals (APBP) includes a subscription to an email listserv that provides an active discussion on planning and engineering questions relating to bicycle and pedestrian facilities. APBP and other related groups offer webinars on a regular basis.

Increase the Amount of Secure Bicycle Parking

This is an important recommendation because Huntington Beach simply needs more bicycle parking. As heavy as demand is now, it is likely to increase as recommended facilities, programs and policies are implemented.

The City should provide plentiful, high quality bicycle parking to complement the existing and proposed bicycle network. Increasing bicycle parking, especially in areas of high bicycle traffic, will encourage more bicycle use as cyclists become more accustomed to finding safe places to park their bikes at their desired destinations. The downtown and beach areas exhibit the highest demand, especially during the summer and during events at all times of the year. The Downtown Specific Plan suggests specific locations, including near the pier.

Short- and long-term bicycle parking should be provided at employment centers and multi-family developments, at schools, special events, recreational areas and transit facilities. If there is a safe, weather-proof place to park their bicycles, employees may be more inclined to commute by bicycle to work.

Bicycle racks, especially those outdoors along the beach, should be monitored for rust and disrepair. See Appendix A for more information on how to select and install bicycle racks.

Promote Intermodal Travel

The City can do this by increasing connections between public transport and bicycles, by improving access and bicycle parking at bus stops and other public transport vehicles. This can be enhanced by distributing information via local media and on transit facilities on cyclists' options to put their bikes on a bus rack or in a train car to travel outside the City without the use of a personal vehicle.

Additionally, the support of expansion of local or regional transit supports cycling. Every rider of transit walks or bikes to and from their transit stops. What benefits transit most often also benefits other modes of non-motorized transportation.

Identify Opportunities to Make Engineering Improvements

Engaging the public and school officials on the need to improve facilities at schools is important to promote walking and biking to schools, transit stops and shopping centers. Examples of items to address are:

- Traffic control signs in school zone – legible, visible and placed properly
- Curb and pavement markings – crosswalks, parking controls, bicycle lanes and sharrows
- Signal timing adjustments – especially during morning and afternoon peak times, to allow more time for children to cross the street
- Vegetation trimming and object removal from sidewalks and paths
- Drop-off/pick-up operations – safe, efficient, monitored and enforced
- Off-street lots for drop-off/pick-up
- Parking controls – bus zone, ADA spaces, truck loading, no parking and time zones
- Traffic safety monitoring, supervised crossings and school zone enforcement
- Street signage for cyclist and driver education
- Traffic calming

Evaluation and Planning Programs

Integrate Cycling Network Improvements into Land Use Planning and Development

Future developments such as businesses, parks and residential developments need to take into account bicycles as a mode of transportation and incorporate appropriate facilities to meet their needs. Secured bicycle parking such as racks or lockers, as well as showers and changing rooms are a few examples of incorporating facilities within new developments, along with multi-use paths and bicycle lanes. As a condition of project approval, require development projects to construct adjacent bicycle facilities included in the proposed system and provide adequate bicycle parking.

This includes coordinating bikeway improvements to coincide with already scheduled and funded projects to minimize any overlapping costs or work. For example, include bikeway improvements in the City's Capital Improvement Program.

Several cities have bicycle parking ordinances with minimal requirements for new developments. A copy of a model ordinance for California cities can be found at *http://changelabsolutions.org/publications/CA-bike-parking*.

Seattle uses a Complete Streets Checklist to review any major capital projects: *http://www.seattle.gov/transportation/compSt_how.htm*.

City Hall bicycle racks

Continue to Support a Permanent Bicycle Advisory Committee

The existing Bicycle Advisory Committee (BAC) assists the City with implementation of plan projects, policies and programs. The BAC allows City staff, volunteers and bicycle advocates to continue efforts to improve cycling throughout the City. This group acts as a community liaison and addresses issues of concern to local cyclists. The BAC can review the implementation and regularly evaluate the progress of improvements in the Bicycle Master Plan. City support for budgeting time and resources for City staff and elected officials to attend and support these meetings is recommended.

Consistency and Cooperation

Strive for intra-agency coordination within the City to ensure that this Plan's recommendations are incorporated at every level of transportation planning, engineering and design. Ensure all City policies, plans, codes and programs are updated and implemented to take advantage of every opportunity to create a more bicycle-friendly community. An integrated approach results in creative funding opportunities, synergistic teamwork and successful projects. An example is a Portland, Oregon project integrating traffic-calming measures and stormwater retention. Intersection curb extensions were installed to serve as a traffic-calming measure, but they were also designed to serve as catch basins to capture stormwater. This ingenious program is called Portland's "Greenstreets Program" and allowed the city to utilize stormwater retention funding to install otherwise costly traffic-calming infrastructure that also improved the local urban visual environment.

Cooperation should also extend beyond City limits. Coordinate with adjacent military, local and regional agencies to ensure strong bicycle connections and inclusion of the City's plans in other planning efforts.

Create City Staff Bicycle Coordinator Position

The position of a bicycle coordinator or program manager can help coordinate between different City departments to ensure consistency and cooperation in planning projects. A bicycle coordinator would manage programs and implement projects listed in the Bicycle Master Plan. The coordinator would be responsible for updating the plan in a timely manner and maintaining a prioritized list of improvements, updated cost estimates and appropriate funding sources. These are critical to integrating cycling into the City's plans and projects and the investment in a staff position would show the City is committed to a "complete streets" transportation system. This investment is also often returned since this position usually is responsible for securing state and federal funding for bicycle projects. For more information, see a full report at *http://www.bikeleague.org/resources/reports*.

Develop a Bicycle Report Card

The City could develop a bicycle report card, a checklist used to measure the success of plan implementation and actions within the City. The report card could be used to identify the magnitude of accomplishments in the previous year, since inception and general trends.

The bicycle report card could include, but be not limited to, a wide menu of factors that the City could present together as a report card or a la carte:

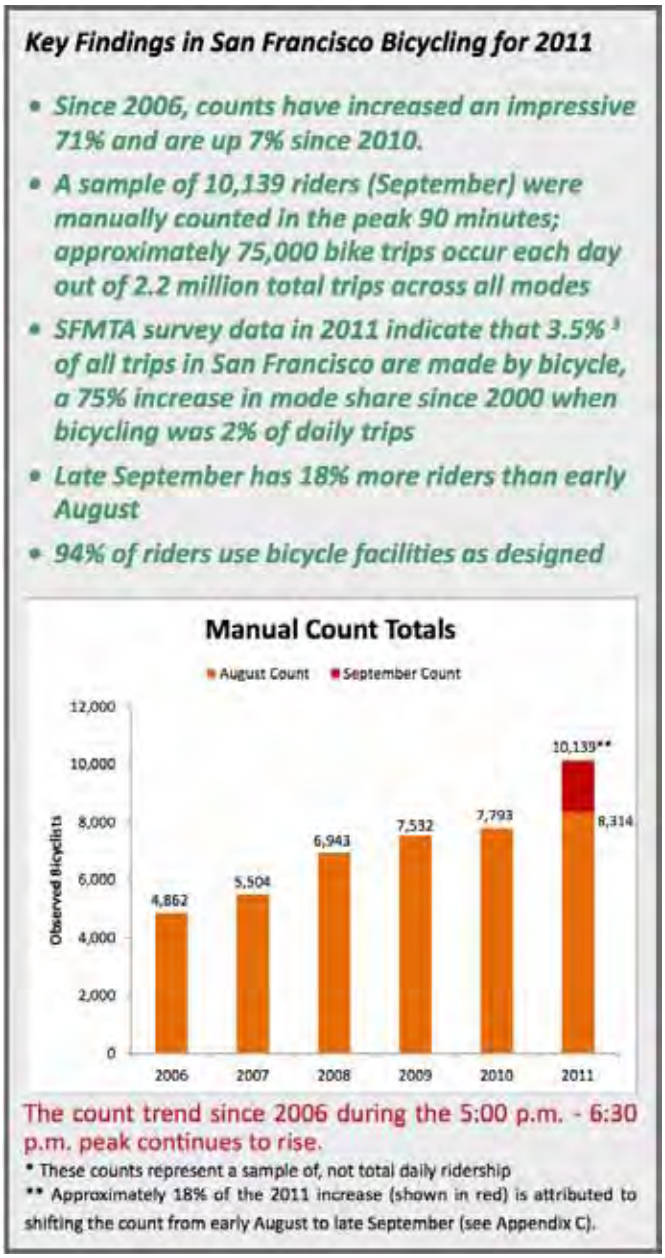
- System completion
- Travel by bicycle or on foot (counts)
- Safety
- Funding

As opposed to focusing on the actual annual change in a given category, the City could establish the report card to track trends. For example, an upward trend in travel by bicycle would be viewed as a success, regardless of the specific increase in the number of cyclists or walkers. Safety should be considered relative to the increase in cyclists and walkers. Sometimes crash numbers go up simply because cycling increases, at least initially. Instead, measure crashes as a percentage of an estimated overall mode share count.

A major portion of the bicycle report card would be an evaluation of system completion. An upward trend would indicate that the City is progressing in its efforts to complete the bicycle network identified in this document. The report card could be updated annually and could be expanded to included elements of other transportation modes in the City, such as transit or pedestrian mobility. The report card could be developed to utilize information collected as part of annual and on-going evaluations, as discussed in the following sections. The report card is not intended to be an exhaustive effort for City staff, but rather a straightforward means of conveying the results of the City's recent efforts to the public.

If a committee is appointed to help implement the Plan and guide future progress as it relates to cycling in the city, it can be a task of the committee to review the report cards and adjust future plans and goals accordingly.

The City of San Francisco publishes their Bicycle Report cards online at *http://www.sfbike.org/?reportcard*.



Bicycle Report Card excerpt - San Francisco MTA

Conduct Annual or Seasonal Cyclist Counts

Conduct regular cyclist counts throughout the city to determine mode share baseline and changes. Gathering cyclist counts would allow the City to collect information on where the most cycling occurs. This assists in prioritizing and justifying projects when funding is solicited and received. Cyclist counts can be advantageous in collecting data to study cycling trends throughout the City. Analysis that could be conducted includes:

- Changes in volumes before and after projects have been implemented
- Determining needs for non-motorized facilities
- Trip generation rates
- Prioritization of local and regional projects
- Research on clean air change with increased bicycle use
- Traffic impacts

Counts should be conducted at the same locations and at the same time every year. Conducting counts during different times of the year may be beneficial to understand the differences in traffic patterns throughout the year.

In addition, bicycle counts should be collected as part of any existing traffic counts. Results of the number of cyclists should be regularly recorded for inclusion in the bicycle report card.

Review Collision Data

The Huntington Beach Police Department should continue to collect and track collision data. Regular reports of traffic collisions should be presented at the Bicycle Advisory Committee. Traffic collisions involving cyclists could be reviewed and analyzed regularly to develop plans to reduce their frequency and severity. Any such plans should include Police Department involvement and should be monitored to determine their effectiveness. Results of the number of bicycle-related traffic collisions should be recorded in the bicycle report card.

Quantify Encouragement Efforts

As part of education and encouragement goals, the City should strive to conduct and quantify the results of at least one bicycle-related encouragement event per month. Examples of encouragement events include Bike-to-Work day events, bicycle rodeos, ciclovias, etc. An annual events tally could be completed in conjunction with publication of a bicycle report card.

Neighborhood Electric Vehicles (NEVs)

Neighborhood Electric Vehicles (NEVs) are becoming popular as an alternative to standard motor vehicles, especially in urban areas and for short trips where the local climate supports the use of these often open-sided vehicles. The California Air Resources Board (CARB) classifies NEVs as zero emissions vehicles. Legally, NEVs are "Low-Speed Vehicles" as defined by CVC Section 385.5:

(a) A "low-speed vehicle" is a motor vehicle that meets all of the following requirements:

(1) Has four wheels.

(2) Can attain a speed, in one mile, of more than 20 miles per hour and not more than 25 miles per hour, on a paved level surface.

(3) Has a gross vehicle weight rating of less than 3,000 pounds.

(b) (1) For the purposes of this section, a "low-speed vehicle" is not a golf cart, except when operated pursuant to Section 21115 or 21115.1.

(2) A "low-speed vehicle" is also known as a "neighborhood electric vehicle."

To satisfy federal safety requirements for manufacturers, NEVs must be equipped with three-point seat or lap belts, running lights, headlights, brake lights, reflectors, rear view mirrors and turn signals.

State law treats NEVs differently from the approach used for bicycles and other low speed vehicles. NEVs are prohibited from use on streets with speed limits greater than 35 mph, yet bicycles can be used on most streets regardless of speed limit. In addition, electric scooters can be ridden on streets with speed limits of 25 mph, or on streets with limits of 30 mph or more if marked with bicycle lanes. Scooter users must use the bicycle lanes and follow the same rules as cyclists. On residential streets with their typical 25 mph speed limits, NEVs function within the travel lane, and not in the bicycle lanes.

There is interest in expanding the network of NEV-accessible roadways in Huntington Beach to allow a larger travel area by removing existing legal barriers imposed on their use by being restricted from the higher speed streets. This is an evolving issue as mobility choice initiatives, especially those that support California's climate change mandates, continue to be debated at the state level.

Since state law does not allow NEVs or golf carts within bicycle lanes on streets with speed limits greater than 35 mph, expanding NEV use to would require the City to secure special study status through the legislature. NEVs could then operate within these bicycle lanes, but only on designated streets with speeds greater than 35 mph. Wider joint-use lanes may be acceptable, as has been done in several California cities. On these designated streets, the City could adopt a new standard dimension for bicycle/NEV joint-use lanes, perhaps 7-8 feet wide including gutter, and marked appropriately.

Typical NEV (Source: Global Electric Motorcars)

Shared lane signage and markings - Palm Desert, CA (Source: Alexander Meyerhoff, City Manager, City of Holtville)

Equity

Equity is the sixth and most recent addition to the traditional "five E's" of bicycle planning: Engineering, Education, Encouragement, Enforcement, and Evaluation and Planning. The concept of equity in this context is based in transportation justice and the idea that infrastructure should equally and equitably address the needs of all people for all modes. Bicycle infrastructure provides the community a viable and affordable transportation choice that helps to reduce household travel costs. Additionally, this mode serves those too young or too old to drive, as well as those who would simply prefer not to own and maintain a car. This helps to make cycling a key component of an equitable transportation system. Adult cyclists may use a bicycle because of logistical constraints in their life, such as economic hardship resulting in a lack of personal transportation, age or public transit limitations.

Equity among cyclists is also important. There is a wide range of types of cyclists and their respective comfort levels for riding in different conditions. Not every cyclist feels comfortable riding in a bicycle lane or sharing the roadway with fast moving and/or high volume traffic. Education, outreach and encouragement programs can go a long way to help cyclists to feel more confident about riding on the streets.

In addition to these programs, there are engineering solutions that can encourage more riders. The planning and design perspective used in the recommendations reflect the widely used "8-80" concept in which bicycle facilities are planned for users ranging from eight to eighty years old, wherever possible. This is reflected in recommendations for facilities such as the Huntington Beach Multi-use Path and on the parallel Pacific Coast Highway. Bicycle boulevards are another example of a type of bicycle facility that meets the needs of a wide range of users. Opening the flood control channels to cyclists and connecting those channels safely with the road network is another way to expand the Huntington Beach bicycle network to serve a broader range of cyclists.

Census information addressing average median income and vehicle ownership are two particularly useful data sets that directly affect personal mobility. This is because persons living in neighborhoods where these values fall well below the average are more likely to use bicycles to get around. The issue is therefore how readily available proposed bikeway facilities are to and within these neighborhoods. Median income and vehicle ownership data were therefore compared with the proposed system map and analyzed to insure that all people and places within Huntington Beach would be equitably served by a system providing a variety of facility types, such as multi-use paths, bicycle lanes and bicycle boulevards. The following maps were developed to illustrate how the recommended bicycle facility network addresses areas of Huntington Beach where average median income and vehicle ownership fall below the City average.

Figure 21: Median Household Income

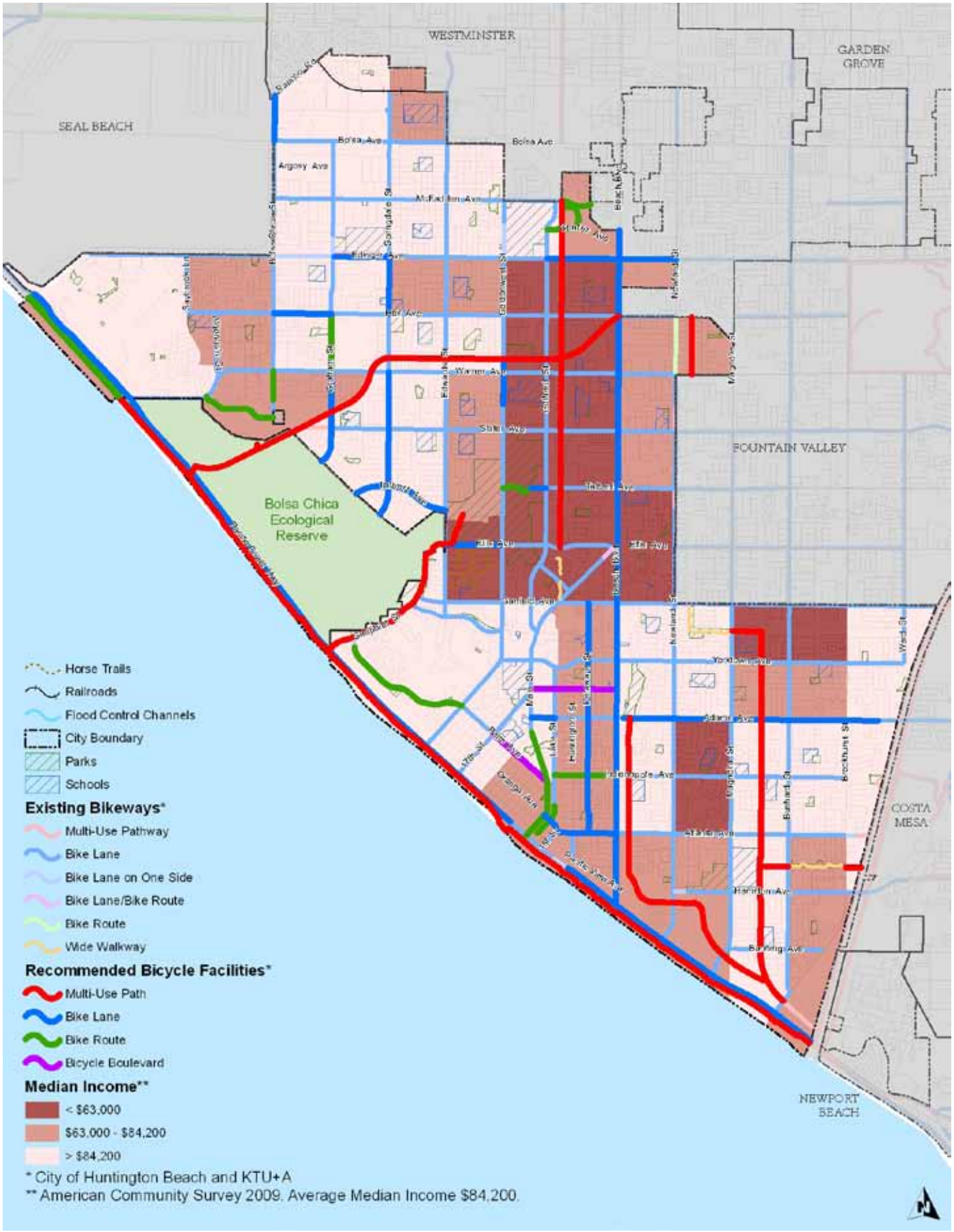
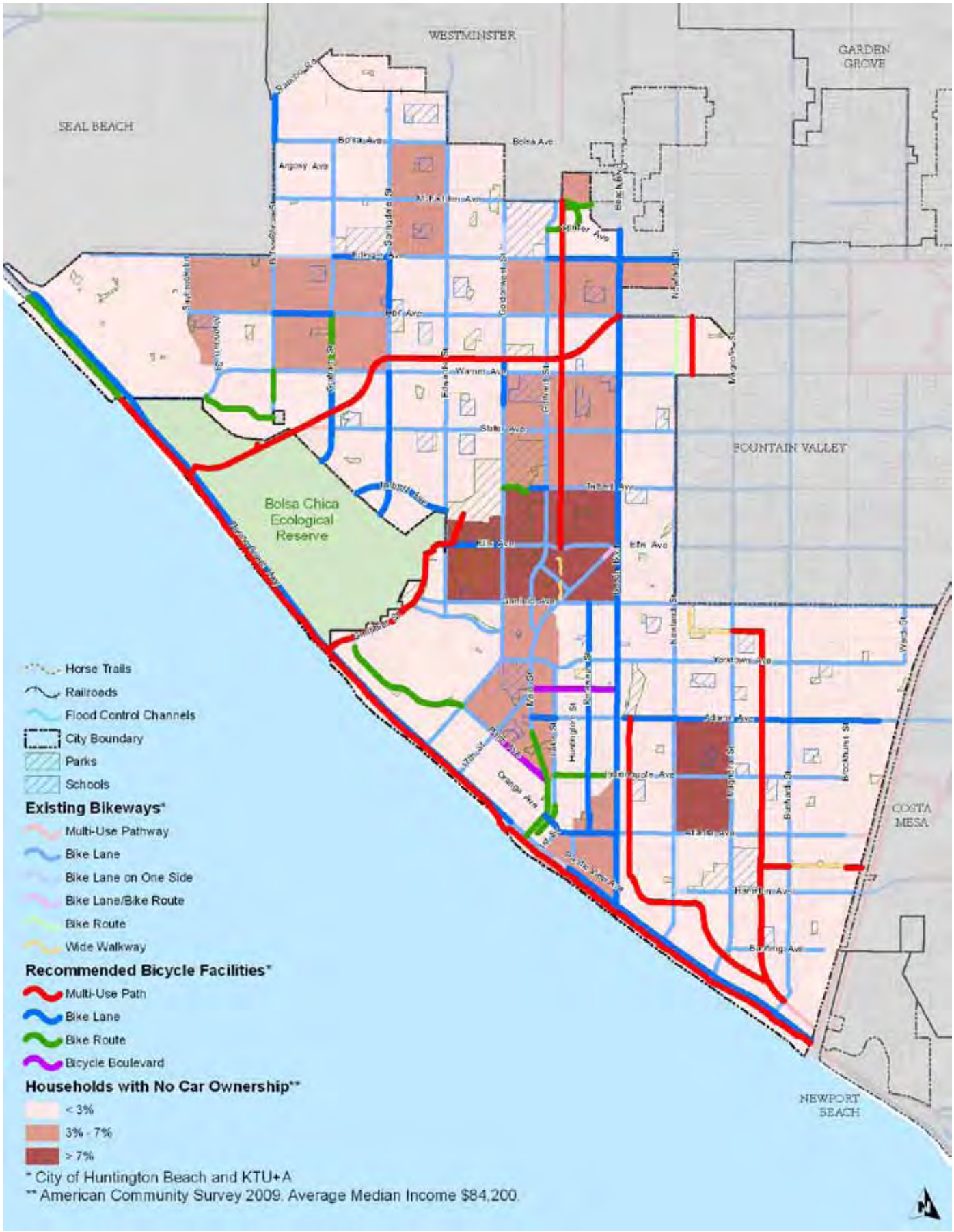


Figure 22: Vehicle Ownership



3.4 Implementation

Plan implementation is necessarily multi-faceted. Besides adoption of goals and policies, it often includes carrying out programs and pursuing project funding, whether through the City's capital improvements project process or grant funding. The plan addresses goals, policies, programs and projects that may not be feasible to implement right away, but are included to stir thinking and inspire long-term actions.

Following plan adoption, the next tasks are getting the programs into the City's or appropriate school district's budget, grant writing to fund projects and programs, amending city standards and design guidelines for consistency, including projects in the City's ongoing capital improvements programs, and implementing goals and policies in the every day processes of City management, whether in site plan review, traffic enforcement or street engineering decisions. Recommendations include education and outreach programs that can be implemented by the City, schools, volunteers and Huntington Beach Police Department. Implementation ultimately rests on the community and City's desire to make this plan a reality.

Implementation Steps

Implementation of some bikeways, such as multi-use paths, bicycle boulevards and other innovative techniques described in this plan, will require a capital improvement project process, including identifying funding, a public and environmental review process and plan preparation. Other bikeway improvements can be integrated into planned construction, such as resurfacing, reconstruction, or utility work.

The majority of bikeway facilities are provided on streets in the form of shared roadways or bicycle lanes. Shared roadways usually require virtually no change to existing roadways, except for some directional signs, occasional markings and minor changes in traffic control devices.

Each project will need a varying level of additional study and analysis before installation. Depending upon the project's complexity, some can be done by City staff or more complex projects can be contracted out to consultants.

Potential Implementation Steps

- Preliminary design and/or technical traffic studies
- Parking study if parking removal is recommended
- Construction drawings and detailed cost estimates
- Funding (CIP, grant, etc.)
- Recommendations for further environmental studies
- Construction

Project Phasing (short-, mid-, and long-term)

Projects listed as short-term are those that would be relatively easy to implement. These projects typically have low construction costs, would not necessitate the acquisition of right-of-way, and/or would require only a categorical exemption under the California Environmental Quality Act (CEQA) guidelines. An example of a potential short-term project could include restriping a roadway to include a buffer to remedy a door zone bicycle lane.

Mid-term projects are projects that will require a small amount of further study or a higher cost than projects that require only typical resurfacing and striping.

The long-term projects involve pursuing grant funding opportunities or further study for the implementation of larger, and potentially more costly improvements. Examples of long-term projects include some of the bicycle boulevard recommendations.

Program Phasing (short-, mid-, and long-term)

Program phasing can be addressed in phases in a similar manner. Each program is equally feasible for implementation, but some will just require more time and money investment from city staff, school districts and/or public volunteers. Short-term programs can be implemented without significant additional costs, staff or policy change. Mid-term programs may require budgetary considerations or significant volunteer involvement. Long-term programs will require additional staff, significant volunteer involvement, and additional funding through a grant or budget additions. On the following pages, the recommended programs from each category have been ranked based upon community workshop and Bicycle Advisory Committee input.

Table 16: Project Phasing

Facility Number and Name	Phase
Class 1	
#1: Huntington Beach Multi-use Path	Short
#2: East Garden Grove - Westminster Channel	Long
#3: Seapoint Street Multi-use Path	Long
#4: Huntington Beach Channel	Mid
#5: Talbert Channel	Mid
#6: Edison Greenway	Mid
#7: Edison Greenway	Mid
#8: UPRR Rail ROW	Long
#9: US Navy ROW	Long
Class 2	
#1: Brookhurst Avenue	Mid
#2: Goldenwest Street	Long
#3: PCH (Goldenwest-7th)	Long
#4: Edinger Avenue	Long
#5: PCH (Huntington-City limit)	Mid
#6: Beach Blvd (Main to PCH)	Mid
#7: Beach Blvd (City limit to Main)	Long
#8 Adams Avenue	Mid
#9: PCH (Goldenwest-City limit)	Mid
#10: Springdale Street	Short
#11: Heil Avenue	Short
#12: Edinger Avenue	Long
#13: Orange Avenue	Short
#14: Atlanta Avenue	Short
#15: Talbert Avenue	Short
#16: Adams Avenue	Long
#17: Ellis Avenue	Long
#18: Springdale Street	Short
#19: Graham Street	Short
#20: Bolsa Chica Street	Long
#21: Talbert Avenue	Short

Class 3	
#1: Main Street	Short
#2: McFadden Avenue	Short
#3: Graham Street	Short
#4: Lake St/3rd Street	Short
#5: Indianapolis Avenue	Short
#6: Bolsa Chica Street	Short
#7: Pacific Ave (North and South)	Short
#8: 6th Street	Short
#9: Talbert Avenue	Short
#10: Palm Avenue	Short
#11: Center Avenue	Short
Bicycle Boulevards	
#1: Palm Ave	Long
#2: Delaware St	Long
#3: Orange Ave	Long
#4: Utica Ave	Long

Table 17: Program Phasing

Program Name	Phase
Encouragement	
Expand Bike Month Encouragement Efforts	Mid
Improve Route Wayfinding Markers	Mid
Host Ciclovia Events	Long
Business and Employer Incentive Programs	Short
Implement a Bicycle Sharing Program	Long
Develop a Series of Short Loop Rides	Short
Implement the Boltage Program at Schools	Long
Participate in Walk and Bike to School Day	Short
Promote the Bicycle Train	Mid
Bicycle Ambassador Program	Long
Continue the Bicycle Valet Service	Short
Update and Refine City Bicycle Facility Map	Mid
Education	
Institute a Public Education Campaign Aimed at Cyclist, Pedestrian and Vehicle Driver Behavior	Mid
Expand the Safe Routes to School Program and Encourage All Schools to Get Involved	Mid
Institute a Cycling Education Program through the Schools or City's Parks and Recreation Department	Mid
Include Education Messages in Local Activities	Short
Install Warning Signage along Popular Routes	Mid
Implement a Proper Helmet Use Program	Mid
Expand Vehicle Driver Education Efforts	Mid
Enforcement	
Designate a Police Bicycle Liaison	Mid
Restart Adult Bicycle Diversion Program	Short
Continue Targeted Enforcement	Short
Establish a Law Enforcement Referral Process	Mid
Engineering	
Practice a "Complete Streets" Policy	Short
Expand and Maintain the Bicycle Network	Long
Require Training for City Staff and Law Enforcement on Accommodating Cyclists	Short
Increase the Amount of Secure Bicycle Parking	Mid
Promote Intermodal Travel	Mid
Identify Opportunities to Make Engineering Improvements	Mid
Evaluation and Planning	
Integrate Cycling Network Improvements into Land Use Planning and Development	Short
Continue to Support a Permanent Bicycle Advisory Committee	Short
Consistency and Cooperation	Short
Create City Staff Bicycle Coordinator Position	Long
Develop a Bicycle Report Card	Mid
Conduct Annual or Seasonal Cyclist Counts	Short
Review Collision Data	Short
Quantify Encouragement Efforts	Mid

Maintenance and Basic Operations

The maintenance of bicycle facilities and the monitoring and assessment of their performance are critical for ensuring safe and efficient travel for cyclists. This includes regular sweeping to remove debris. The "sweeping" effect of passing motor vehicle traffic readily pushes debris such as litter and broken glass toward the roadway edges where it can accumulate within an adjoining bicycle facility. Since the potential for loss of control can exist due to a blowout caused by broken glass, or through swerving to avoid other debris, proper maintenance is directly related to safety. For this reason, street sweeping must be a priority on roadways with bicycle facilities, especially in the curb lanes and along the curbs themselves. The police department could assist by requiring towing companies to fully clean up crash scene debris. This would prevent glass and debris from being left in place after a motor vehicle crash, or simply swept to the curb or shoulder area. A suggested minimum monthly sweeping schedule is recommended for heavily used Class 1 and 2 facilities, and twice a year where use is light. Class 3 facilities should be swept twice a year.

When any roadwork repairs are done by the City or other agencies, the roadway must be restored to satisfactory quality with particular attention to surface smoothness suitable for cycling. Striping must be restored to the prior markings or new markings if called for in a project. Bicycles facilities also sometimes seem to "disappear" after roadway construction occurs. This can happen incrementally as paving repairs are made over time and are not followed by proper bikeway restriping. When combined with poor surface reconstruction following long periods out of service due to road work, this can result in the eventual loss of affected bikeway facilities and decrease the number of cyclists regularly using the facilities.

Adjacent construction projects that require the demolition and rebuilding of roadway surfaces can cause problems in maintaining and restoring bikeway function. Construction activities controlled through the issuance of permits, especially driveway, drainage, utility, or street opening permits, can have an important effect on the quality of a roadway surface where cyclists operate. Such construction can create hazards in the form of mismatched pavement heights, rough surfaces or longitudinal gaps in adjoining pavements, or other pavement irregularities. Permit conditions should ensure that pavement foundation and surface treatments are restored to their pre-construction conditions, that no vertical irregularities will result and that no longitudinal cracks will develop. Strict specifications, standards and inspections designed to prevent these problems should be developed, as well as effective control of construction activities wherever bikeways must be temporarily demolished. A five year bond should be held to assure correction of any deterioration that might occur as a result of faulty reconstruction of the roadway surface.

Strive for intra-agency coordination within the City to ensure that this plan's recommendations are incorporated at every level of transportation planning, engineering and design. An integrated approach results in creative funding opportunities, synergistic teamwork and successful projects. An example is a Portland, Oregon project integrating traffic-calming measures and stormwater retention. Intersection curb extensions were installed to serve as a traffic-calming measure, but they were also designed to serve as catch basins to capture stormwater. This ingenious program is called Portland's "Greenstreets Program" and allowed the city to utilize stormwater retention funding to install otherwise costly traffic-calming infrastructure that also improved the local urban visual environment.

Planning for bicycle facilities on roadways should begin at the very earliest stage of project development on all sizes and types of roadway projects. Even the smallest roadway resurfacing project could result in a missed opportunity if cyclists and Bicycle Master Plan projects are not taken into consideration at the initiation of the project. Each roadway project should be cross-referenced with the Bicycle Master Plan Project list to ensure any projects on the same roadway are implemented along with ongoing improvements.

Bikeway Funding 4

4.1 Typical Construction Costs

The following lists the unit cost assumptions for typical bicycle infrastructure improvements used to develop cost estimates for the proposed bicycle facilities. These cost estimates were developed based on recent construction bid results in California. All costs are assumed to be in 2012 dollars.

Tasks needed to be accomplished prior to facility design, such as environmental clearance, coastal access processing or other studies, may be an additional cost, sometimes even higher than actual project construction costs. This is generally addressed on a case-by-case basis since not all projects will require such additional analysis. For example, Class 2 bicycle lanes were recently exempted from CEQA review.

Description	Unit	Cost
Class 1 multi-use (4" HMAC over 8" Class 2 AB)	Linear Foot	$150
Class 2 bicycle lanes (minor restriping)	Linear Foot	$13
Class 2 bicycle lanes (restriping with slurry seal)	Linear Foot	$40
Class 2 bicycle lanes (streetscape reconstruction)	Linear Foot	$600
Class 3 bicycle route	Linear Foot	$1
Curb and gutter	Linear Foot	$21
Signs	Each	$150
Decomposed granite	Square Foot	$2.50
Bicycle rack	Each	$225
Restriping, minor	Linear Foot	$13
Restriping, major (includes slurry seal)	Linear Foot	$40
Retaining wall	Linear Foot	$80
Bicycle detection (Type D in vehicle lanes)	Per Inter. Approach	$4,000
Traffic signal	Each	$120-250,000
Roundabout	Each	$1.5 million
New roadway	Mile	$4.9 million

4.2 Bicycle Facility Cost Estimates

A list of proposed bicycle facilities was developed for the City with the goal of increasing connectivity and generally expanding the dedicated bicycle network. This section provides planning-level construction cost estimates for the facilities listed in the plan, describes the methodology behind the cost estimation and provides the results of the assessment.

Methodology

Proposed facilities were classified under several categories to help estimate costs:

- Class 1 Multi-use Path – New Construction
- Class 1 Multi-use Path – Upgraded Facility
- Class 2 Bicycle Lane – Striping Only
- Class 2 Bicycle Lane – Road Diet Restriping
- Class 2 Bicycle Lane – Roadway Widening
- Class 3 Bicycle Route
- Bicycle Boulevard

Each proposed facility was assigned to one of the categories, and a per-mile construction cost was developed for each category. The costs are based on recent construction bid data for materials costs, assumptions for facility geometry, and recent experience with similar projects in Orange and Los Angeles Counties. All of the costs include the following assumed additional factors:

Design/Engineering	10 percent
Mobilization	10 percent
Minor items	15 percent
Construction Management	10 percent
Contingency	20 percent

Cost Categories

Class 1 Multi-use Path – New Construction

Assumes a 10 foot wide path of four inch hot mix asphalt over an eight inch aggregate base. Includes striping of edges and centerline and path signage at intersections, but no fencing or landscaping. Grading is limited to roadway excavation beneath the path. The unit cost is $700k per mile of path, and $150k per roadway intersection for installation of a signalized crossing. This does not include right-of-way acquisition or environmental remediation.

Class 1 Multi-use Path – Upgraded Facility

Assumes widening in some locations and modifications to curvature that would require reconstruction of the path. Additional earthwork and grading may be added in some areas. Due to the variability of work along the existing path, it is assumed that the cost would be half that of a new path, and is set at $350K per mile.

Class 2 Bicycle Lane – Striping Only

This category assumes that adequate space exists along the roadway to simply add bicycle lane striping and markings without modifying the roadway further. It assumes that the road is in good condition and doesn't require maintenance or rehabilitation as part of the striping project. No modifications to intersection signal equipment are assumed. The cost is $50k per mile.

Class 2 Bicycle Lane – Road Diet/Restriping

This category assumes that there is sufficient curb-to-curb width to install the bicycle lane, but that modifications to existing striping would be necessary to make room. This includes removal of existing striping and installation of new striping, as well as slurry-seal maintenance. This could be a reduction in vehicle lanes or narrowing of existing lanes. The assumed unit cost is $200k per mile, with no assumed modifications to intersection signal equipment.

Class 2 Bicycle Lane – Roadway Widening

This category assumes that the curb-to-curb width is not sufficient to install bicycle lanes, and therefore the roadway would be widened by 10 feet to accommodate them. This includes widened pavement sections, new curb, gutter and sidewalk, and relocation of street lighting. Each intersection would also be modified to move signal equipment and install new curb returns. The assumed unit cost is $2.5M per mile, and $250k per intersection.

Class 3 Bicycle Route

This category assumes signage and shared-use pavement markings ("Sharrows") along the length of the route at intervals of 0.25 miles in each direction and at intersections. This assumes that the roadway does not require rehabilitation or maintenance. The assumed unit cost is $20k per mile.

Bicycle Boulevards

Bicycle boulevards are essentially Class 3 route facilities that may feature structural roadway modifications such as traffic calming measures or changes in intersection priority or access. Because these facilities need to be evaluated in more detail to determine the extent of extra modification, this plan assumes that costs are equivalent to those of typical Class 3 facilities with signage and pavement markings and would be revised upward as needed when further study is performed.

Results

All proposed multi-use paths were considered to be either new construction or improvements of existing facilities, and assigned a per-mile cost for the length of the facility. Table 18 summarizes the results.

All proposed bicycle lanes were considered to be additional striping, restriping (for reduction of lanes or lane widths), or roadway widening, and assigned a per-mile cost for the length of the facility.

The Bicycle Master Plan proposes five alternatives for Pacific Coast Highway. The first four alternatives are all variations of striping modifications, and therefore fall under the category of roadway restriping/road diet. Alternative 5, however, proposes to modify the median, shift all lanes to the north/east to allow room for a beach-adjacent cycle track. Because this does not entail full reconstruction of the curbs and sidewalks, it does not fall under the category of widening.

Based on the structural modifications to the roadway, a per-mile cost of $1.0M was assigned. Assuming that the 2.0 mile stretch of PCH between Goldenwest Street and Beach Boulevard is the only candidate for this treatment, the construction cost for Alternative 5 is estimated to be $2.0M.

All bicycle routes and bicycle boulevards were considered to include Sharrows and signage along the length of their routes, and assigned a per-mile cost for the length of the facility.

Table 18: Facility Cost Estimates

No.	Class 1 Multi-use Paths	Cost Category/Length	Cost	Notes
1	Huntington Beach Multi-use Beach Path	Upgraded Facility 10 mi	$3.5M	
2	East Garden Grove - Westminster Channel	New Construction 4 mi 6 crossings	$3.7M	
3	Seapoint Street Multi-use Path	New Construction 1.75 mi	$1.23M	Likely crossing at Edward St. and Palm Ave. already signalized w/crosswalks; no upgrades assumed
4	Huntington Beach Channel	New Construction 2.5 mi 5 crossings	$2.5M	
5	Talbert Channel	New Construction 3.25 mi 6 crossings	$3.18M	
6	Edison Greenway	New Construction 1.0 mi 2 crossings	$1.0M	Assumes that current meandering path will not be used as part of the alignment; indirect and narrow, and needs rehab.
7	Edison Greenway	New Construction 0.5 mi	$350K	
8	UPRR Rail ROW	New Construction 3.0 mi 5 crossings	$2.85M	Path not currently feasible; cost assumes future abandonment and rail removal by UPRR
9	US Navy ROW	New Construction 1.2 mi	$870K	Path not currently feasible; cost assumes future abandonment and rail removal by US Navy

No.	Class 2 Bicycle Lanes	Cost Category/Length	Cost	Notes
1	Brookhurst Avenue	Striping Only 3.5 mi	$175K	
2	Goldenwest Street	Roadway Widening 0.4 miles 1 crossing	$1.25M	Assumed that widening would be required based on medians and lane widths
3	Pacific Coast Highway (7th to Goldenwest Street)	Road Diet/Restriping 1.0 mi	$200k	Estimate consistent with PCH Alts 1-4; Alt 5 would assume increased cost due to median modifications
4	Edinger Avenue	Road Diet/Restriping 0.7 mi	$140k	
5	Pacific Coast Highway (Goldenwest Street to City Limit)	Striping Only 5.25 mi	$263k	Estimate consistent with PCH Alts 1-4; Alt 5 would assume increased cost due to median modifications
6	Beach Boulevard	Striping Only 3.0 mi	$150k	
7	Beach Boulevard	Road Diet/Restriping 2.5 mi	$500k	
8	Adams Avenue	Striping Only 2.5 mi	$125k	
9	Pacific Coast Highway (Huntington Street to City Limit)	Striping Only 2.5 mi	$125k	Estimate consistent with PCH Alts 1-4; Alt 5 would assume increased cost due to median modifications
10	Springdale Street	Striping Only 0.5 mi	$25k	
11	Heil Avenue	Striping Only 0.5 mi	$25k	Section appears to be mostly striped already
12	Edinger Avenue	Road Diet/Restriping 0.5 mi	$100k	
13	Orange Avenue	Striping Only 0.2 mi	$10k	
14	Atlanta Avenue	Striping Only 0.5 mi	$25k	
15	Talbert Avenue	Striping Only 0.25 mi	$12.5k	
16	Adams Avenue	Striping Only 0.2 mi	$10k	
17	Ellis Avenue	Road Diet/Restriping 0.5 mi	$100k	
18	Springdale Street	Striping Only 1.25 mi	$62.5k	
19	Graham Street	Striping Only 0.75 mi	$37.5k	
20	Bolsa Chica Street	Road Diet/Restriping 0.5 mi	$100k	
21	Talbert Avenue	Striping Only 1.0 mi	$50k	

No.	Class 3 Bicycle Routes	Length	Cost
1	Main Street	1.25 mi	$25k
2	McFadden Avenue	0.25 mi	$5k
3	Graham Street	0.5 mi	$10k
4	Lake Street/3rd Street	0.3 mi	$6k
5	Indianapolis Avenue	0.5 mi	$10k
6	Bolsa Chica Street	0.25 mi	$5k
7	Pacific Street	1.5 mi	$30k
8	6th Street	0.38 mi	$8k
9	Talbert Avenue	0.25 mi	$5k
10	Palm Avenue	1.5 mi	$30k
11	Center Avenue	0.25 mi	$5k

No.	Bicycle Boulevards	Length	Cost*	Notes
1	Palm Avenue	0.75 mi	$15k+	Additional study required to determine cost of traffic calming and improvements at intersections
2	Delaware Street	2.5 mi	$50k+	Additional study required to determine cost of traffic calming and improvements at intersections
3	Orange Avenue	1.17 mi	$24k+	Additional study required to determine cost of traffic calming and improvements at intersections
4	Utica Avenue	0.75 mi	$15k+	Additional study required to determine cost of traffic calming and improvements at intersections

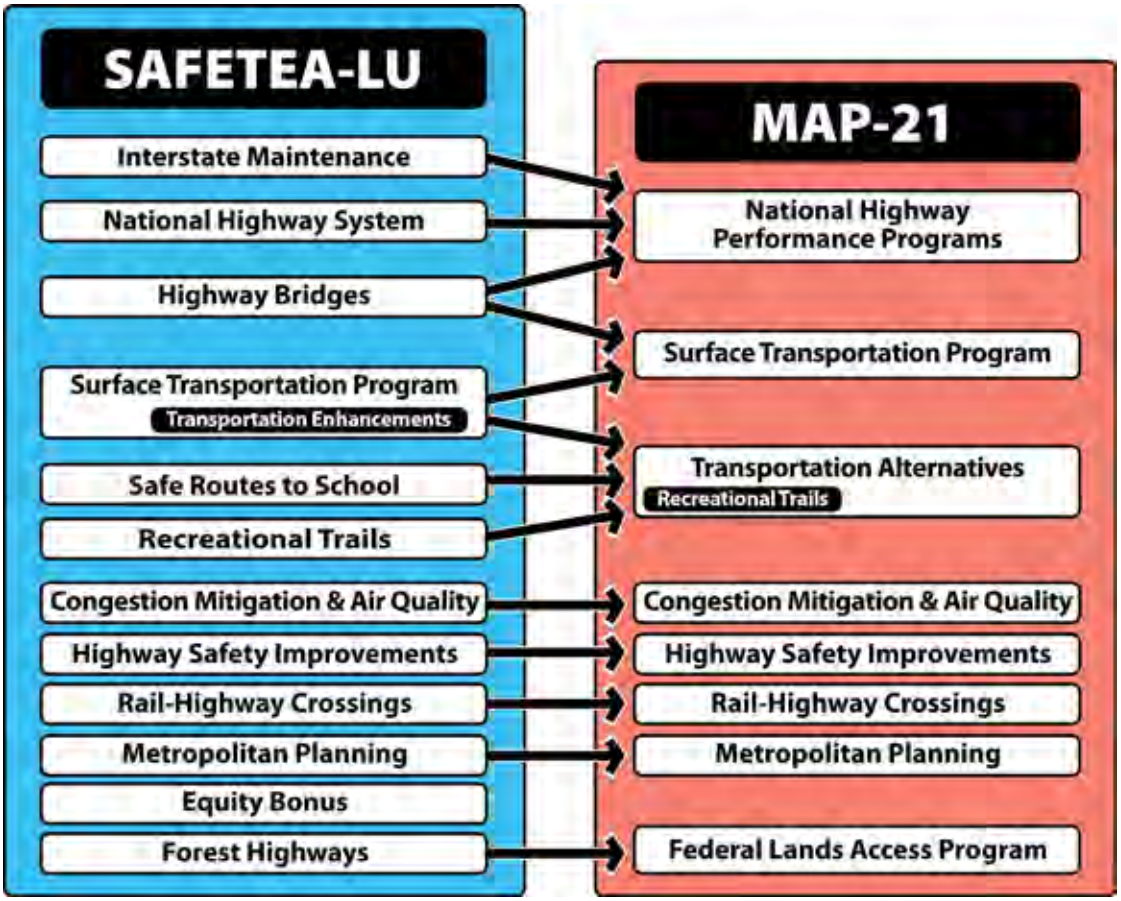
**Note: Bicycle boulevards have not been implemented to the extent that other facility types have been, nor are there widely accepted standards in place. Their costs are therefore highly variable and can increase significantly if the full range of potential physical improvements are included, such as motor vehicle traffic diverters, median refuge islands, roundabouts, street trees, improved lighting, etc. These cost figures reflect the extreme low range with minimal physical improvements matching those of Class 3 bicycle routes, which typically include only signage and shared lane ("Sharrow") markings.*

4.3 Funding Sources

Federal, State and local government agencies invest billions of dollars every year in the nation's transportation system. Only a fraction of that funding is used in development projects, policy development and planning to improve conditions for cyclists. Even though appropriate funds are limited, they are available, but desirable projects sometimes go unfunded because communities may be unaware of a fund's existence, or may apply for the wrong type of grants. Also, the competition between municipalities for the available bikeway funding is often fierce.

Whenever federal funds are used for bicycle projects, a certain level of State and/or local matching funding is generally required. State funds are often available to local governments on the similar terms. Almost every implemented bicycle program and facility in the United States has had more than one funding source and it often takes a good deal of coordination to pull the various sources together.

According to the Federal Highway Administration's (FHWA) publication, *An Analysis of Current Funding Mechanisms for Bicycle and Pedestrian Programs at the Federal, State and Local Levels*, where successful local bicycle facility programs exist, there is usually a full time bicycle coordinator with extensive understanding of funding sources. Cities such as Seattle, Washington, Portland, Oregon and Tucson are prime examples. Bicycle coordinators are often in a position to develop a competitive project and detailed proposal that can be used to improve conditions for cyclists within their jurisdictions. Much of the following information on federal and State funding sources was derived from the previously mentioned FHWA publication.



Federal Sources

The long legacy of U.S. Department of Transportation Enhancement Funds SAFETEA-LU (*Safe, Accountable, Flexible, Efficient, Transportation Equity Act: A Legacy for Users)* has ended and has been substantially replaced with a new funding mechanism entitled MAP-21. MAP-21 (*Moving Ahead for Progress in the 21st Century*) was approved by Congress and signed by the President in 2012.

MAP-21 replaces SAFETEA-LU with a similar amount of total funding, but significantly changes the overall number and scope of programs. The number of programs has been consolidated by two-thirds. The graphic on the previous page illustrates the relationship between the two federal funding sources. The Transportation Enhancements (TE) program has been eliminated and replaced with Transportation Alternatives (TA). The Recreational Trails program is now housed under the Transportation Alternatives Program. Bicycle projects remain eligible for major funding and MAP-21 does have an emphasis on safety and active transportation with a 30 percent increase in CMAQ, doubled Highway Safety Improvement funds and specific mentions of bicycle projects.

There are still many unknowns regarding the details and interpretations of these changes. The federal levels of funding and scope have been set, yet it remains to be defined how the state and local programs will individually implement these funding mechanisms. For more in-depth information on the funding changes and the regional funding implications, contact OCTA Federal Relations Manager, Richard Bacigalupo or visit OCTA's Website: *About OCTA - Government Relations http://www.octa.net/About/Government-Relations/Federal-Relations/Overview/.*

Safe Routes to School Programs

There are two separate Safe Routes to School Programs administered by Caltrans. There is the State-legislated program referred to as SR2S and there is the Federal Program referred to as SRTS. Both programs are intended to achieve the same basic goal of increasing the number of children walking and cycling to school by making it safer for them to do so. The differences between the two programs are as follows:

- Legislative Authority
  SR2S - Streets & Highways Code Section 2330-2334
  SRTS - Section 1404 in SAFETEA-LU
- Expires
  SR2S - AB 57 extended program indefinitely
  SRTS - Pending SAFETEA-LU reauthorization.
- Eligible Applicants
  SR2S - Cities and counties
  SRTS - State, local, and regional agencies experienced in meeting federal transportation requirements. Non-profit organizations, school districts, public health departments, and Native American Tribes must partner with a city, county, MPO, or RTPA to serve as the responsible agency for their project.
- Eligible Projects
  SR2S - Infrastructure projects
  SRTS - Stand-alone infrastructure or non-infrastructure projects
- Local Match
  SR2S - 10 percent minimum required
  SRTS – None
- Project Completion Deadline
  SR2S - Within 4 ½ years after project funds are allocated to the agency
  SRTS - Within 4 ½ years after project is amended into FTIP
- Restriction on Infrastructure Projects
  SR2S - Must be located in the vicinity of a school
  SRTS - Infrastructure projects must be within 2 miles of a grade school or middle school
- Targeted Beneficiaries
  SR2S - Children in grades K-12
  SRTS - Children in grades K-8
- Funding
  SR2S - $24.25M annual funding
  SRTS - $23M annual funding

The Safe Routes to School Program funds nonmotorized facilities in conjunction with improving access to schools through the Caltrans Safe Routes to School Coordinator. For more information visit: *http://www.dot.ca.gov/hq/LocalPrograms/saferoutes/saferoutes.htm*

Department of the Interior - Land and Water Conservation Fund (LWCF)

The U.S. Recreation and Heritage Conservation Service and the State Department of Park and Recreation administer this funding source. Any project for which LWCF funds are desired must meet two specific criteria. The first is that projects acquired or developed under the program must be primarily for recreational use and not transportation purposes and the second is that the lead agency must guarantee to maintain the facility in perpetuity for public recreation. The application will be considered using criteria such as priority status within the State Comprehensive Outdoor Recreation Plan (SCORP). The State Department of Park and Recreation will select which projects to submit to the National Park Service (NPS) for approval. Final approval is based on the amount of funds available that year, which is determined by a population based formula. Trails are the most commonly approved project.

Rivers, Trails, and Conservation Assistance Program (RTCA)

The Rivers, Trails and Conservation Assistance Program is the community assistance arm of the National Park Service. RTCA provides technical assistance to communities in order to preserve open space and develop trails. The assistance that RTCA provides is not for infrastructure, but rather building plans, engaging public participation and identifying other sources of funding for conversation and outdoor recreation projects.

American Recovery and Reinvestment Act 2009

The $789 billion economic stimulus package provides $27.5 billion to modernize roads and bridges and includes a three percent set aside of each state's share of the $27.5 billion for the Transportation Enhancements Program. At least half of the funds must be obligated by states within 120 days, or the U.S. Secretary of Transportation can recall up to 50 percent of the unobligated funds.

Also included is $8.4 billion to increase public transportation and improve transit facilities; $8 billion for investment in high speed rail and $1.5 billion for a discretionary surface transportation grant program to be awarded competitively by the Secretary of Transportation.

The Federal Highway Administration (FHWA) and Federal Transit Administration have issued guidance to assist state and local agencies in preparing for implementation of the stimulus bill. The guidance includes Q&As and actions that can be taken to expedite economic recovery projects.

Other Bicycle Infrastructure Funding Options

Additionally, States received a one time appropriation of $53.6 billion in state fiscal stabilization funding under ARRA in 2009. States must use 18.2 percent of their funding – or $9.7 billion – for public safety and government services. An eligible activity under this section is to provide funding to K-12 schools and institutions of higher education to make repairs, modernize and make renovations to meet green building standards. The Leadership in Energy and Environmental Design (LEED) Green Building Rating System, developed by the U.S. Green Building Council (USGBC), addresses green standards for schools that include bicycle and pedestrian facilities and access to schools.

Another $5 billion is provided for the Energy Efficiency and Block Grant Program. This provides formula funding to cities, counties and states to undertake a range of energy efficiency activities. One eligible use of funding is for bicycle and pedestrian infrastructure.

State Sources

Streets and Highways Code Bicycle Transportation Account (BTA)

The Bicycle Transportation Account (BTA) funds nonmotorized facilities and access to cities and counties that have adopted bikeway master plans. Section 2106 (b) of the Streets and Highways Code transfers funds annually to the BTA from the revenue derived from the excise tax on motor vehicle fuel. The Caltrans Office of Bicycle Facilities administers the BTA.

For a project to be funded from the BTA, the project shall:

i) Be approximately parallel to a State, county, or city roadways, where the separation of bicycle traffic from motor vehicle traffic will increase the traffic capacity of the roadway; and

ii) Serve the functional needs of commuting cyclists; and

iii) Include but not be limited to:

- New bikeways serving major transportation corridors;
- New bikeways removing travel barriers to potential bicycle commuters;
- Secure bicycle parking at employment centers, park and ride lots and transit terminals;
- Bicycle carrying facilities on public transit vehicles;
- Installation of traffic control devices to improve the safety and efficiency of bicycle travel;
- Elimination of hazardous conditions on existing bikeways serving a utility purpose;
- Project planning
- Preliminary and construction engineering

Maintenance is specifically excluded from funding and allocation takes into consideration the relative cost effectiveness of the proposed project.

State Highway Account

Section 157.4 of the Streets and Highways Code requires Caltrans to set aside $360,000 for the construction of nonmotorized facilities that will be used in conjunction with the State highway system. The Office of Bicycle Facilities also administers the State Highway Account fund. Funding is divided into different project categories. Minor B projects (less than $42,000) are funded by a lump sum allocation by the CTC and are used at the discretion of each Caltrans District office. Minor A projects (estimated to cost between $42,000 and $300,000) must be approved by the CTC. Major projects (more than $300,000) must be included in the State Transportation Improvement Program and approved by the CTC. Funded projects have included fencing and bicycle warning signs related to rail corridors.

Transportation Development Act Article III (Senate Bill 821)

TDA funds are based on a ¼ percent state sales tax, with revenues made available primarily for transit operating and capital purposes. By law, the Orange County Auditor's office estimates the apportionment for the upcoming fiscal year.

TDA Article 3 funds may be used for the following activities related to the planning and construction of bicycle and pedestrian facilities:

- Engineering expenses leading to construction
- Right-of-way acquisition
- Construction and reconstruction
- Retrofitting existing bicycle facilities to comply with ADA requirements
- Route improvements, such as signal controls for cyclists, bicycle loop detectors and rubberized rail crossings
- Purchase and installation of bicycle facilities such as improved intersections, bicycle parking, benches, drinking fountains, rest rooms, showers adjacent to bicycle paths, employment centers, park-and-ride lots, and/or transit terminals accessible to the general public

Local Sources

Developer Impact Fees

As a condition for development approval, municipalities can require developers to provide certain infrastructure improvements, which can include bikeway projects. These projects have commonly provided Class 2 facilities for portions of on-street, previously planned routes. They can also be used to provide bicycle parking or shower and locker facilities. The type of facility that should be required to be built by developers should reflect the greatest need for the particular project and its local area. Legal challenges to these types of fees have resulted in the requirement to illustrate a clear nexus between the particular project and the mandated improvement and cost.

New Construction

Future road widening and construction projects are one means of providing on-street bicycle facilities. To ensure that roadway construction projects provide bicycle lanes where needed, it is important that the review process includes input pertaining to consistency with the proposed system. Future development in the City will contribute only if the projects are conditioned.

Restoration

Cable TV and telephone companies sometimes need new cable routes within public rights of way. Recently, this has most commonly occurred during expansion of fiber optic networks. Since these projects require a significant amount of advance planning and disruption of curb lanes, it may be possible to request reimbursement for affected bicycle facilities to mitigate construction impacts. In cases where cable routes cross undeveloped areas, it may be possible to provide for new bikeway facilities following completion of the cable trenching, such as sharing the use of maintenance roads.

Other Sources

Local sales taxes, fees and permits may be implemented as new funding sources for bicycle projects. However, any of these potential sources would require a local election. Volunteer programs may be developed to substantially reduce the cost of implementing some routes, particularly multi-use paths. For example, a local college design class may use such a multi-use route as a student project, working with a local landscape architectural or engineering firm. Work parties could be formed to help clear the right of way for the route. A local construction company may donate or discount services beyond what the volunteers can do. A challenge grant program with local businesses may be a good source of local funding, in which the businesses can "adopt" a route or segment of one to help construct and maintain it.

Private Sources

Private funding sources can be acquired by applying through the advocacy groups such as the League of American Bicyclists and the Bikes Belong Coalition. Most of the private funding comes from foundations wanting to enhance and improve bicycle facilities and advocacy. Grant applications will typically be through the advocacy groups as they leverage funding from federal, state and private sources.

Tables 19 to 22 on the following pages summarize many of the numerous funding sources available.

Table 19: Federal Funding Sources

Grant Source	Annual Total	Agency	Funding Cycle	Match	Remarks
Land and Water Conservation Act of 1965		CA Dept of Parks and Rec	December	50%	Funding subject to North/South split. (60% for Southern California) Funds outdoor recreation projects
MAP-21 - Surface Transportation Program (STP)		FHWA/Caltrans	June 1	20%	STP funds may be exchanged for local funds for non-federally certified local agencies. No match required if project improves safety
MAP-21 - Transportation Alternatives (TA)		FHWA/Caltrans	Annual	TBD	Funds recreational trails, Safe Routes to School and Transportation Enhancement projects
MAP-21 - TA - Recreational Trails	$5.3M in 2013	FHWA/CA Dept. of Parks and Rec	Annual	TBD	No longer a separate program, now falls under Transportation Alternatives.
MAP-21 - National Highway Performance Program		FHWA/Caltrans		20%	Bicycle projects must provide a high degree of safety
MAP-21 - Highway Safety Improvement Program		FHWA/Caltrans		10%	Bicycle projects must provide a high degree of safety
MAP-21 - Congestion Mitigation and Air Quality (CMAQ)		FHWA/Caltrans	April	20%	The amount of CMAQ Funds depends on the state's population share and on the degree of air pollution
Rivers, Trails and Conservation Assistance Program (RTCA)		National Park Service	August		Expenditures include bikeway plans, corridor studies and trails assistance
Energy Efficiency and Block Grant Program	$3M	Department of Energy			Provided formula funding for cities, counties and states to take part in energy efficient activities
Community Development Block Grants (CDBG)	$3M	HUD & CA Dept of Housing & Com. Dvpmt.	Ongoing	10%	Funds improve land use and transportation infrastructure in low-income neighborhoods or citywide for accessibility improvements.
Federal Lands Highway Program	$611M 2008-10	FLH/FHWA	Ongoing	Varies	May be used to build bicycle and pedestrian facilities in conjunction with roads and parkways at the discretion of the grantee
Land and Water Conservation Fund (LWCF)	$30M in 2010	NPS/California Department of Parks and Recreation	Annual	50%	LWCF grants may be used for outdoor recreational planning and for acquiring and developing recreational parks and facilities, especially in urban areas.
Sustainable Communities Regional Planning Grants	$68M	HUD	Annually	20%	Funding for preparing or implementing regional plans for sustainable development
American Recovery and Reinvestment Act of 2009 (ARRA)	$73 M in CA for 2010	FHWA	Ongoing		*http://www.recovery.gov*

Table 20: State Funding Sources

Grant Source	Annual Total	Agency	Funding Cycle	Match	Remarks
State Highway Account (SHA): Bicycle Transportation Account (BTA)	$7.2M/yr. state-wide	Caltrans	March application deadline. Consult Local Assistance Office	10%	Must have an adopted Bicycle Transportation Plan. Funding available for all phases of projects
Transportation Development Act (TDA) Section 99234		OCTA	Annually	None	2% of TDA total, funds for bicycle and ped projects
AB 2766 Vehicle Registration Funds	$30M in 2010	SCAQ	February	None	Competitive program for projects that benefit air quality
Vehicle Registration Surcharge Fee (AB 434) RCF		APCB	July	None	Competitive program for projects that benefit air quality
Vehicle Registration Surcharge Fee (AB 434) PMF	40% from grant source	APCB	April	None	Funds distributed to county communities based on population
Developer Fees or Exactions	Project-specific	Cities	Ongoing	None	Mitigation required during land use approval process
State Gas Tax (local share)		Allocated by State Auditor-Controller	Monthly allocation	None	Major Projects, >$300,000
State and Local Transportation Partnership Program (SLPP)	Est. $200M/yr. state-wide	Caltrans	Summer	50%	Road projects with bicycle lanes are eligible, requires developer or traffic fee match
Caltrans Minor Capital Program	Varies	Caltrans	Ongoing after July 1	None	Projects must be on state highways such as upgraded bicycle facilities
Environmental Enhancement and Mitigation Program (EEM)	$10M/yr. state-wide	State Resources Agency	October annually	None required, but favored	Individual grants limited to $350K.

Table 20: State Funding Sources

Grant Source	Annual Total	Agency	Funding Cycle	Match	Remarks
Petroleum Violation Escrow Account (PVEA)	Varies	Caltrans, CA Community Services and Develop-ment, Air Resources Board	March	None	Projects must save energy, provide public restitution and be approved by CA Energy Commission and US DOE
Community Based Transportation Plan-ning Demonstration Grant Program	$3M annu-ally	Caltrans	November	20%	Projects must have a transpor-tation component or objective
Habitat Conservation Fund Grant Program (HCF)	$2M	CA Dept of Park and Recreation	October	50%	Sunsets 1 July 2020
Office of Traffic Safety Program (OTS)	Varies	Office of Traffic Safety	January	None	Goal to reduce vehicle fatalities and injuries through a safety program to include: education, enforcement and engineering
Safe Routes to School Program (SR2S)	$24M in 2009*	Caltrans	April	10%	Eligible for projects in vicinity of schools grades K-12
State Transportation Improvement Program (STIP)	Varies	Caltrans	Every 4 years	None	Gives metropolitan regions more control over state trans-portation fund investment
California Conservation Corps (CCC)		California Conserva-tion Corps			The CCC provides emergency assistance & public service conservation work.
Environmental Justice (EJ) Planning Grants	$9M in 2010	Caltrans	Annually	10%	Engage low-income and mi-nority communities in trans-portation projects to ensure equity and positive social, economic and environmental impacts
California River Parkways	Varies	CA Natural Resources Agency	October	None	Create or expand trails for walking, cycling and/or eques-trian activities compatible with other conservation objectives

Table 21: Local Funding Sources

Grant Source	Annual Total	Agency	Funding Cycle	Match	Remarks
Transportation Development Act (TDA)		OCTA	Annual (March)	None	TDA funds originate from a statewide sales tax of one quarter cent for transportation projects, which includes two percent for pedestrian and bicycle facilities.
Parking Meter Districts		City	Annual Budget	N/A	Parking Meter Districts can use parking meter revenues for streetscape improvements such as ped facilities, land-scaping & lighting.
Bicycle Corridor Improvement Program (BCI)	$4.5M in 2012	OCTA	Annual Budget	12% minimum	Eligible projects include: provision of bicycle facilities, recreation trails and facilities and safety/outreach programs.
Transient Occupancy Tax (TOT)		City	Annual Budget	None	Created to cover expenses and improvements related to tour-ism and to encourage more tourists to visit. This fund may be appropriate in areas where heavy tourism exists such as along the waterfront, major parks and historic neighbor-hoods.
Measure M2 Turnback	36.4M in 2009	OCTA	Annual Budget	None	For streets and roadway im-provements, including bicycle and pedestrian facilities.

Table 22: Private Funding Sources

Grant Source	Annual Total	Agency	Funding Cycle	Match	Remarks
SRAM Cycling Fund	$400,000+/yr	SRAM	Ongoing	None	*www.sramcyclingfund.org*
Surdna Foundation	Project-specific	Surdna Foundation	Ongoing	None	Surdna Foundation makes grants to nonprofit organizations in the areas of environment, community revitalization, effective citizenry, the arts, and the nonprofit sector.
Bikes Belong	$180,000 annually	Bikes Belong Coalition	Three times a year	50%	Community grants focus on funding facilities and programs. *www.bikesbelong.org*
Kaiser Permanente Community Health Initiatives	$54M annually	Kaiser Permanente	Ongoing	None	Numerous programs supporting Healthy Initiatives
Health Foundations		Various foundations	Ongoing		Focus active transportation improvements for an obesity prevention strategy. Examples include California Wellness Foundation, Kaiser and California Endowment.
Rails to Trails Conservancy		Rails to Trails Conservancy			Provides technical assistance for converting abandoned rail corridors to use as multi-use trails.
Donations		Depends on type of project	Ongoing		Corporate or individual donations, sponsorships, merchandising or special events.
In-kind Services		Depends on type of project	Ongoing		Donated labor and materials for facility construction or maintenance such as tree planting programs or trail construction and maintenance.

Appendices

A: Design Guidelines
B: Suitability Model and Project Prioritization
C: Community Input Summary
D: Bicycle Count Location Recommendations
E: City of Huntington Beach Municipal Code Bicycle Sections
F: California Streets and Highways Code Section 891.2 Compliance

Class 1 Multi-use Paths

Class 1 facilities are generally paved multi-use paths, separated from motor vehicle traffic. Off street routes are rarely constructed for the exclusive use of cyclists since other non-motorized user types will also find such facilities attractive. For that reason, the facilities recommended in this master plan should be considered multi-use where cyclists will share the pathways with other users. Recommended Class 1 paths are intended to provide commuting and recreational routes unimpeded by motor vehicle traffic.

By law, the presence of a Class 1 route near an existing roadway does not justify prohibiting bicycles on the parallel or nearly parallel roadway. Where a bikeway master plan calls for Class 1 routes parallel to the alignments of planned roadways, these roadways should still be designed to be compatible with bicycle use. Two reasons to retain parallel facilities are that an experienced cyclist may find Class 1 paths inappropriate because of intensive use, or the routes may not be direct enough. By the same token, the Class 1 path will likely be much more attractive to less experienced cyclists than a parallel facility on the adjacent street.

In general, Class 1 facilities should not be placed immediately adjacent to roadways. Where such conditions exist, Class 1 facilities should be offset from the street as much as possible and separated from it by a physical barrier. These measures are intended to promote safety for both the cyclists and the vehicle drivers by preventing unintended movement between the street and the Class 1 facility.

Common Issues

A Class 1 bicycle facility is located within its own separate right-of-way, with no motor vehicle traffic permitted. However, Class 1 facilities are typically shared with other users, such as pedestrians or equestrians. The common issues associated with the design of Class 1 facilities include:

At-grade Crossings – While Class 1 facilities are located on exclusive right-of-way, most must deal with at-grade crossings at roadways or railways. At-grade crossings present several challenges, including safety issues and conflicts with automobile traffic operations. Most bicycle related collisions occur at at-grade crossings.

Shared Use Issues – Class 1 facilities are multi-use and not for the exclusive use of cyclists, which can create conflicts between different user types, particularly due to speed differentials. Conflicts between different user types are especially likely to occurs on regionally significant recreational paths that attract a broad diversity of users.

Compatibility of Multiple Use Paths – Joint use paths by cyclists can pose problems due to the ease of which horses can be startled. Also, the requirements of a Class 1 bikeway facility include a solid surface, which is not desirable for horses.

Safety – Safety issues have come up within some communities regarding Class 1 bicycle facilities. Class 1 bicycle facilities are typically separated and closed off from public areas, resulting in the misconception of increased crime or an unsafe environment.

Roadside obstacles – Roadside obstacles are a common issue and may include sign posts, light standards, utility poles and other similar appurtenances that impede travel.

Opportunities and Potential Treatments

At-Grade Crossings

Several design options exist for making at-grade crossings safer. The main objective is clear signage to minimize confusion between conflicting modes of travel. Crossings should be implemented at all at-grade crossings to clearly show that cyclists or other users may be crossing. Flashers are also helpful, especially at night to notify vehicle drivers of the crossing. The installation of a signalized crossing is preferred. Approaches should be somewhat offset to slow users as they near the intersection. (See example at right.) These guidelines should be applied to all at-grade crossings, such as on proposed creek and railway corridors.

Class 1 bicycle path at-grade crossing - San Diego, CA

Shared Use Issues of Class 1 Facilities

In general, paths expected to receive heavy use should be a minimum of 14 feet wide, paths expected to experience moderate use should be at least 12 feet wide and low volume paths can be 10 feet wide. Caltrans Class 1 requirements call for eight feet as the minimum width with two foot clear areas on each side. Methods used to reduce path conflicts have included providing separate facilities for different groups, restricting certain uses to specific hours, widening existing facilities or marking lanes to regulate flow. Examples of all of these types of actions occur along southern California's coastal paths where conflicts between different user types can be especially severe during peak periods.

Path with marked pedestrian and bicycle lanes - Long Beach, CA

Compatibility of Multiple Use of Paths

Joint use of paths by cyclists and equestrians can pose problems due to the ease with which horses can be startled. Also, the requirements of a Class 1 multi-use facility include a solid surface, which is not desirable for horses. Therefore, where either equestrian or cycling activity is expected to be high, separate routes are recommended. On facilities where Class 1 designation is not needed and the facility will be unpaved, mountain bikes and horses can share the trail if adequate passing zones are provided, the expected volume of traffic by both groups is low and available sight distances allow equestrians and cyclists to see and anticipate each other. Education of all path users in "trail etiquette" has also proven to be successful on shared paths.

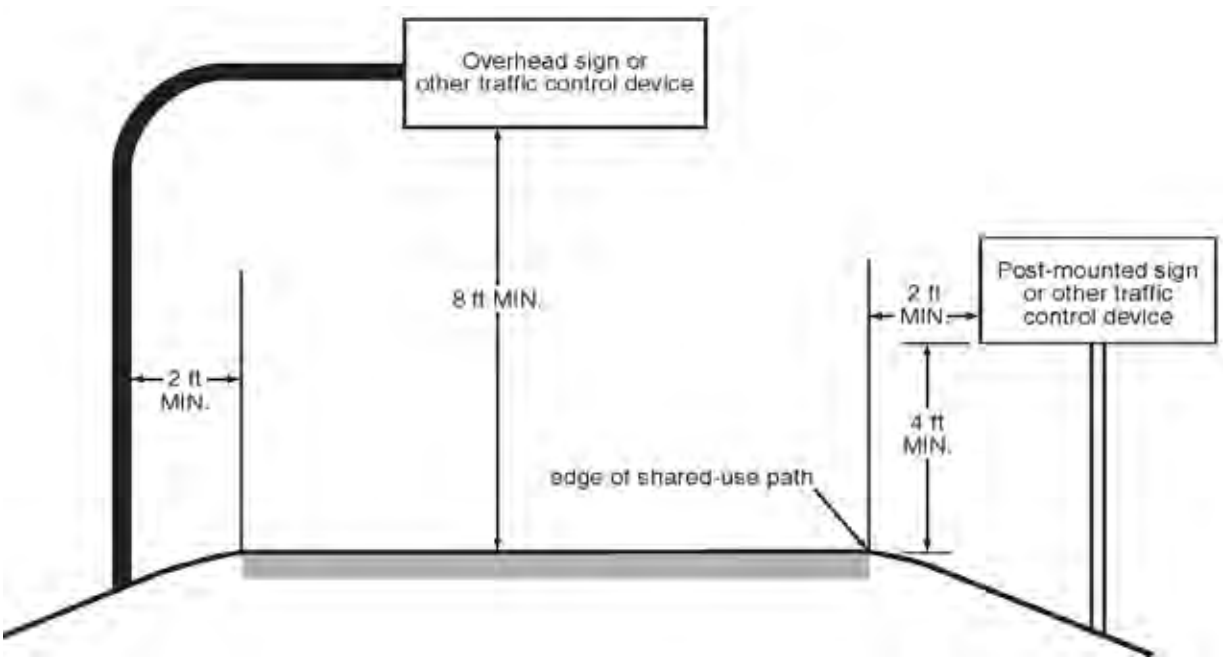
Class 1 multi-use path and adjacent horse trail - San Diego, CA

Safety

The Delaware Center for Transportation and the State of Delaware Department of Transportation studied the impacts of Class 1 multi-use paths to neighborhoods in relation to safety and crime (*Project Report for Property Value/Desirability Effects of Bicycle Paths Adjacent to Residential Areas* – 2006). Examining multi-use paths in 12 communities across North America, the study concluded that crime on such paths is minimal and must be considered in perspective with the typical risks associated with other similar activities. Minimizing crime on paths involves ensuring that users exercise proper safety precautions and that managers maintain the path and support path use. The amount of crime in and around recreational facilities is generally correlated with the amount of crime in the neighboring area, and not a direct result of the path itself.

Roadside Obstacles

To make certain that as much of the paved surface as possible is usable by bicycle traffic, obstructions such as sign posts, light standards, utility poles and other similar appurtenances should be set back with at least a two foot minimum "shy distance" from the curb or pavement edge, with exceptions for guard rail placement in certain instances. A three foot minimum is recommended. Additional separation distance to lateral obstructions is desirable. Where there is insufficient paved surface width to accommodate bicycle traffic, any placement of equipment should be set back far enough to allow room for future projects (widening, resurfacing) to bring the pavement width into conformance with these guidelines when the opportunity arises. Vertical clearance to obstructions should be a minimum of eight feet. Where practical, a vertical clearance of 10 feet is desirable.



Sign placement on shared-use paths (MUTCD Figure 9B-1)

Permeable Pavement for Class 1 Multi-Use Paths

Traditional impervious surfaces such as asphalt and concrete can be damaging to the local environment because stormwater running off them collects dirt and debris, and even oil from the asphalt itself, and washes these pollutants into streams, lakes and oceans. When stormwater runoff is not filtered through some form of treatment, it is directly transported into the local water system. Stormwater runoff is the leading source of pollutants entering our waterways.

An alternative to an impervious surface for multi-use paths is a pervious pavement such as porous concrete or asphalt. Porous pavement is especially useful for path segments that cannot be drained or are subject to periodic inundation. Its unique texture is composed primarily of angular aggregates such as crushed stone cemented together to create regular voids that allows water to flow directly downward to the underlying substrate. The exposed coarse aggregates provide enhanced traction for maintenance vehicles and bicycles and can prevent hazards such as hydroplaning. The textured surface is especially beneficial during the most difficult and dangerous of riding conditions, such as during rainfall, since water does not remain on the surface and cause flooding. However, some road cyclists feel that the coarse surface can be too rough for very skinny tired bicycles. Also, this type of paving requires regular maintenance to function properly, such as periodic vacuumming.

Sign R81 (CA MUTCD)

Sign R81-A (CA MUTCD)

Sign R81-B (CA MUTCD)

Markings and Striping

Marking and striping are used to indicate the separation of directional lanes on multi-use paths.

- A yellow center line stripe is recommended where paths are heavily used, where sight distances are restricted, and on some unlit paths where night time riding is expected. The line should be dashed when adequate passing sight distance exists, and solid when no passing is recommended.
- A solid white line is recommended for separation of pedestrian traffic and bicycle/in-line skating traffic.
- Solid white lines along the edge of paths are recommended where nighttime riding is expected.
- Markings should be retroreflective.
- Consideration should be given to selecting pavement marking materials that will minimize loss of traction for bicycles in wet conditions.

Note that Section 9C.03 of the MUTCD leaves the application of marking and striping of a Class 1 path optional.

Class 2 Bicycle Lanes

The following are typical guidelines, as well as enhanced treatments, for installing bicycle lanes. Other treatments not listed in these guidelines can be considered on a case-by-case basis where warranted.

Bicycle Lanes

This facility provides a striped lane for one-way bicycle travel on a street or highway, installed along streets in corridors where there is significant bicycle demand, and where there are distinct needs that can be served by them. In streets with on-street parking, bicycle lanes are located between the parking area and the traffic lanes.

Common Issues

Class 2 facilities are located on highways and must share the road with motor vehicles. The most common issue associated with Class 2 bicycle lanes is safety. Traveling adjacent to motor vehicles, especially along high speed corridors, increases the risk of motor vehicle and bicycle-related collisions and injuries. Other safety issue concerns include:

- Freeway interchanges – slower bicycle traffic can often conflict with high speed vehicles entering and exiting freeways.
- Parking lanes – bicycle lanes are typically located between the parking lane and vehicle traffic lane, which creates unsafe conditions when vehicle drivers are attempting to park.
- Limited Right-of-Way – roadways ideal for bicycle lanes, but with limited right-of-way can be an issue. Many roadways suitable for Class 2 bicycle lanes are located adjacent to residential or commercial uses that allow on-street parking.
- Visibility – visibility of cyclists on roadways or at intersections, especially freeway ramps.

Design Guidelines

- Provide five foot minimum width for bicycle lanes located between parking and traffic lanes. Six feet is desired.
- Provide four foot minimum width if no gutter exists. With a normal two foot gutter, minimum bicycle lane width is five feet.

Recommendations

- Bicycle lanes are not advisable on long, steep downgrades, where bicycle speeds greater than 30 miles per hour are expected. If lanes are used, additional width should be provided to accommodate higher bicycle speeds.
- If parking volume is substantial or turnover high, an additional one to two feet of width is desirable.
- If six feet is available for a bicycle lane, it is preferred to maintain the six feet if adjacent to a curb with no on-street parking present. With on-street parking, stripe a four foot bicycle lane with a two foot buffer between the bicycle lane and on-street parking.

Optional Class 2 Bicycle Lane Enhancements

- Colored bicycle lanes
- Distinct and unique directional signage
- Traffic calming, such as curb extensions, street trees and landscaping, designed to increase pedestrian and bicycle safety
- Traffic control devices for bicycles at major intersections

References

Caltrans HDM Chapter 300, California MUTCD 2012

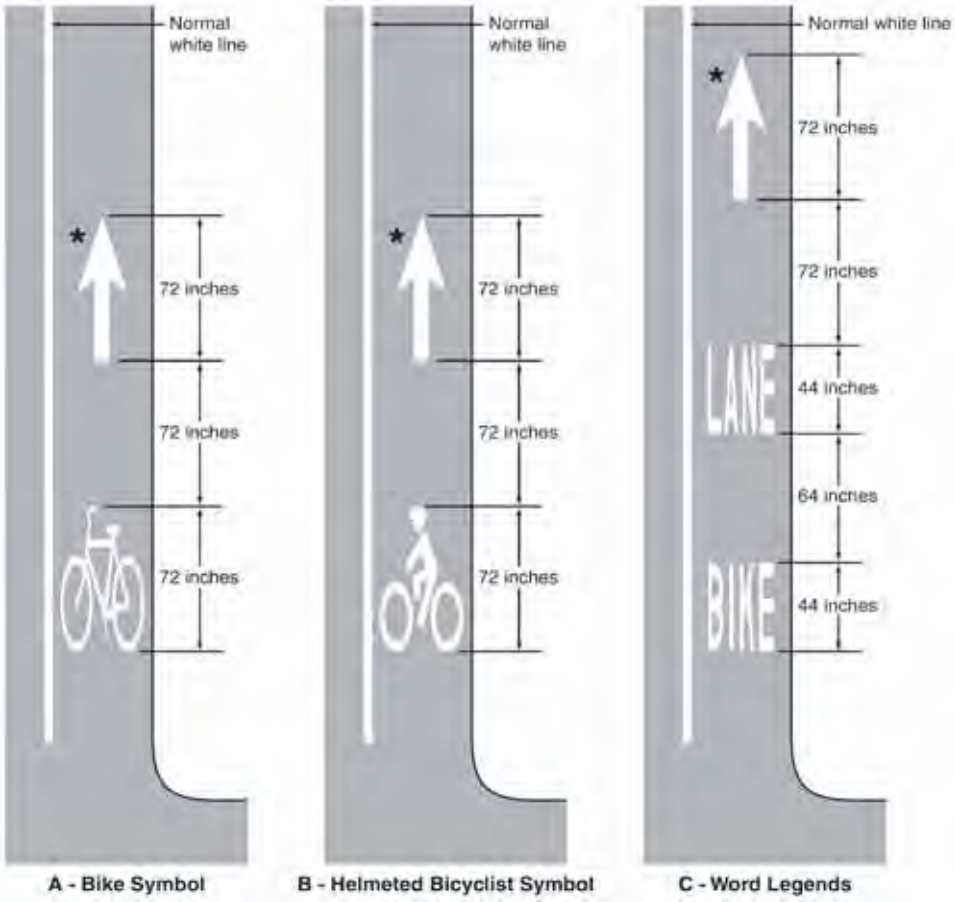
NACTO Urban Bikeway Design Guide, 2012

Model Design Manual of Living Streets, 2011

Existing bicycle lane on Pacific Coast Highway - Huntington Beach, CA

Bicycle Lane Pavement Markings

The following is the suggested pavement signage for bicycle lanes from the California MUTCD.



Bicycle lane markings (CA MUTCD Figure 9C-3)

** Arrows optional (but preferred)*

Colored Bicycle Lanes

Color is applied to bicycle lanes to enhance the visibility of cyclists on bicycle lanes and the bicycle lanes themselves. Color can be applied to the entire bicycle lane or at high-risk locations where vehicle drivers are permitted to merge into or cross bicycle lanes.

Design Guidelines

- Signage and dimensional guidelines are the same as a Class 2 bicycle lanes.
- Avoid using blue, which is commonly designated for disabled facilities. Green has become the standard color for colored bicycle lanes.

Recommendations

- Provide additional signage with matching color.
- Use color and markings consistently.
- Consider different coloring materials based on the location of the bicycle lanes, amount of traffic, road and weather conditions.

References

Innovative Bicycle Treatments: An Informational Report - ITE Pedestrian and Bicycle Council

Portland's Blue Bike Lanes: Improved Safety through Enhanced Visibility – City of Portland, 1999

NACTO Urban Bikeway Design Guide, 2012

Green lane and merge area - Columbia, MO (Source: APBP)

Buffered Bicycle Lanes

These buffers are the space between the bicycle lane and traffic lane, parking lane or both. Provides a more protected and comfortable space for cyclists than a conventional bicycle lane.

Design Guidelines

- Signage and dimensional guidelines are the same as for Class 2 bicycle lanes.
- Provide an additional 2-4 foot buffer or "shy zone" between the bicycle lane and traffic lane and/or parking lane.
- Line closest to bicycle lane should be dashed.
- "Bott's dots" are not generally recommended in buffer zones, but if used, should be linearly spaced 6-8 feet apart so as not to deter cyclists from entering.

Recommendations

- Add diagonal striping on the outer buffer adjacent to the traffic lanes every six feet.
- On-street parking remains adjacent to the curb.
- A travel lane may need to be eliminated or narrowed to accommodate buffers.

References

NACTO Urban Bikeway Design Guide, 2012

Buffered bicycle lane - San Diego, CA

Buffered bicycle lane - Huntington Beach, CA

Back-in Diagonal Parking

The back-in/head-out parking is considered safer than conventional head-in/back-out parking due to better visibility when leaving. This is particularly important on busy streets or where vehicle drivers may find their views blocked by large vehicles or tinted windows in adjacent vehicles.

Design Guidelines

Based on existing dimensions from test sites and permanent facilities, provide 16 feet from curb edge to inner bicycle lane stripe and a five foot bicycle lane.

Recommendations

Test the facility on streets with existing head-in angled parking and moderate to high bicycle traffic. Additional signs to direct vehicle driver in how the back-in angled parking works is recommended.

References

Back-in/Head-out Angle Parking, Nelson/Nygaard Consulting Associates, 2005

City of Los Angeles Bicycle Plan Update, City of Los Angeles

This design treatment is not currently present in any State or Federal design standards. It is now a standard configuration in Seattle, WA.

Instructional signage - Solana Beach, CA

Back-in/head-out angle parking - San Clemente, CA

Bicycle lane with back-in/head-out angle parking

Class 3 Bicycle Routes

The following are typical guidelines, as well as enhanced treatments for installing bicycle routes. Other treatments not listed in these guidelines may be considered on a case-by-case basis when warranted. Common issues associated with Class 3 facilities are similar to Class 2 facilities, but Class 3 facilities are generally located on roadways with lower speeds and lower traffic volumes. Class 3 facilities are designated as roadways with no striped bicycle lanes, but include signage to indicate cyclists are allowed. The most common issue associated with Class 3 facilities is signage visibility.

Signing

When designating a bicycle route, the placement and spacing of signs should be based on the *California Manual on Uniform Traffic Control Devices, Part 9: Traffic Controls for Bicycle Facilities*. For bicycle route signs to be functional, supplemental plaques can be placed beneath them when located along routes leading to high demand destinations (e.g. "To Downtown," "To Transit Center," etc.) Since bicycle route continuity is important, directional changes should be signed with appropriate arrow sub-plaques. Signing should not end at a barrier. Instead, information directing the cyclist around the barrier should be provided. If used, route signs and directional signs should be used frequently because they promote reasonably safe and efficient operations by keeping road users informed of their location.

"BIKE ROUTE" - This sign is intended for use where no unique designation of routes is desired. However, when used alone, this sign conveys very little information. It can be used in connection with sub-plaques giving destinations and distances. (See Section 1003-3 of the *Caltrans Highway Design Manual* and Part 9B-20 of the MUTCD for specific information on sub-plaque options.)

Roadways appropriate for bicycle use, but are undesignated, usually do not require regulatory, guide or informational signing in excess of what is normally required for vehicle drivers. In certain situations, however, additional signing may be needed to advise both vehicle drivers and cyclists of the shared use of the roadway, including the travel lane.

Class 3 bicycle route - Oceanside, CA

Sign D11-1 (CA MUTCD)

Sign SG45 (CA MUTCD)

Sign D1-1b (R) (CA MUTCD)

"Share the Road" - This sign is recommended where the following roadway conditions occur:

- Shared lanes with relatively high posted travel speeds of 40 MPH or greater.
- Shared lanes in areas of limited sight distance.
- Situations where shared lanes or demarcated shoulders or marked bicycle lanes are dropped or end and bicycle and motor vehicle traffic must begin to share the travel lane.
- Steep descending grades where bicycle traffic may be operating at higher speeds and requires additional maneuvering room to shy away from pavement edge conditions.
- Steep ascending grades, especially where there is no paved shoulder, or the shared lane is not adequately wide and bicycle traffic may require additional maneuvering room to maintain balance at low operating speeds.
- High volume urban conditions, especially those with travel lanes less than the recommended width for lane sharing.
- Other situations where it is determined to be advisable to alert vehicle drivers of the likely presence of bicycle traffic and to alert all traffic of the need to share available roadway space.

"Bicycles May Use Full Lane" (BMUFL) - This sign (R4-11) sign may be used:

- On roadways where there are no bicycle lanes or adjacent shoulders usable by cyclists and where travel lanes are too narrow for cyclists and motor vehicles to safely operate side-by-side.
- In locations where it is important to inform all road users that cyclists may occupy the travel lane.

A Shared Lane Markings (SLM) may be used in addition to or instead of BMUFL signs to inform road users that cyclists may occupy the travel lane. Both the Share the Road and BMUFL signs are recommended on most Class 3 routes.

Sign W16-1 and W11-1 (CA MUTCD)

Sign R4-11 (CA MUTCD)

Share the Road sign - San Clemente, CA

Enhanced Class 3 Bicycle Routes

Shared Lane Marking or "Sharrow" Design Criteria

The shared lane marking (SLM) is commonly used where parking is allowed adjacent to the travel lane. The center of the marking should be located a minimum of 11 feet from the curb face or edge of the road. If used on a street without on-street parking that has an outside travel lane less than 14 feet wide, the centers of the Shared Lane Markings should be at least four feet from the face of the curb, or from the edge of the pavement where there is no curb. (Note that these criteria are evolving and that it is now common practice to place SLMs in the center of the rightmost travel lane.)

Design Considerations

Shared lane markings may be considered in the following situations:

- On roadways with speeds of 35 mph or less (CA MUTCD)
- On constrained roadways too narrow to stripe with bicycle lanes
- To delineate space within a wide outside lane where cyclists can be expected to ride
- On multi-lane roadways where cyclists can be expected to travel within outside lanes and vehicle drivers should be prepared to change lanes to pass cyclists
- On roadways where it is important to increase vehicle driver awareness of cyclists
- On roadways where cyclists frequently ride the wrong way
- On roadways where cyclists tend to ride too close to parked vehicles

Recommendations

Shared lane markings should be paired with the Bicycles May use Full Lane Signs (R4-11).

Further enhancements such as a green striped lane throughout the Shared Lane Marking is another enhancement being used in cities such as Long Beach and Salt Lake City.

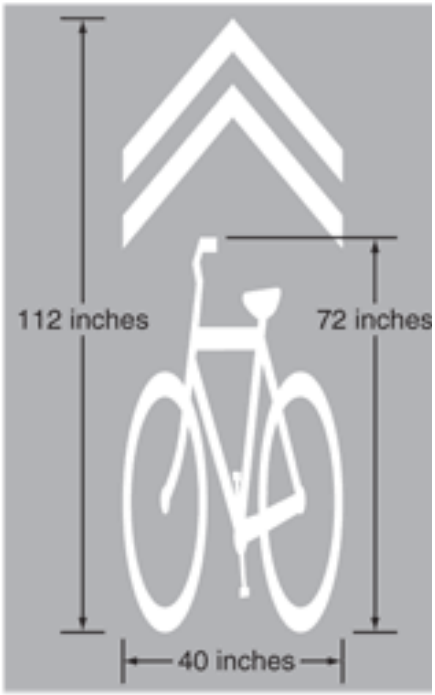
References

Caltrans HDM Chapter 300

California MUTCD 2012

NACTO Urban Bikeway Design Guide, 2012

Model Design Manual of Living Streets, 2011



Shared lane marking (CA MUTCD Figure 9C-9)

Green striped lane with shared lane markings - Long Beach, CA)

Shared lane marking - Oceanside, CA

Cycle Tracks

A cycle track is a combination between a bicycle lane and shared-use path. This facility can be both two-way or one-way depending on existing road conditions, intersections and adjacent land use. The cycle track is a separate facility adjacent to a pedestrian sidewalk and physically protected from an adjacent travel lane. This treatment reduces the risk of conflicts between cyclists, pedestrians and parked vehicles.

Design Guidelines

- One way cycle track: 6.5 feet minimum desired
- Two-way cycle track: 12 feet minimum desired
- Cycle track buffer: three feet minimum desired
- This facility separates cyclists from the road through either parked cars, planting strips, bollards, raised medians, or a combination of these elements.
- Can be placed on lower speed urban streets or streets with high ADTs and speed, but they should have with long blocks and little to no driveways or midblock vehicular access points

Cycle track examples

(Upper image illustrates buffered and colored configuration and lower illustrates raised configuration)

Recommendations

- Additional signage, traffic control treatments and pavement markings is needed to direct cyclists along cycle track and intersection.
- Priority needs to be on cyclist safety through intersections and minimizing vehicular/cyclist conflict points.

References

Innovative Bicycle Treatments: An Informational Report - ITE Pedestrian and Bicycle Council

NACTO Urban Bikeway Design Guide, 2012

Cycle track - Long Beach, CA

Bicycle Boulevards

The purpose of creating bicycle boulevards is to provide a primary bicycle friendly route to improve safety and convenience of cycling on local streets. Bicycle boulevards are typically used on residential streets parallel to nearby arterial roads on routes that have high or potentially high bicycle traffic. A bicycle boulevard is a roadway available to vehicle drivers, but prioritizes bicycle traffic through the use of various treatments. Motor vehicle traffic volume is reduced by periodically diverting vehicles off the street and the remaining traffic is slowed to the same speed as bicycles. Bicycle boulevards are most effective when several treatments are used in combination. The design features associated with a Bicycle Boulevard can help:

- Increase pedestrian, cyclist and overall community feelings of comfort and safety.
- Increase cycling and walking.
- Improve wayfinding.
- Discourage neighborhood cut-through traffic.
- Calm and reduce neighborhood traffic.
- Provide shade for pedestrians and cyclists.
- Create a pleasant corridor through City center.

Recommended Enhancements

- Provide directional signage and/or special street sign design at all intersections.
- Provide continuous "Bike Boulevard" signage along route.
- Increased pavement markings and/or unique pavement markings such as colored bicycle lanes, Shared Lane Markings ("Sharrows") or "Bike Boulevard" pavement legends.
- Periodically re-route vehicular traffic off street without affecting emergency vehicle response.
- Limit stop signs and signals to greatest extent possible except where they help cyclists maneuver through busy intersections.
- Alter major intersections with bicycle sensors, crossing actuators, directional signage. Other treatments for intersections can include traffic circles, bulb-outs and high visibility crosswalks.
- Add street trees and landscaping.
- Route design, amenities and signage must be consistent throughout entire bicycle boulevard.
- Install bicycle parking at applicable locations along route.

Bicycle boulevard intersection treatment - San Luis Obispo, CA

Bicycle boulevard pavement symbols - San Luis Obispo, CA

Some optional Class 3 Bicycle Route enhancements for a bicycle boulevard include:

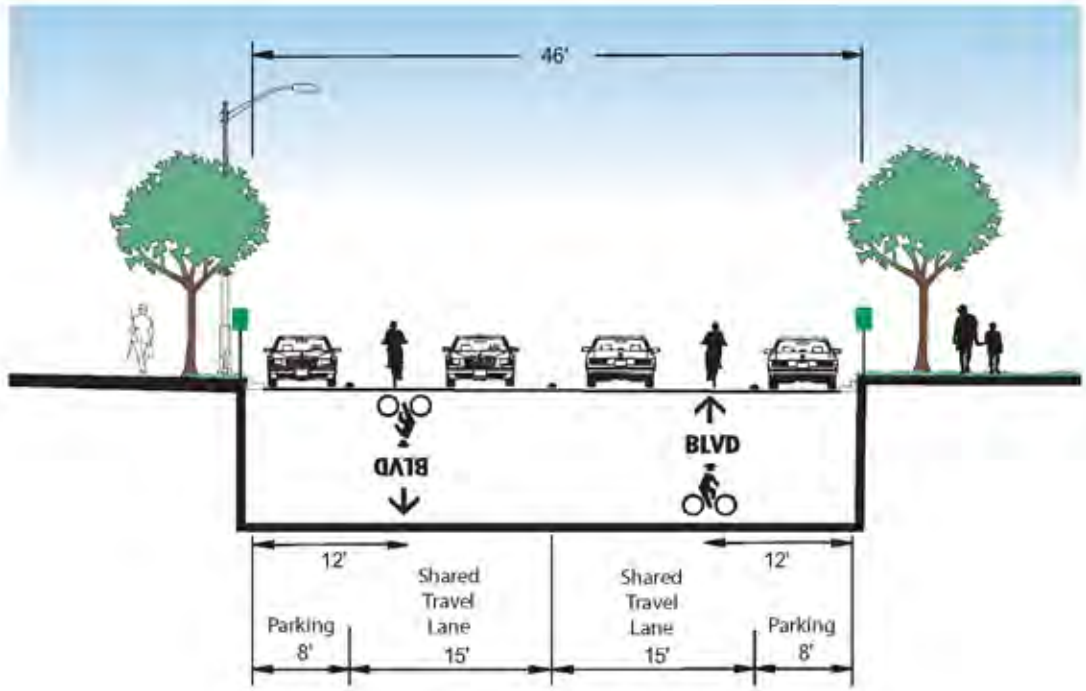
- Sharrows or Bike Boulevard pavement markings
- Traffic calming (curb extensions, roundabouts, street trees and speed tables) designed to increase pedestrian and bicycle safety
- Distinct and unique directional signage
- Traffic control devices for bicycles at major intersections
- Street trees and landscaping

General Signage Guidelines

- Signs are a distinctive color to distinguish them from other traffic and road signs.
- Signs are made with retro-reflective material for improved visibility.
- Lettering on signs may be no less than two inches high.
- Provide bicycle system maps at hubs and near bicycle boulevard intersections.
- Place destination and distance signs every quarter mile, prior to signalized intersections, and in the block prior to the junctions with other bicycle facilities
- Place bicycle boulevard identification signs placed at least at every other corner
- Avoid obscuring vegetation or other visual impediments.
- Where wrong-way riding is known to occur, install DO NOT ENTER signs with the bicycle symbol, as well as informational signage citing applicable codes and dangers of wrong-way cycling.

Pavement Markings

If bicycle lanes are the preferred alternative, they should be installed to meet Caltrans requirements. For further enhancements to the bicycle lanes, the inside of the lane can be painted green for further visibility. Some cities have used blue bicycle lanes, but they have since come under scrutiny because the ADA color designation is also blue. As a result, green appears to be becoming the new bikeway color standard.



Cross section with bicycle boulevard pavement marking

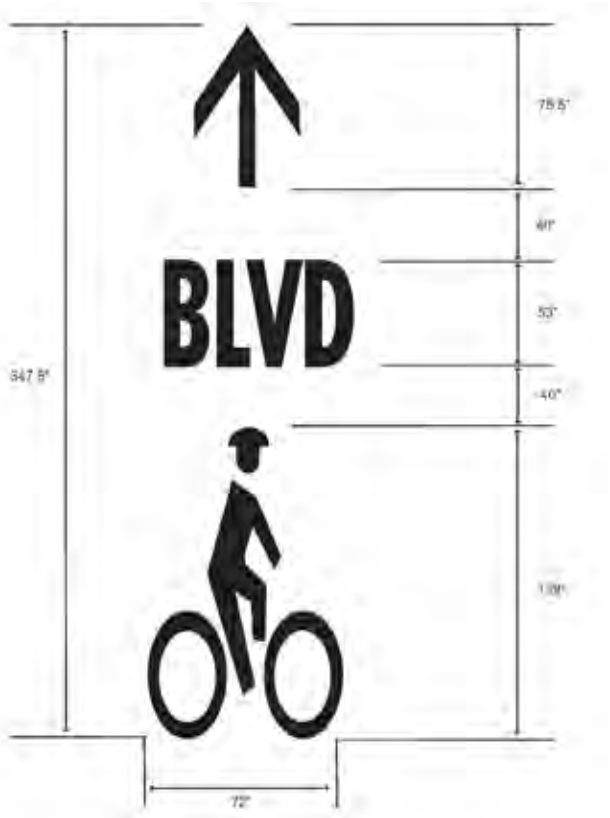
Bicycle boulevard pavement markings are car-sized white pavement markings that depict a bicycle, the abbreviation of "BLVD" and a directional arrow. These markings are to be applied directly to the road surface in the center of the drive lane with four to six inch wide white paint striping. Markings should be placed in each direction of traffic following every intersection, near high volume driveways or other potential conflict points, and at no more than 200 foot intervals. Where the bicycle boulevard turns or jogs, arrows should be turned 45 or 90 degrees in the appropriate direction to help aid in way-finding.

Bicycle boulevard pavement markings can also inform vehicle drivers and cyclists of the end of the boulevard. When needed, these should be located in the same location as standard pavement markings to provide sufficient advance warning for cyclists to make appropriate decisions prior to the change. Advance warning 500 and 200 feet prior to the end of the end of a bicycle boulevard can be indicated on the pavement surface with "END" replacing the arrow and a count in feet until the end of the boulevard.

The bicycle boulevard symbol is not a standard symbol in the *CA MUTCD*. The diagram is the measurement based on the symbol used for bicycle boulevards in Berkeley, California. These symbols are to be used where bicycle lanes do not exist. With on-street parking, place the symbol twelve feet from curb face (measured to center of legend). Without on-street parking, place in center of the travel lane.

Bicycle boulevard traffic diverters - San Luis Obispo, CA

Bicycle boulevard traffic circle - Long Beach, CA



Bicycle boulevard pavement marking - (Source: City of Berkeley, CA.)

Traffic Control Devices

As legitimate roadways users, cyclists are subject to essentially the same rights and responsibilities as vehicle drivers. Traffic control devices must be selected and installed to take their needs into account should be placed so cyclists who are properly positioned on the road can observe them.

Traffic Signals and Detectors

Traffic actuated signals should accommodate bicycle traffic. Detectors for traffic activated signals should be sensitive to bicycles, should be located in the cyclist's expected path and stenciling should direct the cyclist to the point where the bicycle will be detected.

Since detectors can fail, added redundancy in the event of failure is recommended in the form of pedestrian push buttons at all signalized intersections. These buttons should be mounted in a location that permits their activation by a cyclist without having to dismount.

It is common for bicycles to be made of so little ferrous metals that they may not be easily detectable by some currently installed types of loop detectors. As an convenience for cyclists, the strongest loop detection point should be marked with a standard symbol.

Where left turn lanes are provided and only protected left turns are allowed, bicycle sensitive loop detectors should be installed in the left turn lane. Where moderate or heavy volumes of bicycle traffic exist, or are anticipated, bicycles should be considered in the timing of the traffic signal cycle as well as in the selection and placement of the traffic detector device. In such cases, short clearance intervals should not be used where cyclists must cross multi lane streets. According to the 1991 AASHTO *Guide for the Development of Bicycle Facilities*, a bicycle speed of 10 MPH and a perception/reaction time of 2.5 seconds can be used to check the clearance interval. Where necessary, such as for particularly wide roadways, an all red clearance interval can be used.

In general, for the sake of cyclist safety, protected left turns are preferred over unprotected left turns. In addition, traffic signal controlled left turns are much safer for cyclists than left turns at which vehicle drivers and cyclists must simply yield. This is because vehicle drivers, when approaching an unprotected left turn situation or planning to turn left at a yield sign, tend to watch for other vehicles and may not see an approaching cyclist. More positive control of left turns gives cyclists an added margin of safety where they need it most.

Video Detection

A video detection setup consists of a video detector, usually mounted on a riser pole or a mainline pole, and a computer with video image-processing capability. Video detection can pick up a cyclist's presence at an intersection over a large area. These systems have a flexible detector layout allowing for easy reprogramming of detection zones. Video detection technology has advanced to detect bikes with the same accuracy as loop detectors.

Advantages to video detection over loop detection include the ability to adjust signal timing once activated to allow cyclists sufficient time to cross the intersection. Cameras can detect bicycles that do not contain iron, unlike many loop detectors, and in some cases can detect pedestrians fairly well. Video detection is also not affected by resurfacing work and may even be used to help direct traffic during construction.

Bicycle detector symbol (CA MUTCD Figure 9C-7)

Bicycle Signals

A bicycle signal is an electrically powered traffic control device that may only be used in combination with an existing traffic signal. They are typically used at intersections with heavy bicycle traffic, in conjunction with high peak vehicle traffic volumes, high conflict intersections or at the connections of shared use bicycle lanes and busy roadways.

These signals separate conflicting movements between pedestrians, vehicles and cyclists. Bicycle signals also provide priority movement for cyclists at intersections and alternates right-of-ways between the different road users.

Bicycle signals direct cyclists to take specific actions and may be used to improve an identified safety or operational problem involving cyclists.

Only green, yellow and red lighted bicycle symbols are used to implement bicycle movement at a signalized intersection. The application of bicycle signals is implemented only at locations that meet Caltrans bicycle signal warrant criteria. A separate signal phase for bicycle movement is used.

Alternative means of handling conflicts between cyclists and motor vehicles should be considered first. Two alternatives that should be considered are:

Bicycle signals - Tucson, AZ

- Striping to direct cyclists to a lane adjacent to a traffic lane such as a bicycle lane to left of a right-turn-only lane
- Redesigning intersection to direct cyclists from an off-street path to a bicycle lane at a point removed from signalized intersection

A bicycle signal must meet warrant crtieria before being considered for installation based on the following formula:

1. Volume; When **W = B x V** and **W** > 50,000 and **B** < 50.

   Where:

   W is the volume warrant

   B is the number of bicycles at the peak hour entering the intersection

   V is the number of vehicles at the peak hour entering the intersection

   (B and V shall use the same peak hour)

2. Collision: When two or more bicycle/vehicle collisions of types susceptible to correction by a bicycle signal have occurred over a 12 month period and the responsible public works official determines that a bicycle signal will reduce the number of collisions.

3. Geometric: (a) Where a separate bicycle/multi-use path intersects a roadway. (b) At other locations to facilitate a bicycle movement that is not permitted for a motor vehicle.

References

California MUTCD 2012

NACTO Urban Bikeway Design Guide, 2012

Bicycle Parking Facilities

Whenever possible, racks should be placed within 50 feet of building entrances where cyclists would naturally transition to pedestrian mode. The rack placement would ideally allow for visual monitoring by people within and around the building. Rack placement should minimize conflicts with both pedestrians and vehicle traffic. All bicycle parking should be on a solid surface and located a minimum of two feet from any parallel wall, and four feet from a perpendicular wall (as measured to the closest center of the rack).

The following text and graphics focus on outdoor installations using racks intended to accommodate conventional, upright, single-rider bicycles and a solid, U-shaped lock, or a cable lock, or both.

Rack Element

The rack element is the part of the bicycle rack that supports one bicycle. It should support the bicycle by its frame in two places, prevent the front wheel from tipping over, allow the frame and one or both wheels to be secured, and support bicycles with unconventional frames.

"Inverted-U" and similar type racks are most recommended because each element can support two bicycles. Commonly used "wave" type racks are not recommended because they support the bicycle at only one point. Also, cyclists often park their bikes parallel with such racks, instead of perpendicular as intended, which effectively reduces the rack capacity by half.

The rack element must resist being cut or detached using common hand tools, especially those that can be concealed in a backpack. Such tools include bolt cutters, pipe cutters, wrenches and pry bars. Square tubing is highly recommended.

Rack

The rack itself is one or more rack elements joined on a common base or arranged in a regular array and fastened to a common mounting surface.

The rack elements may be attached to a single framework or remain single elements mounted in close proximity. They should not be easily detachable from the rack framework or easily removed from the mounting surface. The rack should be anchored so that it cannot be stolen with the bikes attached, such as with vandal-resistant fasteners.

Custom bicycle rack - Oceanside, CA

Custom bicycle rack - San Diego, CA

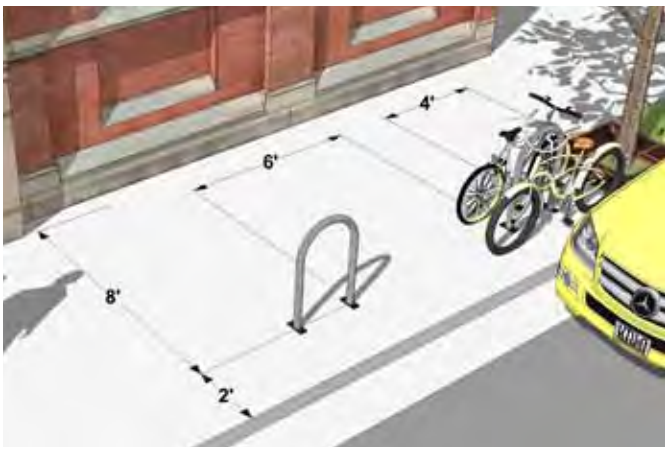
The rack should provide easy, independent bicycle access. Typical inverted-U rack elements mounted in a row should be placed on 30" centers. Normally, the handlebar and seat heights will allow two bicycles to line up side-by-side in opposite directions. If it is too inconvenient and time-consuming to squeeze the bicycles into the space and attach a lock, cyclists will look for alternative places to park or use one rack element per bicycle and reduce the projected parking capacity by half.

Rack Area

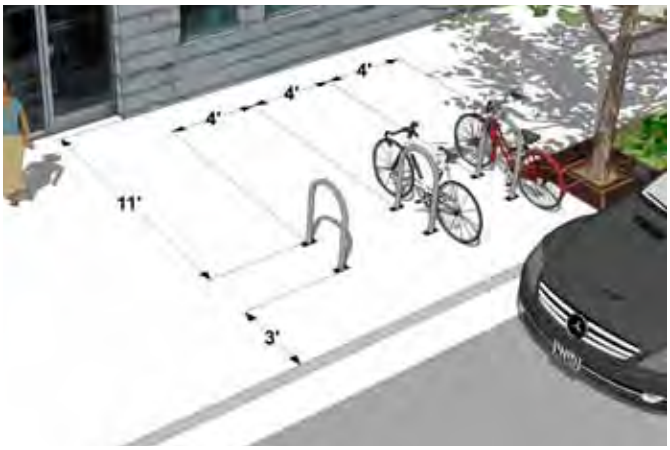
The rack area is a bicycle parking lot where multiple racks are separated by aisles. The distance between aisles is measured from tip to tip of bicycle tires across the space between racks. The minimum separation between aisles should be two feet, which provides enough space for one person to walk one bicycle. In high traffic areas where many users park or retrieve bicycles at the same time, the recommended aisle width is six feet. The depth of each row of parked bicycles should also be six feet.

Large rack areas in high turnover areas should have more than one entrance. If possible, the rack area should be protected from the elements. Even though cyclists are exposed to sun, rain and snow while en route, covering the rack area keeps cyclists more comfortable while parking, locking their bicycles and loading or unloading cargo. A covering will also help keep bicycles dry, especially the saddles.

Bicycle rack dimensions for installations adjacent to walls



Bicycle rack dimensions for installations parallel to curb



Bicycle rack dimensions for installations perpendicular to curb

Rack Area Site

The rack area site is the relationship of a rack area to the building entrance or approach. In general, smaller, conveniently located rack areas should serve multiple buildings, rather than a larger combined, distant one. Racks far from the entrance or perceived to be where bicycles will be vulnerable to vandalism or theft will not receive much use.

Rack area location in relationship to the building it serves is very important. The best location is immediately adjacent to the entrance it serves, but racks should not be placed where they can block the entrance or inhibit pedestrian flow. The rack area should be located along a major building approach line and clearly visible from the approach.

The rack area should be no more than a 30 second walk (120 feet) from the entrance it serves and should preferably be within 50 feet. A rack area should be as close or closer than the nearest car parking space, be clearly visible from the entrance it serves and be near each actively used entrance. In some cases, an appropriate location may be within the adjacent right-of-way as a bicycle corral, as shown below.

Movable bicycle corral - Long Beach, CA

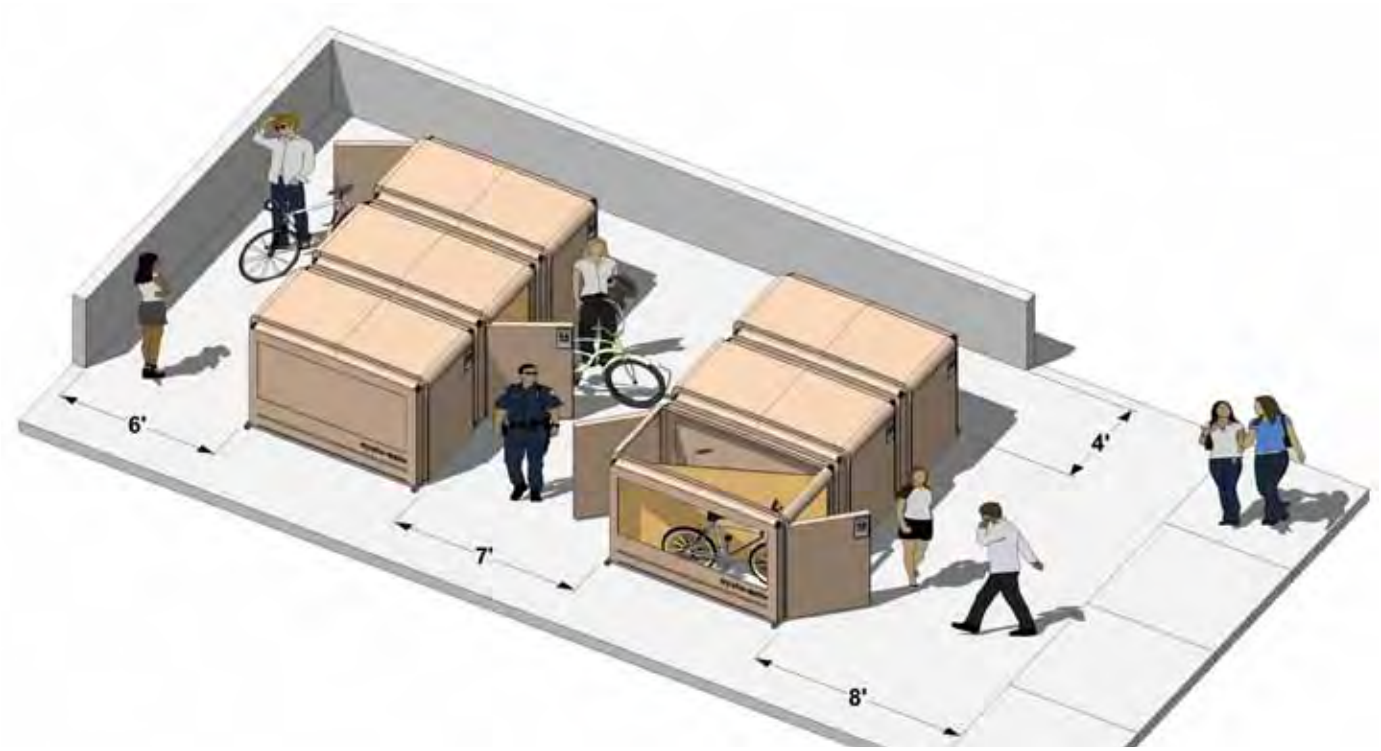
Bicycle corral dimensions - Converts one car parking space into 8-10 bicycle spaces

Long-term Parking

Bicycle parking facilities intended for long-term parking must protect against theft of the entire bicycle and its components and accessories. Three common ways of providing secure long-term bicycle parking are:

- Fully enclosed lockers accessible only by the user, either coin-operated, or by electronic, on-demand locks operated by "smartcards" equipped with touch-sensitive imbedded RFID chips
- A continuously monitored facility that provides at least medium-term type bicycle parking facilities generally available at no charge
- Restricted access facilities in which short-term type bicycle racks are provided and access is restricted only to the owners of the bicycles stored there

Perhaps the easiest retrofit is the bicycle locker. Generally, they are as strong as the locks on their doors and can secure individual bicycles with their panniers, computers, lights, etc., left in place. Some bicycle locker designs can be stacked to double the parking density. Weather protection is another benefit. Bicycle lockers tend to be used most for long-term bicycle commuter parking in areas without continuous oversight. However, lockers with coin-operated locks can be a target of theft and may attract various unintended uses. This can be mitigated by installing lockers with mesh sides to allow periodic inspection.



Typical bicycle locker dimensions

Bicycle Suitability Model Overview

The Bicycle Suitability Model was developed to determine the most likely areas within the City of Huntington Beach where cyclists are likely to ride to and come from. The model was created to prioritize areas and projects to benefit the largest number of cyclists possible. The Bicycle Suitability Model identifies existing and potential bicycle activity areas citywide utilizing existing data within an extensive GIS database.

Bicycle Suitability Model Description

The overall model is comprised of three basic models: the Attractor, Generator and Detractor Models. When these three interim models are combined, they create the Bicycle Suitability Model.

The model identifies the characteristics of each particular area in geographic space and assigns a numeric value for each of these characteristics. The score per area is then added to create a ranking for that particular area in geographic space.

Attractor Model Methodology

The Bicycle Suitability Model identifies activity areas by utilizing cycling-related geographic features likely to attract cyclists. Typical bicycle and pedestrian commuter trips to nearby shopping centers, restaurants and work are very short, usually between 2-5 miles each way. More avid cyclists will commute over 20 miles round trip. School age children will normally ride or walk to school no more than a few miles round trip. The closer these attractors are to neighborhoods and primary cycling and pedestrian generators the more they are conducive for trips by bicycle or walking and are then given a higher weighting score. A one mile maximum distance in the model was given to encompass the majority of the shorter bicycle trips and maximum pedestrian trips. The many attractors are close enough that they would overlap within the mile.

The point scoring for the given attractors are based on a multitude of cycling and walking opportunities and bicycle amenities such as bicycle parking connections with other modes of transportation. For example, elementary schools are typically in neighborhoods to accommodate the younger population. Some elementary school aged children walk or rely on their bicycle as a mode of transportation to get to school compared to high school kids who hold a drivers license.

Attractor Inputs

- Pier and Beaches
- Elementary Schools
- Neighborhood Commercial (Local retail)
- Middle Schools
- Neighborhood Commercial
- Parks and Recreation
- Neighborhood Civic Facilities (Libraries, Post Office and Religious Facilities)
- Bus Stops
- High Schools and Colleges

Generator Model Methodology

The Bicycle Suitability Model also utilizes demographic data as indicators of potential volume of cyclists based on how many people live or work within the cycling activity areas identified in the Attractor Model. This particular component is called the Generator Model. Existing and projected total population and employment were used, as well as other demographic data such as age and use of public transportation. The weighted multiplier scores were derived from City staff and public input, previous applications of the model and the factors that most influence bicycle and walking trips within the City. Cycling and walking activity areas that contain a greater number of people living or working within them are more likely to walk or ride their bicycle to these areas. The model uses OCTA-defined traffic analysis zones (TAZs) citywide and U.S. Census Bureau Census Block Groups.

Generator Inputs

- Generator Mobility: People who bicycle to work
- Non-Vehicular Transportation: People who use public transportation to work
- No Vehicle Ownership
- Current Population Estimate
- Current Employment Estimate
- 2035 Population Estimate
- 2035 Employment Estimate

Barrier Model Methodology

Detractors discourage or detract people from riding their bikes. Relevant factors are more related to the vehicular intensity and perceived safety of the cycling environment. Streets with high traffic volumes and high speeds tend to detract people from cycling and walking due to the amount of traffic adjacent to their route. Known areas of high bicycle and pedestrian related collisions are also a deterrent since people may reroute their trip to avoid certain streets and intersections where safety may be a concern. The point system and weighted multipliers were derived from City input, public input through previous surveys, past applications of the model and available City data.

Barrier Inputs

- Bicycle-related Collisions
- Freeway Crossings Related to Cycling Travel
- Traffic Volumes
- Speed Limits
- Slope and Canyons

Final Composite Model

The Bicycle Suitability Model then combines the Generators, Attractors and Detractors.

The Attractor, Generator, Barrier and Issues grid cell models were overlaid and these combined grid cells containing generator, attractor and detractor values were added to provide a total composite value for each combined cell. The composite value identifies areas that have a higher cycling activity point total. In some cases, the areas that have a high cycling activity score are areas that already have facilities, but further improvement can be made to enhance the cycling environment.

Bicycle Facility Priority Criteria and Implementation

The projects in this plan are a combination of planned and recommended bicycle facilities. Since the planned projects have yet to be implemented, prioritizing them along with the recommended projects subjects all of them to the same priority and implementation criteria. These projects were then itemized into Prioritized Projects, which are those that will have a significant impact on the existing bikeway system, such as closing major gaps and extending or developing multi-use paths, lanes or routes along major transportation corridors.

The following prioritization criteria were used to help identify which routes are likely to provide the most benefit to the City's bikeway system. The numbering used to identify projects within each bikeway facility class in the following sections does not necessarily imply priority. Bikeway facility implementation has no specific time line, since the availability of funds for implementation is variable and tied to the priorities of the City's capital improvement projects.

(Some of these criteria were based on the OCTA *4th District Bikeways Strategy* for countywide for consistency.)

Bicycle Suitability Model (3 points total)

1. Suitability Scoring

The Bicycle Suitability Model acquires the routes total model score and is then divided by the acreage of that project. The average score per square feet is then calculated to normalize the score for all facilities. This allows projects with smaller footprints to have the same scoring parameters as larger projects. The breakdown in points is as follows:

- High: >54 = 3, Moderate: 42-53 = 2, Low: <42 = 1

Mobility and Access (9 points total)

2. Closes gap in significant route

- Closes a gap in an existing high bicycle traffic facility = 3
- Closes a gap in a non-existent high bicycle traffic facility = 2
- Closes a gap to connect facilities with bicycle use = 1

3. Linkage to Existing Bikeways

- Connects to 6 or more bikeways = 3
- Connects to 4-5 bikeways = 2
- Connects to 1-3 or less bikeways = 1

4. Physical Constraints: 1 – 3 points

Physical constraints include freeway crossings, interchanges, and railroad crossings that would require special or more costly physical treatments to implement.

- None = 3, 1-2 = 2, >2 = 1

Safety (9 points total)

5. Improves locations where bicycle collisions have occurred

- Fatal collisions have occurred directly on this route = 3
- Injury and non-injury related bicycle collisions have occurred on or near this route = 2
- No collisions have occurred on this route = 1

6. Improves routes with high vehicular traffic volumes

- Improves routes with high average daily trips (>20,000) = 3
- Improves routes with moderate average daily trips (10,000-20,000) = 2
- Improves routes with low average daily trips (<10,000) = 1

7. Bicycle Collision Rates (Collision per mile)

- >2 = 3, 1-2 = 2, <1 = 1

Regional Significance (3 points total)

8. Route has regional significance in the bikeway system

- High significance, connects major bicycle facilities and activity centers = 3 *(Ex: Part of the OCTA Commuter Strategic Plan network, connections to adjacent City's bicycle facilities)*
- Moderate significance, connects some routes and activity centers within the City = 2 *(Ex: Important internal connections to regional routes and major activity centers, schools and colleges)*
- Little significance, does not directly connect to activity centers, etc, but is still important in the bikeway system = 1 *(Ex: Project travels through neighborhoods and makes connections to other facilities)*

Public Support (3 points total)

9. Public Outreach Input

Public outreach was conducted for this plan in the form of an online survey and public workshops. Stakeholders and members of the public were asked to identify the projects they feel were important by facility type.

- >6 points = 3, 3-6 points = 2, <3 points = 1

The maximum possible score is 27 points for all facility types. Proposed projects can be rated periodically at whatever interval best fits funding cycles or to take into consideration the availability of new information, new funding sources, updated crash statistics, etc. Bikeway facility prioritization and implementation should be fine-tuned and adjusted according to on future circumstances.

Appendix C: Public Input Summary

The following pages illustrate responses to the Bicycle Master Plan's online survey. An image capture of the survey opening page is shown below.

Huntington Beach Bike Plan

Project website for the Huntington Beach Bicycle Master Planning Process

Home About Bicycle Facilities Survey

Survey

Huntington Beach Bicycle Master Plan Survey

KTU+A is working with the City of Huntington Beach on a Bicycle Master Plan. Please take this survey to help us learn about bicycling in Huntington Beach.

What is your gender?

- Male
- Female
- Prefer not to answer

What is your age?

- 0-16 years old
- 17-30
- 31-40
- 41-50
- 51-60
- > 60

What type of cyclist do you consider yourself?

- Strong & Fearless (cyclists that will ride regardless of conditions)
- Enthused & Confident (cautious cyclist)
- Interested but Concerned (fear for safety is primary reason for not riding)
- No Way No How (not likely use a bicycle for transportation)

Do you work in Huntington Beach

- Yes
- No

Are you a resident of Huntington Beach?

- Yes
- No

Search

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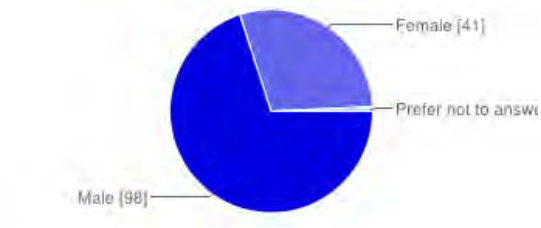
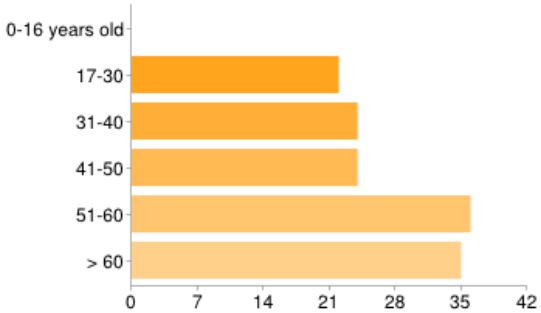
What is your gender?



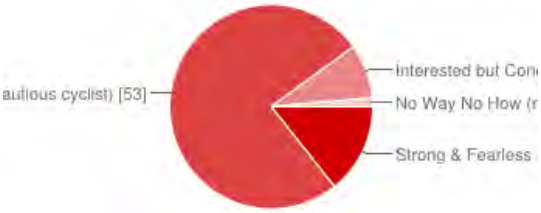
Male	**98**	69%
Female	**41**	29%
Prefer not to answer	**1**	1%

What is your age?



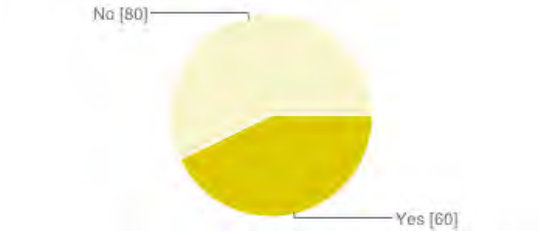
0-16 years old	**0**	0%
17-30	**22**	15%
31-40	**24**	17%
41-50	**24**	17%
51-60	**36**	25%
> 60	**35**	24%

What type of cyclist do you consider yourself?



Strong & Fearless (cyclists that will ride regardless of conditions)	**10**	7%
Enthused & Confident (cautious cyclist)	**53**	37%
Interested but Concerned (fear for safety is primary reason for not riding)	**6**	4%
No Way No How (not likely use a bicycle for transportation)	**1**	1%

Do you work in Huntington Beach



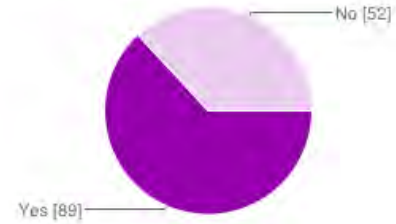
Yes	**60**	42%
No	**80**	56%

Appendix C: Public Input Summary

Are you a resident of Huntington Beach?

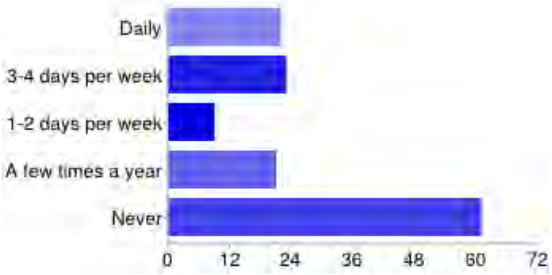
Yes	**107**	75%
No	**33**	23%

Do you currently ride your bike for running errands?



Yes	**89**	62%
No	**52**	36%

How often do you commute by bicycle to work?



Daily	**22**	15%
3-4 days per week	**23**	16%
1-2 days per week	**9**	6%
A few times a year	**21**	15%
Never	**61**	43%

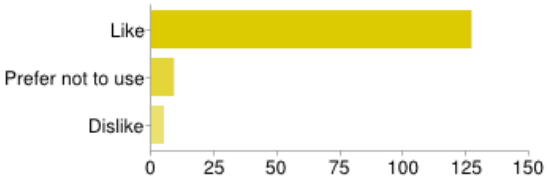
What is the distance of your commute round trip?

I do not commute by bicycle	**62**	43%
Less than 2 miles	**13**	9%
2-5 miles	**11**	8%
6-10 miles	**25**	17%
More than 10 miles	**32**	22%

How far do you ride your bike for fun or fitness?

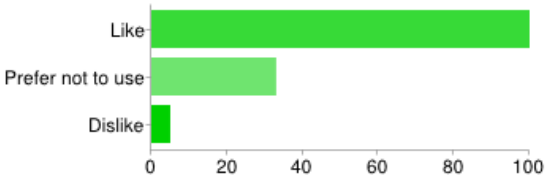
I do not bicycle for fun or fitness	**4**	3%
Less than 2 miles	**8**	6%
2-5 miles	**20**	14%
6-10 miles	**20**	14%
More than 10 miles	**90**	63%

Rank your preference of the following bicycle facilities - Bike Paths (separated from the road and traffic, ex. Huntington Beach Bike Path)



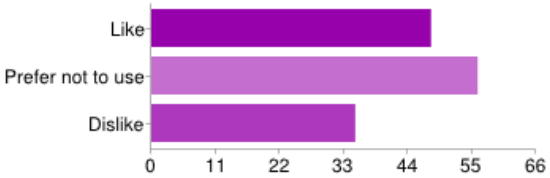
Like	**127**	89%
Prefer not to use	**9**	6%
Dislike	**5**	3%

Rank your preference of the following bicycle facilities - Bike Lanes (separated by roadway striping, ex. Magnolia, Gothard, Bushard)



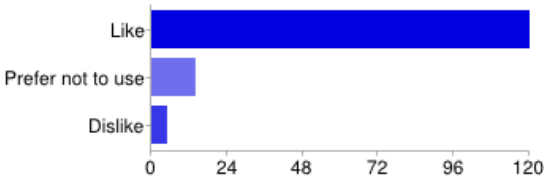
Like	**100**	70%
Prefer not to use	**33**	23%
Dislike	**5**	3%

Rank your preference of the following bicycle facilities - Bike Routes (shared roadway, ex. Portions of Pacific Coast Highway)



Like	**48**	34%
Prefer not to use	**56**	39%
Dislike	**35**	24%

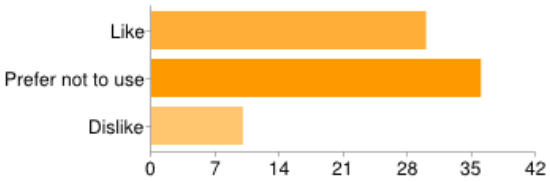
Rank your preference of the following bicycle facilities - Bicycle Boulevards (low volume streets optomized for easy bicycle travel)



Like	**120**	84%
Prefer not to use	**14**	10%
Dislike	**5**	3%

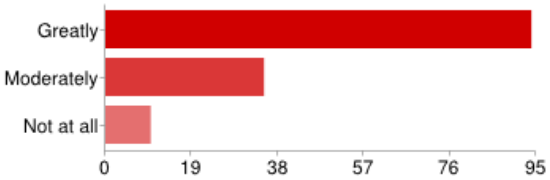
Appendix C: Public Input Summary

Rank your preference of the following bicycle facilities - Shared lanes marked with Sharrows



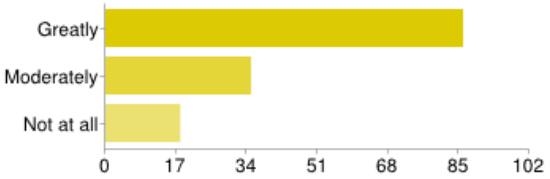
Like	**30**	21%
Prefer not to use	**36**	25%
Dislike	**10**	7%

How would the improvements listed below affect your decision to bicycle more? - Fix unfriendly intersection that have high speed merge lanes



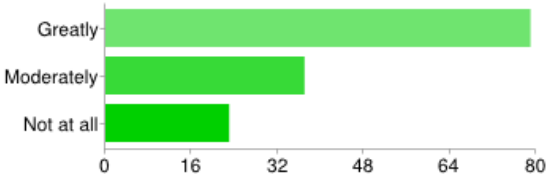
Greatly	**94**	66%
Moderately	**35**	24%
Not at all	**10**	7%

How would the improvements listed below affect your decision to bicycle more? - Improve public education for motorists with an emphasis on sharing roads with cyclists



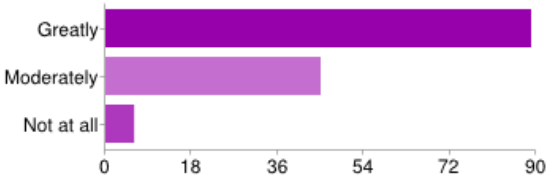
Greatly	**86**	60%
Moderately	**35**	24%
Not at all	**18**	13%

How would the improvements listed below affect your decision to bicycle more? - Improve public education for cyclists about obeying the rules of the road and riding safely



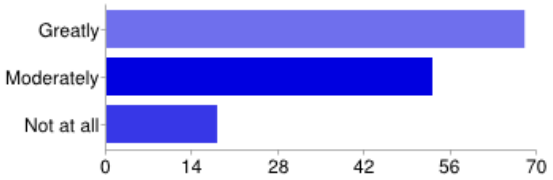
Greatly	**79**	55%
Moderately	**37**	26%
Not at all	**23**	16%

How would the improvements listed below affect your decision to bicycle more? - Improve bicycle access to schools, parks and local attractions



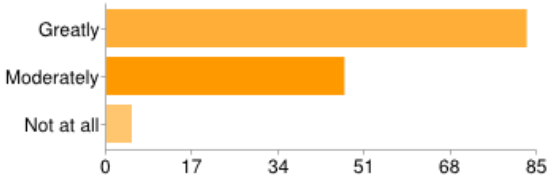
Greatly	**89**	62%
Moderately	**45**	31%
Not at all	**6**	4%

How would the improvements listed below affect your decision to bicycle more? - Improve enforcement of laws that apply to motorists and cyclists



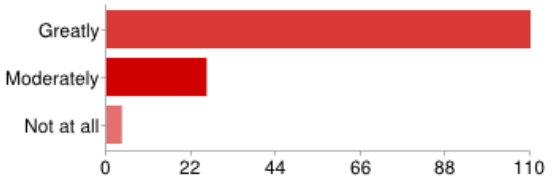
Greatly	**68**	48%
Moderately	**53**	37%
Not at all	**18**	13%

How would the improvements listed below affect your decision to bicycle more? - Improve intersection bike loop detection systems



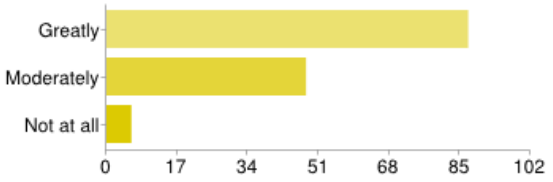
Greatly	**83**	58%
Moderately	**47**	33%
Not at all	**5**	3%

How would the improvements listed below affect your decision to bicycle more? - Create a more connected system by closing bicycle facility gaps



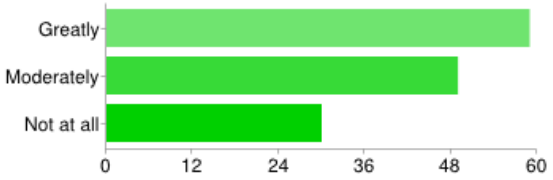
Greatly	**110**	77%
Moderately	**26**	18%
Not at all	**4**	3%

How would the improvements listed below affect your decision to bicycle more? - Provide more secure bicycle parking at major destinations and public facilities



Greatly	**87**	61%
Moderately	**48**	34%
Not at all	**6**	4%

How would the improvements listed below affect your decision to bicycle more? - Provide more bicycle events such as ciclovias, bicycle rodeos, city tours, etc



Greatly	**59**	41%
Moderately	**49**	34%
Not at all	**30**	21%

The **City of Huntington Beach** is developing it's first **Bicycle Master Plan** and we need your unique perspective!

Join us at our first **public meeting** and give us your thoughts on how to make Huntington Beach a more bike-friendly place. The bike planning consultants and City staff will be on hand to answer your questions and record your comments.

Where: Central Library - Talbert Room, 7111 Talbert Avenue
When: June 20, Wednesday, 6:00-8:00 p.m.

You can also help by filling out an **on-line survey** at:

http://huntingtonbeachbikeplan.com/

For more information, please contact the Public Works Department at (714) 536-5431. Thanks for contributing to the plan.

Appendix D: Bicycle Count Location Recommendations

Bicycle counts can help to determine and better understand cycling levels at locations citywide, to evaluate the impact of the development of new bicycle facilities, policies or programs, and to better understand collision data through the calculation of crash rates per cyclist. SCAG is currently developing a recommended bicycle count methodology for member jurisdictions and Huntington Beach should consider adopting this count methodology once it has been finalized.

The National Bicycle and Pedestrian Documentation Project (NBPD) recommends a minimum of one count location per 15,000 residents for recurring counts, assuming that counts would typically occur annually (or seasonally) over a sequential one to three day period. Based on Huntington Beach's population, this would amount to approximately 13 count locations. Because of the City's relatively high bicycle use levels, its size in terms of land area, and a grid network of roadways that provides multiple parallel options, 24 locations were selected for on-going annual counts. NBPD recommends counting at least once per year, preferably in September.

#	Cross Street 1	Cross Street 2	Characteristics
1	Bolsa Chica St	Bolsa Ave	Existing lanes on Bolsa Ave and Bolsa Chica St s/o Bolsa Ave; Proposed lanes on Bolsa Chica St n/o Bolsa Ave
2	Edinger Ave	Springdale St	High collision location; Existing lanes on Edinger e/o Springdale; Existing lanes on Springdale n/o Edinger drop before intersection; Proposed lanes on Edinger w/o Springdale and on Springdale s/o Edinger.
3	Edinger Ave	Gothard St	Existing lanes on Gothard and Edinger w/o Gothard; Proposed bicycle lane on Edinger e/o Gothard
4	Bolsa Chica St	Heil Ave	High collision location; Existing lanes on Bolsa Chica; Existing lane/route on Heil; Proposed lane improvements on Heil
5	Warner Ave	Springdale St	Existing lanes on Warner and Springdale n/o Warner; Proposed lanes on Springdale s/o Warner.
6	Warner Ave	Gothard St	High collision location; Existing lanes on Warner and Gothard; Proposed paths parallel to both Warner and Gothard (within ~600 feet of each) may impact future ridership/ collisions.
7	Beach Blvd	Warner Ave	High collision location; Existing lanes on Warner; Proposed lanes on Beach
8	Pacific Coast Hwy	Warner Ave	Existing lane on Warner drops e/o PCH; Proposed lane on PCH
9	Beach Path	s/o Warner Ave	Existing path; Screenline (rather than intersection) counts collected along path just south of Warner
10	Beach Blvd	Talbert Ave	High collision location; Existing lanes on Talbert; Proposed lanes on Beach
11	Goldenwest St	Ellis Ave	Existing lanes on Goldenwest and Ellis e/o Goldenwest; proposed lanes on Ellis w/o Goldenwest
12	Beach Blvd	Indianapolis St	High collision location; Existing lanes on Indianapolis; Proposed lanes on Beach
13	Magnolia St	Yorktown Ave	High collision location; Existing lanes on Magnolia and Yorktown
14	Utica Ave	Lake St	Existing lanes on Lake St; Proposed bicycle boulevard on Utica Ave will facilitate bicycle through movement between Alabama St and Lake St
15	Adams Ave	Newland St	Existing lanes on Newland; Proposed lanes on Adams
16	Adams Ave	Brookhurst St	High collision location; No existing facilities; Proposed lanes on Adams
17	17th St	Palm Ave	Existing lanes on 17th and Palm n/o 17th; Proposed bicycle boulevard on Palm will reduce number of starts/stops for through cyclists
18	Main St	Orange Ave	No existing facilities on either street; Proposed route on Main; Proposed lanes on Orange
19	Magnolia St	Atlanta Ave	High collision location; Existing lanes on Magnolia and Atlanta
20	Beach Multi-use Path	Main St	Existing path; Screenline (rather than intersection) counts collected along path at Pier
21	Pacific Coast Hwy	1st Street	High collision location; Existing lanes on PCH and 1st; proposed lane/cycle track on PCH
22	Santa Ana River Trail	Edison ROW	Existing path along Santa Ana River; Proposed path along Edison ROW
23	Pacific Coast Hwy	Beach Blvd	Proposed lanes on PCH and Beach
24	Santa Ana River Trail	Beach Multi-use Path	Confluence of two existing paths. Screenline (rather than intersection) counts would be collected, where path goes under PCH. This will capture number of cyclists transitioning between two paths.

10.84.005 Definitions

For the purpose of this chapter, the following words and phrases are defined as follows:

(a) "Bicycle lane" is that portion of a roadway, other than state and county highways, set aside by striping for the use of bicycle riders and so designated, as provided in this chapter.

(b) "Bicycle path" is a pathway for bicycle riders that has been physically separated from a roadway.

(c) "Bicycle" is a device upon which any person may ride, propelled exclusively by human power through a system of belts, chains, or gears, and having either two or three wheels in a tandem or tricycle arrangement.

(d) "Highway" is a way or place of whatever nature, maintained and open to the use of the public for purposes of vehicular travel. Highway includes street.

(e) "Roadway" is that portion of a highway improved, designed, or ordinarily used for vehicular travel.

(f) "Chief of Police" shall include his designated representative. (1913-5/74, 1969-4/75, 2059-6/76, 2175-4/77)

(g) "Motorized Scooter" shall have the same definition as that of California Vehicle Code §407.5(a). (3458-5/00)

10.84.080 Dealer's records.

Every person engaged in the business of buying, trading, or selling bicycles in this city shall keep at his place of business a record of all bicycles, bought, sold or rented by him, giving the date of such transaction, the name and address of the person from whom purchased or traded, or to whom sold or rented, a description of such bicycle by name and make, and the frame or serial number. Such record shall be maintained in a plain, legible handwriting in a bound book, which record shall be available for inspection by members of the Police Department at all reasonable times. Such person shall make a written report to the Police Department, giving the name, address and telephone number of all persons buying, selling or trading bicycles at his place of business, and the bicycle manufacturer, type, and frame number. (432-1/40, 1784-12/72, 1969-4/75, 3602-5/03)

10.84.120 Impounding

Parked bicycles. No person shall park or leave a bicycle in the area between Pacific Coast Highway and the mean high tide line of the Pacific Ocean in a manner so as to block or impede any road, vehicle route, walkway or path, or so as to block or impede ingress or egress from any building, stair, pier or bridge. Any bicycle so parked or left may be impounded by the Community Services Department or by the Police Department, and may be held until the sum of five dollars ($5) has been collected to defray the cost of impound. (1784-12/72, 1913-5/74)

10.84.130 Impounding

Holding time period. Any bicycle which has been so impounded and held for three (3) months without redemption by or on behalf of the lawful owner thereof shall, if saleable, be sold at such time and place and in such manner for the reasonable value thereof, as provided by this code. (1784-12/72, 1913-5/74, 3602-5/03)

10.84.160 Riding on sidewalk

No person shall ride a bicycle upon a sidewalk within any business district, or upon the sidewalk adjacent to any public school building, church, recreation center, playground or over any pedestrian overcrossing, or within any crosswalk. (22-8/09, 322-1/29, 1784-12/72, 1913-5/74, 2270-3/78)

10.84.170 Yielding right-of-way

Whenever any person is riding a bicycle upon a sidewalk, such person shall yield the right-of-way to any pedestrian, and when overtaking and passing a pedestrian shall give an audible signal. A person riding a bicycle off a sidewalk and onto a roadway shall yield to all traffic on the roadway. (22-8/09, 1913-5/74, 1784-12/72)

10.84.180 Riding in group

Persons operating bicycles on a bicycle lane or path shall not ride more than two (2) abreast. (1784-12/72, 1913-5/74)

10.84.200 Bicycles on pier

No person shall ride a bicycle or any similar type vehicle on the municipal pier. Bicycles or similar type vehicles may be walked or pushed on the pier. (344-10/31, 554-12/49, 1784-12/72, 1913-5/74, 3185-5/93)

10.84.210 Bicycle lanes and paths established

The City Council establishes those bicycle lanes and paths as designated on the Preliminary Plan; Trails Element to the Master Plan of the City of Huntington Beach, and as such Preliminary Plan; Trails Element to the Master Plan may be amended hereafter from time to time. (1784-12/72, 1913-5/74)

10.84.220 Implementing establishment of bicycle lanes and paths

The City Administrator is authorized, empowered and directed to implement the establishment of the bicycle lanes and paths, as designated on the Preliminary Plan; Trails Element to the Master Plan of the City of Huntington Beach, and as such Preliminary Plan; Trails Element to the Master Plan may be amended hereafter from time to time. (1913-5/74)

10.84.230 Bicycle lanes - Markings and signs

The Traffic Engineer is authorized to erect or place signs upon any street or adjacent to any street in the city indicating the existence of a bicycle lane or path, and otherwise regulating the operation and use of vehicles and bicycles with respect thereto. When such signs are in place, no person shall disobey same.

The bicycle lane shall be designated on such street by a six (6) inch wide reflectorized white line. (1913-5/74, 2175-4/77)

10.84.250 Direction of travel

No person shall ride or operate a bicycle within a bicycle lane or path in any direction except that permitted vehicular traffic traveling on the same side of the roadway; provided that bicycles may proceed either way along a lane or path where arrows appear on the surface of the lane designating two-way traffic. (1913-5/74)

10.84.260 Walking bicycles

Bicycles may be walked subject to all provisions of law applicable to pedestrians. (1913-5/74)

10.84.270 Vehicular traffic in bicycle lanes or paths

No person shall park a motor vehicle across or on a bicycle path or lane except to obtain emergency parking where signs are posted prohibiting such parking. No person shall drive a motor vehicle across a bicycle lane except after giving the right-of-way to all bicycles operated within the lane. No motor vehicle, motorized bicycle, motor-driven cycle, or motorcycle may be operated on a bicycle path or sidewalk. (1913-5/74, 2059-6/76, 2148-1/77, 2175-4/77)

10.84.275 Motorized scooter

For the purpose of this chapter, a motorized scooter shall be subject to each and every section that applies to bicycles. (3458-5/00)

10.84.280 Penalty

It shall be unlawful for any person knowingly to violate or knowingly to permit any other person to violate any of the provisions contained in sections 10.84.160 through 10.84.270 of this chapter, and any person violating any of the provisions contained in such sections shall be guilty of an infraction and punished upon a first conviction by a fine not exceeding fifty dollars ($50) and for a second or any subsequent conviction within a period of one year, by a fine not exceeding one hundred dollars ($100). (1913-5/74, 2059-6/76)

BTA Compliance

For reviewer convenience, code text and associated document sections are listed below:

(a) The estimated number of existing bicycle commuters in the plan area and the estimated increase in the number of bicycle commuters resulting from implementation of the plan.

As the City's first bicycle transportation plan, this document recommends establishing a cycling activity baseline, and therefore includes suggested annual count locations shown in Appendix D.

(b) A map and description of existing and proposed land use and settlement patterns which shall include, but not be limited to, locations of residential neighborhoods, schools, shopping centers, public buildings and major employment centers.

See Chapter 2 maps and tables.

(c) A map and description of existing and proposed bikeways.

See Chapter 3 maps and tables.

(d) A map and description of existing and proposed end-of-trip bicycle parking facilities. These shall include, but not be limited to, parking at schools, shopping centers, public buildings and major employment centers.

See Chapter 3 maps and tables.

(e) A map and description of existing and proposed bicycle transport and parking facilities for connections with and use of other transportation modes. These shall include, but not be limited to, parking facilities at transit stops, rail and transit terminals, ferry docks and landings, park and ride lots, and provisions for transporting cyclists and bicycles on transit or rail vehicles of ferry vessels.

See Chapter 3 maps and tables, particularly Figure 10.

(f) A map and description of existing and proposed facilities for changing and storing clothes and equipment. These shall include, but not be limited to, locker, restroom and shower facilities near bicycle parking facilities.

See Chapter 3 maps and tables, particularly Figures 5-9.

(g) A description of bicycle safety and education programs conducted in the area included in the plan, efforts by the law enforcement agency having primary traffic law enforcement responsibility in the area to enforce provisions of the Vehicle Code pertaining to bicycle operation, and the resulting effect on accidents involving cyclists.

Officers assigned to the downtown foot beat enforce the "No Bikes on Sidewalks" ordinance, which is intended to mitigate conflicts in this very high pedestrian and bicycle traffic area. Also, the two officer instructors for the diversion program are available to provide bicycle safety presentations upon request. Department-wide training regarding bicycle enforcement is conducted on as-needed basis.

(h) A description of the extent of citizen and community involvement in development of the plan including, but not be limited to, letters of support.

See Section 2.6: Opportunities and Constraints Summary, Community Input.

(i) A description of how the bicycle transportation plan has been coordinated and is consistent with the local or regional transportation, air quality or energy conservation plans, including, but not be limited to, programs that provide incentives for bicycle commuting.

Encouraging bicycle commuting is addressed throughout the document, but particularly Section 2.4: Origins and Destinations and Section 3.3: Recommended Programs, under encouragement and equity.

(j) A description of the projects proposed in the plan and a listing of their priorities of implementation.

See Chapter 3 maps, tables and program recommendations.

(k) A description of past expenditures for bicycle facilities and future financial needs for projects that improve safety and convenience for bicycle commuters in the plan area.

In September 2012, the City was awarded $192,330, combined with a $64,110 City match, for the Edinger Avenue Class 1 Path.

Other expenditures have included approximately $4,000 per year on bicycle facility maintenance.

CITY OF HUNTINGTON BEACH
REQUEST FOR CITY COUNCIL ACTION

MEETING DATE: 11/18/2013

SUBMITTED TO: Honorable Mayor and City Council Members

SUBMITTED BY: Jennifer McGrath, City Attorney

PREPARED BY: Jennifer McGrath, City Attorney

SUBJECT: Approve for introduction Ordinance No. 4007 establishing Chapter 5.100 of the Huntington Beach Municipal Code relating to expanded Polystyrene (EPS) "Styrofoam" Disposable Food Service Ware

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Statement of Issue: At the request of the City Council, the City Attorney's Department has drafted Ordinance No. 4007, "An Ordinance of the City of Huntington Beach Establishing Chapter 5.100 of the Huntington Beach Municipal Code Relating to Expanded Polystyrene Disposable Food Service Ware."

Financial Impact: N/A

Recommended Action: Approve for Introduction Ordinance No. 4007, "An Ordinance of the City of Huntington Beach Establishing Chapter 5.100 of the Huntington Beach Municipal Code Relating to Expanded Polystyrene Disposable Food Service Ware."

Alternative Action(s): Not approve for Introduction Ordinance No. 4007, "An Ordinance of the City of Huntington Beach Establishing Chapter 5.100 of the Huntington Beach Municipal Code Relating to Expanded Polystyrene Disposable Food Service Ware."

Analysis: The Ordinance prepared is mirrored on the Newport Beach Ordinance. It specifically prohibits food vendors, including restaurants, and any person using City facilities or participating in a City event from using disposable food service ware that contains expanded Polystyrene (Styrofoam).

Disposable food service ware includes all containers, bowls, plates, trays, cartons, cups, and other items designed for one-time use, including but not limited to takeout foods and/or leftovers from a partially consumed meal. Prepared foods prepared or packaged outside of the City are specifically exempt.

The City Manager has the discretion to issue emergency and/or undue hardship exemptions.

Environmental Status: N/A

Strategic Plan Goal: Enhance and maintain public safety

Attachment(s):

1. Ordinance No. 4007, "An Ordinance of the City of Huntington Beach Establishing Chapter 5.100 of the Huntington Beach Municipal Code Relating to Expanded Polystyrene Disposable Food Service Ware."

ORDINANCE NO. 4007

AN ORDINANCE OF THE CITY OF HUNTINGTON BEACH ESTABLISHING CHAPTER 5.100 OF THE HUNTINGTON BEACH MUNICIPAL CODE RELATING TO EXPANDED POLYSTYRENE DISPOSABLE FOOD SERVICE WARE

The City Council of the City of Huntington Beach does hereby ordain as follows:

Sections:

5.100.005 Definitions.
5.100.010 Prohibited Food Service Ware.
5.100.015 Exemptions.
5.100.020 Undue Hardship.
5.100.025 Enforcement.

5.100.005 DEFINITIONS:

A. "Biodegradable" refers to the ability of a material to decompose into elements normally found in nature within a reasonably short period of time after disposal.

B. "City facilities" means any building, structure or vehicles owned or operated by the City of Huntington Beach, its agent, agencies, departments and franchisees.

C. "Customer" means any person obtaining prepared food from a restaurant or retail food vendor.

D. "Disposable food service ware" means all containers, bowls, plates, trays, cartons, cups, and other items that are designed for one-time use and on, or in, which any restaurant or retail food vendor directly places or packages prepared foods or which are used to consume foods. This includes, but is not limited to, service ware for takeout foods and/or leftovers from partially consumed meals prepared at restaurants or retail food vendors.

E. "Expanded polystyrene" (EPS) means polystyrene that has been expanded or "blown" using a gaseous blowing agent into a solid foam. EPS is sometimes called "Styrofoam"; a Dow Chemical Co. trademarked form of polystyrene foam insulation.

F. "Food vendor" means any restaurant or retail food vendor located or operating within the City of Huntington Beach.

G. "Polystyrene" means and includes expanded polystyrene which is a thermoplastic petrochemical material utilizing a styrene monomer and processed by any number of techniques including, but not limited to, fusion of polymer spheres (expandable bead polystyrene), injection molding, foam molding, and extrusion-blow molding (extruded foam polystyrene).

H. "Prepared food" means food or beverages, which are served, packaged, cooked, chopped, sliced, mixed, brewed, frozen, squeezed or otherwise prepared on the food vendor's premises and within the City of Huntington Beach with the intent of consumption on or off the premises, as the balance of an unfinished meal or as "takeout food." For the purposes of this ordinance, "prepared food" does not include raw, butchered, ground, chopped, or sliced meats, fish and/or poultry sold from a butcher case or similar retail appliance for subsequent preparation.

I. "Restaurant" means any establishment located within the City of Huntington Beach that sells prepared food for consumption on, near, or off its premises by customers. "Restaurant," for purposes of this chapter, includes mobile food preparation units as defined in Section 5.50 of the City of Huntington Beach Municipal Code.

J. "Retail food vendor" means any store, shop, sales outlet, or other establishment, including a grocery store or a delicatessen, other than a restaurant, located within the City of Huntington Beach that sells prepared food.

5.100.010 PROHIBITED FOOD SERVICE WARE.

A. Except as provided in Section 5.100.015 of this chapter, food vendors are prohibited from providing prepared food to customers in disposable food service ware made from expanded polystyrene.

B. All City facilities, City-managed concessions, City-sponsored events, and City-permitted events are prohibited from using disposable food service ware made from expanded polystyrene.

5.100.015 EXEMPTIONS.

A. Prepared foods prepared or packaged outside the City of Huntington Beach are exempt from the provisions of this chapter.

B. Emergency Supply and Services Procurement. In a situation deemed by the City Manager to be an emergency for the immediate preservation of the public peace, health or safety, City facilities, food vendors, City franchises, contractors and vendors doing business with the City shall be exempt from the provisions of this chapter.

5.100.020 UNDUE HARDSHIP.

A. The City Manager or his/her designee may exempt a food provider from the requirements of this ordinance for up to a one-year period, based upon a written request from the applicant containing sufficient information to determine that the conditions of this ordinance would cause undue hardship. An "undue hardship" shall be found in the following situations:

1. Situations unique to the food provider where there are no reasonable alternatives to expanded polystyrene disposable food service ware and compliance with this chapter would cause significant economic hardship to that food provider;

2. Situations where no reasonably feasible available alternatives exist to a specific and necessary expanded polystyrene food service ware.

A food vendor granted an exemption by the City must reapply prior to the end of the exemption period and demonstrate continued undue hardship, if it wishes to have the exemption extended. Extensions may only be granted for intervals not to exceed one year.

B. An exemption application shall include all information necessary for the City Manager or his/her designee to make his/her decision, including but not limited to documentation showing the factual support for the claimed exemption. The City Manager or his/her designee may require the applicant to provide additional information to permit the City Manager to determine facts regarding the exemption application.

C. The City Manager or his/her designee may approve the exemption application, in whole or in part, with or without conditions.

D. Exemption decisions are effective within thirty (30) days, unless appealed to the City Manager within fifteen (15) days. The City Manager's decision shall be final.

5.100.025 ENFORCEMENT.

A. Any person violating or failing to comply with any of the requirements of this Chapter shall be guilty of an infraction pursuant to Section 1.16 of the Huntington Beach Municipal Code.

B. The City Attorney may seek legal, injunctive, or other equitable relief to enforce this Chapter.

This ordinance shall become effective 30 days after its adoption.

PASSED AND ADOPTED by the City Council of the City of Huntington Beach at a regular meeting thereof held on the _____ day of _____, 2013.

_____
Mayor

ATTEST:

_____
City Clerk

APPROVED AS TO FORM:

_____
City Attorney 11.4.13

REVIEWED AND APPROVED:

_____
City Manager

INITIATED AND APPROVED:

_____
City Attorney 11.4.13

Esparza, Patty

From: Surf City Pipeline [noreply@user.govoutreach.com]
Sent: Monday, November 11, 2013 1:56 PM
To: CITY COUNCIL; Agenda Alerts
Subject: Surf City Pipeline: Comment on an Agenda Item (notification)

Request # 16404 from the Government Outreach System has been assigned to Agenda Alerts.

Request type: Comment
Request area: City Council - Agenda & Public Hearing Comments
Citizen name:
Description: Dear HB City Council,

I've lived, I've worked, and I've fallen in love with Huntington Beach. I love it SO much that I volunteer on the weekends to keep the beaches clean. There is an epidemic of Food-Ware Foam on the beaches and in our oceans. I urge you consider banning "Styrofoam" food ware within Huntington Beach. The alternatives are infinitely more valuable to our environment and minimally more expensive to the business owner. It is the socially responsible thing to do, and I know the people of Huntington Beach, as well as the rest of the California coast agree that it is the right step towards a more sustainable future. Let Huntington Beach set the standard for sustainability that other coastal cities will strive to achieve.

Expected Close Date: November 12, 2013

Click here to access the request

Note: This message is for notification purposes only. Please do not reply to this email. Email replies are not monitored and will be ignored.

Request: 16313 Entered on: 11/04/2013 11:26 AM

Customer Information

Name: Susan Welfringer
Address: 315 3rd. Street, Suite E
Huntington Beach, CA
92648
Phone: (714) 536-8300
Alt. Phone: (714) 809-3521
Email: swelfringer@hbdowntown.com

Request Classification

Topic: City Council - Agenda & Public Hearing Comments
Request type: Question
Status: Closed
Priority: Normal
Assigned to: Agenda Alerts
Entered Via: Web

Description

The letter below is also attached on our letterhead.

November 4, 2013

Honorable Mayor Boardman and City Council
City of Huntington Beach
2000 Main Street
Huntington Beach, CA 92648

Dear Honorable Mayor and City Council,

It is our understanding that during the November 18, 2013 Council Meeting, the city council will consider an ordinance to limit the use of Styrofoam containers.

On behalf of our dining establishments in Huntington Beach Downtown, the Business Improvement District is asking that council kindly delay any decision on this matter until the merchants have the opportunity to learn about this ordinance and we gain a consensus regarding how this will affect their business.

We appreciate you giving us some time to connect with our businesses regarding this ordinance so we can provide you with the necessary feedback to make your best informed decision on this matter.

With best regards,

Susan Welfringer
BID Manager
Huntington Beach Downtown
Business Improvement District
Tel: 714 536 8300
Email: swelfringer@hbdowntown.com
www.hbdowntown.com
www.facebook.com/hbdowntown

Reason Closed

Thank you for taking the time to send your thoughts to the City Council. A copy of your comments will also be forwarded to the City Clerk to be included in the record on this item. Thank you very much for writing.

Date Expect Closed: 11/15/2013