

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

Monday, November 20, 2006
4:00 P.M. - Room B-8
6:00 P.M. - Council Chambers
Civic Center, 2000 Main Street
Huntington Beach, California 92648

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

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

Call to Order

Mayor Sullivan called the regular meeting of the City Council/Redevelopment Agency of the City of Huntington Beach to order at 4:38 p.m. in Room B-8.

City Council/Redevelopment Agency Meeting Roll Call

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

The City Clerk Announced a Late Communications Pertaining to the 4:00 P.M. Portion of the Meeting

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

PowerPoint report submitted by City Treasurer Shari L. Freidenrich dated November 20, 2006 and titled *Joint Study Session IAB/City Council*.

No Public Comments Regarding the 4:00 P.M. Portion of the Council Meeting

Investment Advisory Board Roll Call

Present: James Steinkirchner, Chair, and Joe Foye.
Absent: Bob Glass, Monica Hamilton, Brian Olson, and Diann Shelton.

(City Council) Joint Study Session Held Between the City Council of Huntington Beach and the Investment Advisory Board (IAB)

City Treasurer Shari Freidenrich thanked the IAB members for their work over the past year, including quarterly meetings. She introduced Deputy City Treasurer Joyce Zacks, who is a liaison to the board. The Board members introduced themselves and described

their qualifications. Chairman Jim Steinkirchner gave an overview of the IAB's annual report as part of a PowerPoint report titled *Joint Study Session IAB/City Council*, which was announced earlier as a Late Communication.

Treasurer Freidenrich introduced broker Bonnie Schumaker, First Vice President with Morgan Stanley, who described investment opportunities for the City. Ms. Schumaker gave an overview of the market, an economic forecast, explained interest rate yield curves, and offered suggestions for short-term and long-term investment strategies. Councilmember Cook inquired about investments in foreign currency. Ms. Schumaker explained this is not recommended for cities. Mayor Sullivan thanked the IAB Board and Ms. Schumaker for their reports.

Motion to Recess to Closed Session – Approved

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

(City Council) Closed Session – Pursuant to Government Code Section 54957.6 to meet with its designated representatives: Agency Negotiators: Penelope Culbreth-Graft, City Administrator; Bob Hall, Deputy City Administrator; Dan Villella, Finance Director; Renee Mayne, Chief Negotiator; and Irma Youssefieh, Human Resources Manager regarding labor relations matters – meet and confer with the following employee organizations: **MEO, FMA, HBFA, MSOA, SCLEA, and Non-Associated**. Subject: **Labor Relations – Meet and Confer**.

(City Council) Closed Session – Pursuant to Government Code Section 54956.9(a) to confer with its attorney regarding pending litigation which has been initiated formally and to which the City is a party. The title of the litigation is **Surfrider Foundation Huntington-Seal Beach Chapter, The Sierra Club Angeles Chapter v. City of Huntington Beach**; Orange County Superior Court Case No. 06CC00063. Subject: **Surfrider Foundation, The Sierra Club v. City of Huntington Beach**.

(City Council) Closed Session – Pursuant to Government Code Section 54956.9(a) to confer with its attorney regarding pending litigation which has been initiated formally and to which the City is a party. The title of the litigation is **Joe Consoli v. City of Huntington Beach**; WCAB Case Nos. MON 300244 and MON 302229 LBO; Claim Nos. COHB 01-0163 and COHB 01-0150. Subject: **Joe Consoli v. City of Huntington Beach**.

(City Council) Closed Session – Pursuant to Government Code Section 54956.9(a) to confer with its attorney regarding pending litigation which has been initiated formally and to which the City is a party. The title of the litigation is **James Holman v. City of Huntington Beach**; WCAB Case No. ANA 0384163; Claim Nos. COHB 04-0071 and COHB 05-0066. Subject: **James Holman v. City of Huntington Beach**.

Reconvened City Council/Redevelopment Agency Meeting - 6:03 p.m.

City Council/Redevelopment Agency Meeting Roll Call

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

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

Pledge of Allegiance/Flag Salute - Led by Boy Scout Pack 101, Den 4

Invocation - Led by Reverend Peggy Price, Greater Huntington Beach Interfaith Council

Mayor Sullivan Announced the following Consent Calendar Items Pulled from the Agenda to a Date Uncertain:

(City Council) The Mayor and City Clerk to Execute a Professional Services Contract with NUVIS Landscape Architecture and Planning for an Amount Not-to-Exceed One Million Dollars Over a Three-Year Term for As-Needed Landscape Architectural Services.

(City Council) The Mayor and City Clerk to Execute a Professional Services Contract with RJM Design Group, Inc. for an Amount Not-to-Exceed One Million Dollars Over a Three-Year Term for As-Needed Landscape Architectural Services.

(City Council) The Mayor and City Clerk to Execute a Professional Services Contract with David Volz Design for an Amount Not-to-Exceed One Million Dollars Over a Three-Year Term for As-Needed Landscape Architectural Services.

The City Clerk Announced Late Communications

PowerPoint report submitted by City Treasurer Shari L. Freidenrich dated November 20, 2006 and titled *Joint Study Session IAB/City Council*.

Communication submitted by EyeOfTheOC@aol.com dated November 20, 2006 and titled *Closing Main Street/Disclosure for Downtown Residents 11/20/06*.

Communication submitted by Kristin Stilton dated November 20, 2006 and titled *HB Pedestrian Mall - Late Communication for Tonight's Meeting*.

Communication submitted by Larry Lepson, President/Owner, Party City dated November 16, 2006 and titled *Shopping Cart Proposed Ordinance*.

The Following Communications Were Submitted During the Meeting:

Photos depicting street and landscape improvements pertaining to the public hearing to adopt Resolution No. 2006-68 (Beach Boulevard, South of Taylor Drive) submitted by Travis Hopkins, City Engineer.

A petition including over 100 signatures in opposition to a consecutive 12 week temporary closure of Main Street, and in support of the Downtown Huntington Beach Business Improvement District's proposal of the Tuesday Locals' Night and 4 specific event weekend closures submitted by Ron McLin.

Presentation - Mayor Dave Sullivan presented a commendation to Harbour View School in recognition of their monthly patriotic assemblies and their support of our United States Armed Forces. Principal Ellis from Harbour View School described the history of the event and the many activities involved. Mayor Sullivan gave a PowerPoint presentation documenting the Veterans' Day event and student involvement. The students sang a song dedicated to Mayor Sullivan and honored him with the Pelican Pride Award.

Presentation - Mayor Dave Sullivan presented a commendation to Huntington Beach resident Patricia Armstrong for being named Teacher of the Year for Los Angeles County. The Mayor announced that only sixteen out of 80,000 teachers in L.A. County were named Teacher of the Year.

Presentation - Mayor Dave Sullivan presented a commendation to Fiscal Services Manager Jim Slobojan of the Finance Department for their receipt of the "The Certificate of Achievement for Excellence in Financial Reporting."

Presentation - Mayor Dave Sullivan presented a commendation to Saint Bonaventure School for receiving a Blue Ribbon Award from the United States Department of Education. The Mayor announced that only 200 schools in the nation received the award this year.

Mayor's Award – Mayor Dave Sullivan presented the November Mayor's Award to all City employees. Public Works Maintenance Service Worker Marcia Dunbar, a sixteen-year employee, accepted the award on behalf of all City employees.

Public Comments

Ralph Bauer, forty-two-year resident, thanked all individuals who supported Measure T in the election. He suggested interested parties work together towards a common goal. Mr. Bauer commented on possibilities for open space dedication in the City, and voiced his support for the agenda item regarding the Council on Aging and the proposed new senior center. (31:05)

Marshall Krupp stated he was representing Carl and Peg Purpero and voiced concerns pertaining to what he referred to as an infill house adjacent to their property. He explained that the Planning Department and the Public Works Department have classified the project differently, and the project is causing drainage and landscaping problems for the Purperos. Mr. Krupp asked Council to direct staff to prepare amendments to the Zoning Code that address infill requirements, and thanked staff for their efforts to assist in the situation. (33:10)

Tommy Nguyen stated he is a Senior at the United States Military Academy and spoke regarding opportunities at the Academy. He described the areas of training, encouraged high school graduates to consider attending, and stated further information can be received by contacting Mayor Pro Tem Coerper. (36:35)

Matin Shah-ra-shoob spoke about the responsibilities of Public Safety personnel, stating incidents of alleged misconduct taint the entire Police Force. He described an incident involving a University of California Los Angeles student who he said was hazed by Police Officers in a campus library. Mr. Sha-ra-shoob related information regarding an incident at the Westminster Courthouse, asked if there would be a District Attorney's investigation, and suggested citizen overview of these types of issues. (38:42)

Councilmember Green asked the Police Chief to clarify oversight methods used in the City. Chief Ken Small commented on the lack of veracity in some newspaper articles and explained City oversight includes investigations conducted by the Orange County Sheriff, followed by review by the District Attorney's Office. He described a third investigation then conducted by the Huntington Beach Police Department. Chief Small

voiced his willingness to meet with Mr. Shah-ra-shoob provided he leaves his contact information with the Sergeant-at-Arms. Responding to Council inquiry, he confirmed that the Orange County Grand Jury also has the ability to review investigation findings.

Catherine Von Holle, twenty-year resident, requested Councilmembers to vote in favor of the Recommended Action for the agenda item pertaining to closing traffic on Main Street. (44:45)

Kristin Stilton spoke in opposition to the agenda item that recommends closing Main Street to automobiles. She asked citizens to consider the results of street closures in other cities, and refuted any benefits. Ms. Stilton suggested improving sidewalk connections and pedestrian walkways to improve pedestrian flow in the downtown area. (45:29)

Dave Rolph stated he is a homeowner in the downtown area and voiced his concern about the proposed Main Street closure, primarily with the loss of parking spaces. (48:43)

Larry Lepson, President of Party City in Huntington Beach, voiced his opposition to the proposed shopping cart ordinance. He suggested approaching the problem differently and soliciting ideas from local store managers. (50:22)

Ray Roberts, Southeast Huntington Beach resident and recent candidate for the 67th Assembly District, congratulated all of the successful election candidates and thanked his supporters. (52:58)

Steve Daniel, owner of the Rocky Mountain Chocolate Factory and President of the Downtown Business Improvement District (BID), spoke in opposition to the closure of Main Street to automobiles. He described research done by the committee and consultant and urged Council not to approve the first recommendation on the item. Mr. Daniel suggested only the third recommendation be approved. (55:07)

Ron McLin, manager of the Longboard Restaurant and Pub and Vice President of the Downtown BID, described reasons for his opposition to the closure of Main Street. He referred to a petition signed by 100 businesses in opposition and asked that any temporary closure be limited in order to study the effects. (58:19)

Greg Ames, representing Duke's Huntington Beach restaurant, voiced his opposition to the twelve-week closure of Main Street and his agreement with the Downtown BID. He suggested Council consider closure of Main Street for special events only and further study of the issue. (1:01:27)

Steve Grabowski, owner of the UPS store and Board member of the Downtown BID, thanked Economic Development Director Stanley Smalewitz for organizing meetings with the ad-hoc committee. He suggested some important issues were absent from staff's PowerPoint report, including special concerns for businesses such as UPS and the Post Office that require convenient parking. Mr. Grabowski requested Council approve only Recommended Action Option 3, temporary seasonal weekend closures. (1:02:30)

Michele Turner, representing Sugar Shack Cafe, thanked Councilmembers for their efforts and the Police Department for their support during a family illness. She spoke in opposition to the proposed Main Street closure for reasons including an insufficient level of cleanliness in the downtown and the timing of the trial closure. (1:05:03)

Joe Shaw stated he is a downtown Huntington Beach business owner and asked Council to consider that the staff report includes no outside expert opinion. He paraphrased from a report compiled by a consultant retained by the Downtown BID which states that since the Pier serves as a pedestrian zone, closure of Main Street is not recommended. Mr. Shaw suggested Council improve the downtown area by choosing alternatives to closing the streets to automobiles. (1:08:12)

Bob Bolen, stated he has owned a business in the downtown since 1960 and voiced concerns with insufficient parking in the area. He referred to prior experiments that converted Main Street to a one-way street, stating they were unsuccessful. He enumerated potential negative effects of approving the project and suggested an increased level of maintenance, parking, and a reduction in parking fines. Mr. Bolen thanked Councilmembers Green and Hardy for listening to the concerns of the Downtown BID. (1:11:31)

Stephanie Inbody, managing partner of Fred's Mexican Cafe, voiced her opposition to the closing of Main Street to automobiles. She stated concerns with parking and asked why the opinion of the consultant hired by the Downtown BID was not included in the staff report. Ms. Inbody requested that if approved, specific goals be set for the study with measurable impacts on businesses, traffic, citizens, and local residents. She urged Council to table the temporary closure until specific studies have been completed. (1:14:38)

Tim Geddes congratulated successful candidates and challengers on their run for the local vacancies, including Flossie Horgan, Joe Shaw, Norm Firecracker Westwell, and Ray Roberts. He suggested Council build a consensus on the Measure T project prior to moving forward. Mr. Geddes stated his support for protecting mobile home residents in the City, and suggested Council practice fiscal prudence in the upcoming year. (1:18:00)

Councilmember Hansen asked Mr. Geddes to identify the Council majority he referred to in his comments. Mr. Geddes clarified he was referring to Councilmembers who support the Main Street closure, Measure T, and the mobile home park owners.

Milton Inbody, Lake Street resident, voiced his opposition to the closure of Main Street to automobiles, stating he was never asked for his input as a local resident. He commented on the negative impact of bus transit routes potentially planned for Lake Street and suggested further studies on the issue prior to action being taken. (1:22:40)

Kim Kramer, Sixth Street resident, voiced his concern with the proposed Main Street closure, stating it would result in significant parking problems and traffic diversions. Mr. Kramer predicted closure of the street to automobiles would prevent him from patronizing the downtown Post Office and UPS store. (1:26:03)

Steve Gullage, affiliated with the Huntington Beach Mobilehome Owners' Association (HBMOA), stated he is a thirty-year resident of the Los Amigos Mobile Home Park and supports the agenda item pertaining to mobile home park oversight by the City. He described efforts by the State Regulatory Board regarding hazardous environment inspections and asked Council to approve the item. (1:28:07)

Chad Gengler, ten-year resident living in downtown Huntington Beach, voiced his opposition to the closure of Main Street to automobiles. (1:31:19)

Craig Sufficool, twenty-seven-year resident, stated his concerns pertaining to emergency response on Main Street in the downtown area if the street is closed to automobiles. He suggested Council consider one-way traffic on Main Street rather than full closure to traffic. (1:32:38)

Kanai Williams, voiced his opposition to the proposed closure of Main Street to automobiles for reasons including concern for public safety and inadequate restroom and sidewalk maintenance. He refuted claims that the plan would increase business downtown, stating that parking downtown is already a challenge. Mr. Williams urged Council to focus on accurately measuring the effects of the test in order to benefit everyone involved. (1:35:11)

Adam Bein opined the downtown area lacks the level of cleanliness required to incorporate a successful pedestrian promenade. He suggested Council address the maintenance prior to approving the proposed project to close Main Street to automobiles. (1:37:16)

Vickie Talley, Executive Director of the Manufactured Housing Educational Trust (MHET), spoke in opposition to the agenda item related to local inspection of mobile home parks. She stated cities who have tried local oversight in the past have since reversed their decisions. Ms. Talley suggested staff investigate other cities' experiences before hiring a consultant, and clarified that if approved, the City would also take over inspection of both the mobile homes and the mobile home parks. (1:38:47)

Rick Fignetti, forty-year resident and owner of Rockin' Fig Surf Shop, voiced his opposition to closing Main Street to automobiles due to parking concerns. He opined that people prefer street parking to garage parking, stating businesses will suffer if the street is closed. Mr. Fignetti described how a prior closure of the third block of Main Street failed, and suggested increased maintenance in the downtown area. (1:41:22)

Bob Dettloff congratulated re-elected Councilmembers on behalf of the Council on Aging (COA). He urged Council to work together on the senior center project and thanked them for giving the COA the opportunity to work on project. (1:43:24)

(City Council) Mayor Pro Tem Coerper reported on Compass Blueprint Orange County Subregion Integrated Growth Forecast and Regional Housing Needs Assessment Workshop

Mayor Pro Tem Coerper reported on the Compass Blueprint Orange County Subregion Integrated Growth Forecast and Regional Housing Needs Assessment workshop, which was hosted by the City and held on behalf of the Southern California Association of Governments (SCAG). He described discussions held between 32 Orange County cities in attendance and thanked Real Estate Services Manager Steve Holtz for his assistance.

(City Council) Public Hearing Held – Adopted Resolution No. 2006-68 Ordering the Vacation of a Portion of the Public Street Easement Located on Beach Boulevard, South of Taylor Drive for Improvements Included in the Beach Boulevard Parkway Landscape Enhancement Project, CC-1229

Mayor Sullivan announced that this was the time noticed for a public hearing to consider the following: The vacation of a portion of the street right-of-way commonly referred to as the Beach Boulevard frontage road located on the east side of Beach Boulevard (formerly Huntington Beach Boulevard), south of Taylor Avenue, in the City of Huntington Beach, County of Orange, State of California. Funding Source: No funds required for this action.

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

Deputy Director of Public Works Dave Webb introduced City Engineer Travis Hopkins. Engineer Hopkins gave an untitled PowerPoint report, which was later submitted to the City Clerk as a Late Communication.

Mayor Sullivan declared the public hearing open.

The City Clerk announced for the record no Late Communications which pertain to this public hearing.

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

A motion was made by Hansen, second Hardy to **1) Adopt Resolution No. 2006-68 A Resolution of the City Council of the City of Huntington Beach Vacating a Portion of the Public Street Easement Located on Beach Boulevard, South of Taylor Drive and 2) Instruct the City Clerk to record the Resolution and the attached exhibits with the Orange County Recorder upon notification by the City Engineer of the Completion of CC-1229.** The motion carried by the following roll call vote:

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

(City Council) Public Hearing Held - Approved Zoning Text Amendment (ZTA) No. 06-06 and Approved for Introduction Ordinance No. 3756, Ordinance No. 3757 and Ordinance No. 3758 Modifying Three Sections of the Huntington Beach Zoning and Subdivision Ordinance Pertaining to Vehicle Storage Definition, Activity, and Parking

Mayor Sullivan announced that this was the time noticed for a public hearing to consider the following: ZONING TEXT AMENDMENT NO. 06-06 (VEHICLE STORAGE AMENDMENT)

Applicant: City of Huntington Beach

Request: To amend Sections 203.06, 204.10.FF7, and 231.18E of the Huntington Beach Zoning and Subdivision Ordinance to define vehicle storage, to clarify storage activity, and to clarify how non-residential parking and loading is intended to be utilized.

Location: Citywide

Project Planner: Bill Zylla

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

Acting Director of Planning Scott Hess introduced Project Planner Bill Zylla. Planner Zylla gave a PowerPoint report titled *Vehicle Storage Zoning Text Amendment*, which was included in the agenda packet.

Mayor Sullivan declared the public hearing open.

The City Clerk announced for the record no Late Communications which pertain to this public hearing.

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

A motion was made by Coerper, second Hardy to **1) Approve Zoning Text Amendment No. 06-06 with findings for approval; and 2) Approve for Introduction Ordinance No. 3756 *An Ordinance of the City of Huntington Beach Amending Chapter 203 of the Huntington Beach Zoning and Subdivision Ordinance Titled Definitions*; and 3) Approve for Introduction Ordinance No. 3757 *An Ordinance of the City of Huntington Beach Amending Chapter 204 of the Huntington Beach Zoning and Subdivision Ordinance Titled Use Classifications*; and 4) Approve for Introduction Ordinance No. 3758 *An Ordinance of the City of Huntington Beach Amending Chapter 231 of the Huntington Beach Zoning and Subdivision Ordinance Titled Off-Street Parking and Loading Provisions*. The motion carried by the following roll call vote:**

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

FINDINGS FOR APPROVAL – ZONING TEXT AMENDMENT NO. 06-06:

1. Zoning Text Amendment No. 06-06 to amend various sections of the Zoning and Subdivision Ordinance is consistent with the goals, objectives and policies of the General Plan because the amendment will give Code Enforcement Staff the ability to take effective measures which encourage compliance with the General Plan. By adding a definition of vehicle storage, clarifying vehicle storage activity, and stating the intended use of non-residential parking and loading, Code Enforcement can ensure that the goals, objectives, and policies of the General Plan are followed and effectively implemented.

2. In the case of a general land use provision, the zoning text amendment is compatible with the uses authorized in, and the standards prescribed for, the zoning district for which it is proposed. The amendment will apply to commercial, industrial, and mixed uses citywide. The amendment will create consistent development requirements for these uses in regards to vehicle storage, vehicle storage activity, and non-residential parking and loading. This amendment will aide in clearly defining the intended use of non-residential parking and loading spaces within these areas, thus eliminating or reducing confusion as to allowable uses.

3. A community need is demonstrated for the proposed zoning text amendment. The proposed changes will ensure existing and proposed vehicle storage activities and non-residential parking and loading spaces are used as intended and do not have negative impacts on the community by displacing parking and loading spaces outside of the associated, on-site use.

4. Its adoption will be in conformity with public convenience, general welfare and good zoning practice. The General Plan requires that buildings, parking and vehicular access be sited and designed to prevent adverse impacts on adjacent residential neighborhoods. The amendment will result in the City's enhanced ability to enforce the provisions of the Zoning and Subdivision Ordinance pertaining to vehicle storage, vehicle storage activities, and non-residential parking and loading. This enhanced enforcement ability will assist in ensuring adequate non-residential parking and loading spaces, consistent with the goals and policies of the General Plan.

Consent Calendar – Items Removed for Separate Discussion

The following item was removed from the Consent Calendar for separate discussion:

(City Council) Three-Year Contract With GRC Associates, Inc. in the Annual Amount of \$105,000 for Administration of the City's Housing Rehabilitation Loan Program and Execution by the Mayor and City Clerk

(City Council) Duane Wentworth as City Historian, City Attorney to Draft Resolution to Formally Establish the Council-Appointed Position of City Historian and Establish Process for Future Historian Appointments, and the City Clerk to Appropriate and Administer Funds Annually to Support Research, Storage and Reproduction of Historical Records

(City Council) Grant for Violence Against Women Collaboration Program for FY 2006-2007 Between the State of California, Office of Criminal Justice Planning (OCJP) and the City of Huntington Beach, \$71,184 from General Fund Balance to be Reimbursed by Grant Funds, and Expenditure Not-to-Exceed \$94,912 to Pay for Contract Counseling Services for the Domestic Violence Program

(City Council) Affordable Housing Agreement with Bonanni Development Inc., Keith A. and Kerie Dawson, and David A. and Nancy J. Macleod for a 13-Unit Townhome Project Located at 16811 Roosevelt Lane, Tract 16682

Consent Calendar – Items Approved

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

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

NOES: None

(City Council/Redevelopment Agency) Approved and Adopted Minutes - Approved and adopted the minutes of the City Council/Redevelopment Agency Special Meeting of October 30, 2006 as written and on file in the Office of the City Clerk. Submitted by the City Clerk.

(City Council) Approved the Appointments of Ann Spiratos and Robert Cummings to the Citizen Participation Advisory Board (CPAB) to Serve the Remaining Terms of Jackie Canigiani and Michael Moncrief Ending September 30, 2007 - Appointed Ann Spiratos and Robert Cummings to the Citizen Participation Advisory Board to serve the remaining terms of Jackie Canigiani and Michael Moncrief respectively, both ending September 30, 2007. Submitted by Mayor Pro Tem Gil Coerper and Councilmember Cathy Green, Liaisons to the Citizen Participation Advisory Board. Funding Source: Not applicable.

(City Council) Adopted Resolution No. 2006-69 Authorizing the Execution by the Mayor and City Clerk of a New Agency-State Master Agreement 12-5181R Between the City of Huntington Beach and the State of California for Federal-Aid Projects - Adopted Resolution No. 2006-69 *A Resolution of the City Council of the City of Huntington Beach Authorizing the Mayor and City Clerk to Execute Master Agreement No. 12-5181R Between the City of Huntington Beach and the State of California for Federal-Aid Projects.* Submitted by the Director of Public Works. Funding Source: No funds are required for this action. The Master Agreement is required to receive federal highway grant funds.

(City Council) Adopted Resolution No. 2006-70 Authorizing the Mayor and City Clerk to Execute Program Supplement Nos. M033, M034 and M035 to Master Agreement No. 12-5181R with the State of California for Adams Avenue (CC-1279), Bolsa Chica Street (CC-1280) and Goldenwest Street (CC-1281) Construction Improvements - Adopted Resolution No. 2006-70 *A Resolution of the City Council of the City of Huntington Beach Authorizing the Mayor and City Clerk to Execute Program Supplement No. M033, M034 and M035 to Master Agreement No. 12-5181R for Adams Avenue, Bolsa Chica Street and Goldenwest Street Construction Improvements.* Submitted by the Director of Public Works. Funding Source: No funds required for this action. Grant funds in the amount of \$2.8 million are budgeted in FY 2006/07. Matching funds are budgeted in the Gas Tax Fund.

(City Council) Approved the Release of the Faithful Performance Bond Provided by Developer, PCH Beach Resort, LLC as the Security Furnished for Guarantee and Warranty of Improvements for Tract 15535, the Hyatt Resort - 1) Released Faithful Performance Bond No. B34231950, the security furnished for guarantee and warranty of improvements for Tract 15535 (Hyatt Resort); and 2) Instructed the City Clerk to notify the developer, PCH Beach Resort, LLC, and the City Treasurer to notify the Surety, Gulf Insurance Company, of this action. Submitted by the Director of Public Works. Funding Source: No funds required for this action.

(City Council/ Redevelopment Agency) Approved Fifteen (15) Year Lease Extensions Between The City of Huntington Beach and the Redevelopment Agency of the City of Huntington Beach and the Companion Lease Agreement Between the Redevelopment Agency of the City of Huntington Beach and the Huntington Beach Auto Dealers Association, Inc. for the Site of the Electronic Reader Board Sign Adjacent to the 405 Freeway; Authorized City Clerk/Agency Clerk and the Mayor/Chairman to Execute Agreements - City Action 1) Approved and authorized the City Clerk and Mayor to execute *Amendment No. 1 to Lease Agreement Between the City of Huntington Beach and The Redevelopment Agency of the City of Huntington Beach For A Property Located Adjacent to the 405 Freeway in the City of Huntington Beach;* and **Agency Action 1)** Approved and authorized the Agency Clerk and Chairman to execute *Amendment No. 1 to Lease Agreement Between the City of Huntington Beach and The Redevelopment Agency of the City of Huntington Beach*

For A Property Located Adjacent to the 405 Freeway in the City of Huntington Beach; and 2) Approved and authorized the Agency Clerk and Chairman to execute *Amendment No. 2 to Lease Agreement Between the Redevelopment Agency of the City of Huntington Beach and the Huntington Beach Auto Dealers Association, Inc. for Property Located Adjacent to the 405 Freeway in the City of Huntington Beach.* Submitted by the Director of Economic Development/Deputy Executive Director. Funding Source: No funds are required for this action.

(City Council) Approved and Authorized the Mayor and City Clerk to Execute the Amended Reimbursement Agreement With the Orange County Sanitation District (OCSD) for a Temporary Fire Station Facility During Construction of the Bushard Trunk Sewer, and an Indemnification Agreement Between the City of Huntington Beach, OCSD, and the Fountain Valley School District - Approved and authorized the Mayor and City Clerk to execute *Amended and Restated Job No. 1-2-4 Reimbursement Agreement* with the Orange County Sanitation District and the accompanying *Indemnification Agreement* between the City of Huntington Beach, the Orange County Sanitation District, and the Fountain Valley School District. Submitted by the Fire Chief and the Director of Public Works. Funding Source: Not applicable.

(City Council) Approved Amendment to Personal Services Agreement with City Administrator, Dr. Penelope Culbreth-Graft, Amending Sections "Employment" and "Compensation" - 1) Approved *Amendment to Agreement for Personal Services - City Administrator, Dr. Penelope Culbreth-Graft;* and **2)** Authorized execution of the Amendment by the Mayor and City Clerk. Submitted by the City Attorney. Funding Source: 10030101.51110.

(City Council) Approved a Three-Year Contract With GRC Associates, Inc. in the Annual Amount of \$105,000 for Administration of the City's Housing Rehabilitation Loan Program and Authorized Execution by the Mayor and City Clerk

The City Council considered a communication from the Director of Economic Development transmitting the following **Statement of Issue:** The City Council is asked to approve a contract with GRC Associates, Inc. for administration of the City's Housing Rehabilitation Loan Program. Staff has completed the RFP process and recommends approval of the three-year professional services contract with GRC in the annual amount of \$105,000. **Funding Source:** Community Development Block Grant (CDBG) funds are budgeted and available in account 85781015.

Councilmember Bohr had requested that this agenda item be removed from the Consent Calendar to ask for clarification on legal exposures and differences in the contract. Director Smalewitz and City Attorney McGrath described the City's insurance and bond requirements of vendors.

A motion was made by Bohr, second Hardy to **1)** Approve the three-year contract with GRC Associates, Inc. in the annual amount of \$105,000 for administration of the Housing Rehabilitation Loan Program; and **2)** Authorize execution of the contract by the Mayor and City Clerk. Submitted by the Director of Economic Development. Funding Source: Community Development Block Grant (CDBG) funds are budgeted and available in account 85781015. The motion carried by the following roll call vote:

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

(City Council) Directed Historical Resources Board to Submit Recommendations to the City Council Pertaining to the Process for Selection of City Historian

The City Council considered a communication from the City Clerk transmitting the following **Statement of Issue**: Request City Council consideration to formally establish the Council-appointed position of City Historian, and authorize the City Clerk to appropriate and administer annual funds to support the City Historian's efforts to research, store and reproduce historical records. **Funding Source**: No funds are needed in the area of personnel expenses since this position is filled on a voluntary basis with no compensation. Funds in the amount of \$18,000 were budgeted for FY 2006/07, Account No. 10010101.69300, City Clerk, to help defray the initial costs for proper storage and/or optical imaging of historical photographs and documents.

Councilmember Cook had requested that this item be removed from the Consent Calendar to comment on the process and request that other City residents be given the opportunity to apply for the position.

Mayor Pro Tem Coerper stated his concurrence with Councilmember Cook's comments and inquired about Mr. Wentworth's current service to the City. City Clerk Flynn described Mr. Wentworth's volunteer assistance in the last two years and his notification of interest in the position approximately 18 months prior. She explained a request for legal opinion had been forwarded to the City Attorney after the resignation of the former Historian for health reasons. Mayor Pro Tem Coerper suggested Mr. Wentworth be placed temporarily in the position, asking the City Attorney's opinion. City Attorney McGrath explained that since there exists no formal process, temporary placement would be at Council discretion.

Councilmember Bohr concurred with Councilmember Cook's comments, stating that a process for selection should be developed. He suggested Council consider appointing Mr. Wentworth as Interim Historian.

Councilmembers Hardy and Hansen voiced their support for motion, and encouraged Duane Wentworth to apply once the process is established. Councilmember Green stated she would not support the motion for reasons including the past efforts and legacy of the Wentworth family.

A motion was made by Cook, second Hansen to direct the Historic Resources Board to submit recommendations to the City Council pertaining to the process for selection of City Historian. The motion carried by the following roll call vote:

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

(City Council) Accepted Grant for Violence Against Women Collaboration Program for FY 2006-2007 Between the State of California, Office of Criminal Justice Planning (OCJP) and the City of Huntington Beach, Appropriated \$71,184 from General Fund Balance to be Reimbursed by Grant Funds, and Authorized Expenditure Not-to-Exceed \$94,912 to Pay for Contract Counseling Services for the Domestic Violence Program

The City Council considered a communication from the Chief of Police transmitting the following **Statement of Issue**: In February 2006, the Police Department applied for a grant through the State of California Office of Criminal Justice Planning for funding for

our Violence Against Women/Domestic Violence program. In November 2006, the Police Department was notified of its award of \$71,184. City Council approval is necessary to fully execute the agreement between the State and the City. The grant is funded from July 1, 2006 to June 30, 2007. The total grant is \$94,912, of which \$71,184 is State funded and \$23,728 is the Police Department's matching funds. **Funding Source:** A 25% City match of \$23,728 is required which has been included in the Police Department's 2006-2007 budget, under the General Investigations General Fund, Account Number 10070203. The grant, which was not anticipated for the original budget, will be established upon approval by the City Council. All appropriations under this grant will be offset by new revenue not anticipated during the budget adoption process.

Councilmember Bohr had requested that this agenda item be removed from the Consent Calendar to ask the Police Chief to comment on the grant. Police Chief Ken Small described the Domestic Violence Program and the efforts of the advocate funded by the grant.

A motion was made by Bohr, second Green to **1) Accept the grant between the State of California, Office of Criminal Justice Planning and the City of Huntington Beach; and 2) Approve the appropriation of \$71,184 from the unreserved, undesignated General Fund Balance, to be fully reimbursed by the grant from the Office of Criminal Justice Planning; and 3) Authorize the expenditure of funds not to exceed \$94,912 to pay for contract counseling services, and some operating costs related to domestic violence program.** The motion carried by the following roll call vote:

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

(City Council) Approved Affordable Housing Agreement with Bonanni Development Inc., Keith A. and Kerie Dawson, and David A. and Nancy J. Macleod for a 13 Townhome Unit Project Located at 16811 Roosevelt Lane, Tract 16682

The City Council considered a communication from the Acting Director of Planning transmitting the following **Statement of Issue:** Transmitted for your consideration is a request by Bonanni Development to approve an affordable housing agreement for a 13-unit townhome project located at 16811 Roosevelt Lane (Tract 16682). The agreement will restrict two off-site rental units to very-low and low-income households for a period of 60 years. Staff recommends that the City Council review and approve the affordable housing agreement as submitted. **Funding Source:** Not applicable.

Councilmember Bohr had requested this agenda item be removed from the Consent Calendar to ask for clarification on controls of affordable housing units. Acting Director of Planning Scott Hess and Economic Development Director Stanley Smalewitz described some of the controls. Director Smalewitz described the application process and audits and emphasized the primary goal to ensure affordable income levels and controlled rent levels.

Mayor Sullivan asked for clarification of on-site and off-site housing options and methods to ensure affordability of units in the long term. Acting Director Hess described developer options and monitoring reports on income levels of tenants. Mayor Sullivan commented on the Roosevelt Lane site, stating it is an ideal location for senior housing.

Councilmember Bohr asked if audits are made of the actual tenancy of the units. He suggested staff return to Council with suggestions pertaining to onsite units versus in-lieu fees and assignment of units in order to meet the Council's affordable housing goals. Director Smalewitz described spot auditing conducted on units in the City.

A motion was made by Bohr, second Coerper to approve the Agreement containing Covenants Affecting Real Property by and between the City of Huntington Beach and Bonanni Development, Inc., Keith A. Dawson and Kerie Dawson, David A. Macleod and Nancy J. Macleod, trustees of the Macleod Trust 2004 and authorize the Mayor and City Clerk to sign and execute. The motion carried by the following roll call vote:

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

(City Council/Redevelopment Agency) Approved Trial Program for Temporary Closure of the First Three Blocks of Downtown Huntington Beach Main Street to Vehicular Traffic for Pedestrian Use for Seasonal Weekend Festivals and Locals' Night, as Recommended by Staff and the Downtown Business Improvement District Board of Directors Based on Findings and Analysis of the Ad-Hoc Committee; Authorized the Downtown Economic Development Committee Council Liaisons to Suspend the Pilot Project; Appropriated \$350,000 into a New Business Unit

The City Council considered a communication from the Director of Economic Development transmitting the following **Statement of Issue:** On June 5, 2006, City Council approved the formation of an ad-hoc committee to study the potential temporary closure of the first three blocks of Downtown Main Street to vehicular traffic for pedestrian use. Staff recommends three temporary closure alternatives for Main Street based on the findings and analysis of the ad-hoc committee. The Downtown Business Improvement District Board of Directors supports two of the three alternatives. **Funding Source:** Merged Area Undesignated Fund Balance not to exceed \$350,000.

Director of Economic Development Stanley Smalewitz gave a PowerPoint report titled *Downtown Main Street Temporary Closure Study*, which was included in the agenda packet. Mayor Sullivan reported as Chairman of the ad-hoc committee and explained that an extensive study of the issue was made by a minimum of thirty staff members, a full committee, and seven subcommittees.

Councilmember Green asked how closure of First, Fifth, and Sixth Streets would affect traffic flow to Pacific Coast Highway. Transportation Manager Bob Stachelski clarified that neither First nor Sixth Street would be closed with the proposed plan. Councilmember Green inquired about parking considerations, especially for businesses such as UPS and the Post Office. Director Smalewitz commented on City Hall parking and beach shuttles and asserted that the parking structure downtown is readily available for visitor parking.

Councilmember Bohr commented on the proposed study, the timing of the trial closure, and the traffic flow from Olive Street. Manager Stachelski described potential parking signage and valet parking options. Councilmember Bohr voiced his concern with the

project's lack of support from business owners and residents and suggested Council consider converting the first block of Main Street to one-way traffic.

Mayor Pro Tem Coerper asked for clarification on the Recommended Action alternatives and commented on the petition submitted by Public Speaker Steve Daniels. Director Smalewitz clarified the Recommended Actions and described potential impacts of the project.

A motion was made by Coerper, second Cook to approve the Seasonal Weekend Festivals and a Locals' Night Temporary Closure recommendations made by staff and the Downtown Business Improvement District Board of Directors based on the findings and analysis of the ad-hoc committee. (The motion was later amended, vote to follow)

Councilmember Cook stated she would support the action that the stakeholders support, which is the Recommended Action Option No. 3. She opined downtown Huntington Beach needs more work before a pedestrian zone is considered and suggested the funding proposed for the street closure project be used instead for public art, outdoor furniture, and landscaping for the downtown area.

Councilmember Hansen asked a BID representative to comment on the Recommended Action alternatives. Steve Daniels stated the Downtown BID supports Option No. 3, which includes Locals' Night and Seasonal Weekend Festivities. Councilmember Hansen voiced his support for the motion and commended the committee members and staff for their efforts.

Councilmember Hardy stated she supports the project to close Main Street to automobiles, provided the project is done correctly. She described reasons for experimenting with different types of closures of the street and studies that would result in the best plan. Councilmember Hardy voiced her support for the motion to approve Recommended Action Option No. 3.

Mayor Sullivan stated he would not support the motion for reasons including his opinion that proceeding only with Option No. 3 does not accomplish the goal. He suggested the cost to perform only limited studies is too high. He suggested the leaders of the Downtown BID be more proactive in cleaning and beautifying the downtown area rather than relying on the City for funding. Mayor Sullivan predicted the opening of the Strand and Pacific City projects will draw in current downtown consumers, resulting in further requests for funding assistance from the Downtown BID.

Councilmember Bohr asked for clarification on the motion. Director Smalewitz recommended the motion include Recommended Action Option No's 4 and 5. Councilmember Bohr suggested staff continue to work with consultants and the Downtown BID in conjunction with the Downtown Master Parking Plan to evaluate streets and traffic flow and build upon research already done. He requested the motion be amended as follows: (Maker and Second to the motion accepted the amendments)

A motion was made by Coerper, second Cook to **as amended 1)** Approve the Seasonal Weekend Festivals and a Locals' Night Temporary Closure recommendations made by staff and the Downtown Business Improvement District Board of Directors based on the findings and analysis of the ad-hoc committee; and **2)** Authorize the Downtown Economic Development Committee Council Liaisons to immediately suspend the pilot project should it be determined that the temporary closure causes a significant negative impact to Downtown Main Street and report findings at the subsequent City Council/Agency meeting; and **3)** Appropriate \$350,000 from the Merged Project Area's Unappropriated Fund Balance into a new business unit to be established upon approval of this action; and **4)** Direct staff to continue to work with consultants and the Downtown BID in conjunction with the Downtown Master Parking Plan to evaluate streets and traffic flow and build upon research already done, reporting to Council periodically. The motion carried by the following roll call vote:

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

(City Council) Adopted Ordinance No. 3755 Amending the Huntington Beach Municipal Code Chapter 9.88 Relating to Solicitation for Labor/Employment to be More Specific as to Areas Where This Activity is Prohibited Including Non-Residential Parking Lots, and to Protect Safe Regulation of Traffic

A motion was made by Green, second Coerper to after the City Clerk read by title, adopt Ordinance No. 3755, *An Ordinance of the City of Huntington Beach Amending Chapter 9.88 of the Huntington Beach Municipal Code Relating to Employment Solicitation*. The motion carried by the following roll call vote:

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

(City Council) Approved for Introduction Ordinance No. 3759 Amending the Huntington Beach Municipal Code by Adding Chapter 5.80 Titled Shopping Cart Containment and Retrieval by Owners

A motion was made by Green, second Coerper to after the City Clerk read by title, approve Introduction of Ordinance No. 3759, *An Ordinance of the City of Huntington Beach Amending the Huntington Beach Municipal Code by Adding Chapter 5.80 Titled Shopping Cart Containment and Retrieval by Owners*. The motion carried by the following roll call vote:

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

(City Council) Submitted By Mayor Sullivan – Directed the Park Naming Subcommittee of the Community Services Commission to Consider the Designation of Area at Pier Plaza as "Veterans' Plaza"

The City Council considered a communication from Mayor Sullivan transmitting the following **Statement of Issue**: American Legion Post 133 raised over \$20,000 to install three flagpoles at Pier Plaza, which they then donated to the city. These flagpoles greatly enhance the Pier Plaza experience, especially at patriotic ceremonies.

Mayor Sullivan gave an oral report.

Councilmember Green asked for clarification on the area in question. Facilities Manager Dave Dominguez clarified the area immediately adjacent to the three flagpoles has been referred to as "Veterans' Plaza," but was never officially named such.

A motion was made by Cook, second Green to direct the Park Naming Subcommittee of the Community Services Commission to consider designating the area immediately adjacent to the three flagpoles as "Veterans' Plaza." The motion carried by the following roll call vote:

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

(City Council) Submitted By Mayor Sullivan – Directed Staff to Bring Forward an Ordinance That Restricts Leaf Blowers for Consideration at a Future City Council Meeting

The City Council considered a communication from Mayor Sullivan transmitting the following **Statement of Issue**: Leaf blowers are significant air and noise pollutants. Also, they often start too early. Basically, all they do is blow leaves and grass onto adjacent properties.

Mayor Sullivan gave an oral report, describing residents with allergies experiencing severe problems with lawn care done by neighbors with leaf blowers. He explained the pollution and noise emissions from the devices are a nuisance in the community and suggested Huntington Beach implement restrictions similar to those in Los Angeles.

Councilmember Cook suggested battery or electric leaf blowers as an alternative to gas-powered. Mayor Pro Tem Coerper suggested amending the Recommended Action to ban gas lawn mowers as well. Mayor Sullivan suggested amending the Recommended Action to allow leaf blowers in parks areas. Councilmember Cook commented on the suggestions, stating that allowing leaf blower use in parks and not residential areas may be problematic.

Councilmember Green commented on the cost to businesses for leaf blower replacement and voiced her opposition to regulating their use to the extent recommended.

Councilmember Hansen commented on the multitude of regulations and enforcement issues in the City, suggesting regulations be reduced, and voiced his opposition to the Recommended Action. City Attorney Jennifer McGrath clarified restrictions on use of implements should be consistent for all, and affirmed increased regulations may result in enforcement challenges for the City.

A motion was made by Sullivan, second Cook to **(as amended)** direct staff to bring forward an ordinance that **restricts** leaf blowers for consideration at a future City Council meeting. The motion carried by the following roll call vote:

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

(City Council) Submitted By Mayor Sullivan – Directed Staff to Hire a Consultant to Determine Impact if City Assumes Regulatory Oversight of Mobile Home Parks within Huntington Beach

The City Council considered a communication from Mayor Sullivan transmitting the following **Statement of Issue**: The 18 mobile home parks located in Huntington Beach accommodate approximately 2,865 families. These parks are currently under the regulating authority of the State of California Housing and Community Development (HCD). For several years, Huntington Beach mobile home residents have been complaining that they have had little or no response from HCD and the owners of the parks where they reside on various health and safety issues within the parks. The closest HCD satellite office is located in downtown Riverside, over 50 miles away, so it is difficult for Huntington Beach mobile home residents to pursue and access information and answers. Recent complaints on the lack of responsiveness by HCD might also reflect that they have a limited number of office locations and sparse staffing. Many people believe that HCD cannot handle the enforcement of current mobile home regulations in Huntington Beach.

Mobile home residents are appearing at City Hall more and more often with complaints about enforcement of the Mobile Home Residency Law. While HCD, at this time, is the designated place for such residents to lodge most of their complaints, it would be beneficial to our residents if they could access the assistance they need from a local agency. The city currently offers many of its services to mobile home residents and is already capable of accomplishing many of the additional regulatory duties associated with mobile homes. Regulatory oversight of mobile home parks can be delegated to cities that are willing to take on such responsibilities. I believe we should initiate a study as to the various impacts to the city of Huntington Beach if we were to assume regulatory oversight of mobile home parks within the city.

Mayor Sullivan gave an oral report.

A motion was made by Sullivan, second Cook to approve the Recommended Action. (The motion was later amended, vote to follow)

Councilmember Green inquired about a prior suspension of inspections conducted by the City. No staff members present at the meeting were familiar with the former inspections conducted by the City. City Administrator Penny Culbreth-Graft clarified that staff has yet to conduct research on this issue. Councilmember Green voiced her opposition to the Recommended Action.

Councilmember Cook explained the City currently does not have the ability to inspect mobile homes. She opined that mobile home owners should not be treated differently than other types of homeowners in the City.

Councilmember Bohr voiced his support for the Recommended Action to conduct a study of the issue.

Councilmember Hansen voiced his opposition to Recommended Action, stating his opinion that efforts should be directed towards working with the State agency to remedy any issues.

Mayor Pro Tem Coerper asked if staff is currently available to conduct the study rather than retaining an outside consultant. City Administrator Culbreth-Graft replied in the affirmative, stating the time necessary for staff to conduct a study would be longer than with a consultant; perhaps 90-120 days.

Mayor Sullivan amended his motion to direct City staff to conduct a study as to the impact on the City of Huntington Beach if it were to assume the responsibilities associated with regulatory oversight of the mobile home parks within the city and return the findings of this study back to the City Council at the soonest feasible time. The Second to the motion accepted this amendment. (The motion was later amended, vote to follow)

Councilmember Green asked for clarification on the inspection process followed by the State agency. City Attorney McGrath explained that the State agency can request the City Attorney to prosecute for health and safety issues, and if the City Attorney refuses, the State agency can request the same from the District Attorney.

Councilmember Cook commented on the vulnerability of some senior citizens, stating the majority of mobile home park residents are seniors, and the response time from the State agency can be slow.

Councilmember Bohr suggested the motion be amended to include direction to staff to report back to Council on the status and incident response time for the State agency. The Maker and Second to the motion accepted this amendment.

A motion was made by Sullivan, second Cook to **(as amended)** direct City staff to conduct a study as to the impact on the City of Huntington Beach if it were to assume the responsibilities associated with regulatory oversight of the mobile home parks within the city and return the findings of this study back to the City Council at the soonest feasible time **and** to direct staff to report back to Council on the status and incident response time for the State agency. The motion carried by the following roll call vote:

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

(City Council) Submitted By Mayor Sullivan – Designated the Council on Aging (COA) as Advisory Body for Planning and Design for the Senior Center - COA Meetings Pertaining to this Issue to be Noticed According to Brown Act Requirements Located in Adequately-Sized Meeting Rooms

The City Council considered a communication from Mayor Sullivan transmitting the following **Statement of Issue**: As the senior center project moves forward, it will be important to properly plan for the design of the facility, keeping the needs of our seniors in mind.

Given the role of the City's Council on Aging (COA), I am proposing that the Council on Aging be designated as the body to work with staff on the design and features of the project. The Council on Aging would provide input and feedback to staff and would

serve in an advisory capacity regarding the design of the senior center. It is my understanding that the final design of the senior center would still be forwarded to the

Community Services Commission for its input. Normal project reviews throughout the entitlement process will be followed.

A motion was made by Coerper, second Green to approve the Recommended Action. (The motion was subsequently amended, vote to follow)

Councilmember Cook noted that the COA is not a Brown Act committee and suggested designating other participants that are subject to the Brown Act. Mayor Sullivan suggested the motion be amended to require public notice of COA meetings. Councilmember Cook asked for clarification on how others can participate in the process of planning and design of the proposed new senior center. Mayor Sullivan described opportunities to participate through Public Comments portions of meetings.

Councilmember Hansen concurred with Councilmember Cook's comments and suggested a high level of transparency in the planning process to allow the public opportunities to comment and participate. Mayor Sullivan asked staff to comment on noticing of COA meetings. City Administrator Culbreth-Graft suggested posting agendas for COA meetings that pertain to the senior center project according to requirements of Brown Act postings. The Mayor and the Second to the motion agreed to this amendment.

Councilmember Bohr asked Councilmember Hardy and Cook to comment on Measure T election results. Councilmember Cook opined that if the ballot language had included the accurate cost of the project, it may have been more acceptable. Councilmember Hardy concurred with Councilmember Cook's comments, stating that actual funding amounts should have been listed in the ballot language.

A motion was made by Coerper, second Green to **(as amended)** designate the Council on Aging (COA) as the designated advisory body to provide input and feedback to staff on the design and planning of the senior center **and** direct that COA meetings pertaining to this issue to be noticed according to Brown Act requirements and the meeting to be located in adequately-sized meeting rooms to allow public participation. The motion carried by the following roll call vote:

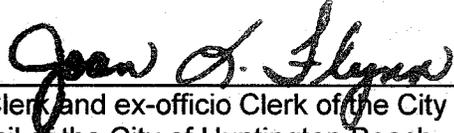
AYES: Bohr, Green, Coerper, Sullivan, Hardy, Hansen, and Cook
NOES: None

(City Council) Mayor Sullivan Described a "3/1" Birthday Event Held at the Huntington Beach Hyatt

Mayor Dave Sullivan described the annual Birthday event attended by the 3rd Battalion, 1st Marines, which was held at the Huntington Beach Hyatt this year. He stated the Marines were appreciative of citizen support and presented the City with a plaque. Mayor Sullivan also described the success of the committee's gown donation effort, stating volunteers provided tailoring and makeup.

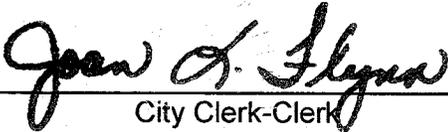
Adjournment – City Council/Redevelopment Agency

Mayor Sullivan adjourned the regular meetings of the City Council/Redevelopment Agency of the City of Huntington Beach at 10:42 p.m. to Monday, December 4, 2006, at 6:00 p.m., in Council Chambers, Civic Center, 2000 Main Street, Huntington Beach, California.



City Clerk and ex-officio Clerk of the City Council of the City of Huntington Beach and Clerk of the Redevelopment Agency of the City of Huntington Beach, California

ATTEST:


City Clerk-Clerk
Mayor-Chair