



**CITY OF HUNTINGTON BEACH
SUPPLEMENTAL COMMUNICATION
Joan L. Flynn, City Clerk
Office of the City Clerk**

TO: Honorable Mayor and City Councilmembers
FROM: Joan L. Flynn, City Clerk *JLF*
DATE: 12/7/2015
SUBJECT: SUPPLEMENTAL COMMUNICATIONS FOR THE DECEMBER 7, 2015, REGULAR CITY COUNCIL/PFA MEETING

Attached are the Supplemental Communications to the City Council (received after distribution of the Agenda Packet):

CLOSED SESSION

#1. Communications submitted by:

Kathy Carrick
Steve & Lili Wells

Norm Nagel

Linda Polkinghorne

#3. Communications submitted by:

Kim Kramer (2)
Del Seraphine

Michelle & Stephen Marciniac

CONSENT CALENDAR

#6. Communication submitted by Michelle Warren, Director of Human Resources, dated December 7, 2015 submitting a revised MEO Side Letter.

ADMINISTRATIVE ITEMS

#11. Communications submitted by:

Ed Kerins

Alan Walls

Dombo, Johanna

From: Kathy Carrick <carrick92647@hotmail.com>
Sent: Sunday, December 06, 2015 9:04 PM
To: CITY COUNCIL; Fikes, Cathy
Subject: ACC-OC Meeting

Dear City Council members:

I am writing to express my disappointment in the meeting on 11/30 at the Huntington Beach library hosted by ACC-OC. I found the presentation to be very one sided. My understanding is that this meeting was sponsored/promoted by the city of Huntington Beach.

Since there is clearly more than one side to this issue, I would like to request that the city sponsor/promote another meeting to show opposing viewpoints to the ones presented at the aforementioned meeting. There are so many unanswered questions regarding housing in our city. A few of the ones uppermost in my mind are:

1. How much "affordable/subsidized" housing is Huntington Beach required to have by law?
2. How many units do we need to meet this requirement?
3. How long have we known about this requirement?
4. How many units have been built in 2015?
5. Why wasn't our requirement for "affordable/subsidized" housing met within the building allowed in 2015?

This is just one of many areas at the meeting last week that I found to be woefully lacking in complete data. Please, in an effort to be totally transparent and fair to the residents of Huntington Beach, schedule another meeting to disseminate more complete data.

Also, at the next meeting, please take real questions from the citizens, not cherry picked ones as was done last Monday.

Thank you.

Respectfully,

Kathy Carrick

**SUPPLEMENTAL
COMMUNICATION**

Meeting Date: 12/7/2015

Agenda Item No. Closed Session

Dombo, Johanna

From: Norm Nagel <normnagel@yahoo.com>
Sent: Sunday, December 06, 2015 2:53 PM
To: CITY COUNCIL
Cc: Fikes, Cathy
Subject: High Density Lobbyists

Dear Council Members,

This email is in regards to last Monday evening's presentation by the Assoc. of Calif Cities-Orange County (ACC-OC). I am concerned that their presentation is one position and no counter position has been presented to the city. Channel 3 video taped the event, and I presume it will be aired to the people of Orange County. I think a rebuttal should be allowed and also stop the immediate Channel 3 video until both sides has been presented.

Thank You, Norm Nagel City of Huntington Beach

**SUPPLEMENTAL
COMMUNICATION**

Meeting Date: 12/7/15

Agenda Item No. CLASH SESSION

Dombo, Johanna

From: Linda Polkinghorne <lapolkinghorn@gmail.com>
Sent: Sunday, December 06, 2015 9:48 AM
To: CITY COUNCIL
Subject: High density housing

Why oh why do you keep trying to shove high density housing upon us when you know we don't want any more of it. I keep asking why do you think this benefits our city but never seem to get an answer!!!!!!! Other than the fact someone is getting their pockets padded what could possibly make this seem like a good idea? I just don't understand why you aren't hearing the people of our city...oh wait...you hear them you just don't want to listen. Have you forgotten that your here to work for the people of our city not against them????!!

**SUPPLEMENTAL
COMMUNICATION**

Meeting Date: 12/7/15

Agenda Item No. Closed Session

Dombo, Johanna

From: Lilli Wells <lwells18@verizon.net>
Sent: Sunday, December 06, 2015 10:13 AM
To: CITY COUNCIL
Subject: High Density in HB

City Council,

If you want affordable housing in HB, why did you not build it when you planned all this high density? The presentation at the library could not be more bias. The new developments can allot x % to affordable housing.

We (and I mean thousands of thousands of residents) do NOT want more high density in HB? Are you really going to shove it down our throats?

Fix the problem with affordable housing, but don't build more HD in HB! Please! I don't see all the HD rented, why don't you ask the developers to include some affordable housing in what is already built? Seems like a sensible solution, but oh, that's right, it cuts into profits of the developers. Too bad! What have the developers had to give up?

We would appreciate an answer back to the questions raised above. Thank you.

Regards,
Steve Wells, Ph.D
Lilli Wells

**SUPPLEMENTAL
COMMUNICATION**

Meeting Date: 12/7/15

Agenda Item No. Closed Session

Dombo, Johanna

From: Kim Kramer <kim@e-mailcom.com>
Sent: Saturday, December 05, 2015 1:39 PM
To: CITY COUNCIL
Cc: Wilson, Fred; Michael Gates; Planning Commission
Subject: Rogers Seniors' Center
Attachments: MEASURE T.jpg

Dear City Council,

Cc: City Manager, City Attorney, Planning Commission,

Attached is the Measure T Ballot Rebuttal Argument from 2006 regarding the building of the new Senior Center in Central Park.

You may not be aware that many citizens (30,342 to be exact) voted to build the new center, in part, because of the promise made in this document.

Specifically . . .

"An added benefit [for voting yes on Measure T] is returning the existing senior center to **ALL** downtown residents use." (Emphasis added)

Although that promise can be fulfilled in many different ways, **I can assure you that building 22 homes is NOT one of them.**

By your vote (5-2) to allow the existing senior center to be demolished and redeveloped, you have broken that promise to the voters.

In light of this information, which I know is new to some of you, this has now become an important issue of personal and professional integrity for the Council.

I would encourage you to regain the trust of the voters and bring this matter back to the City Council for another vote.

Thank you for your consideration.

Kim Kramer

**SUPPLEMENTAL
COMMUNICATION**

Meeting Date: 12/2/15

Agenda Item No. Closed Session

REBUTTAL TO ARGUMENT AGAINST MEASURE T

Good News!! Your Yes vote on Measure T will not cost you one cent. A successful Yes Vote sets aside 1.4% (5 acres) of Central Park for a Senior Center. No money is included in this measure. The only issue to be voted on is five acres!

A proposal to fund the center with developer fees owed to the city is under discussion by the Council. Any commitment as to cost and building size is contingent on this funding. No decision will be made without public input. The statements made by the opponents on this measure are inaccurate.

Even if the developer financed proposal goes forward, there will be no adverse effects on other park projects. They will go forward as planned. It is projected that due to a more energy efficient modern building design the operating cost of the center will be no more than the existing 1940s rehabilitated building. Thus there will be no adverse financial impact on Police, Fire, Libraries, Beaches and Infrastructure.

The label "Palace in the Park" is unfair. The preliminary proposal by the consultant is similar to centers in surrounding cities. **An added benefit is returning the existing senior center to all downtown residents use.** The new center is not a commercial enterprise, but a humanitarian facility which will provide needed programs for all seniors, present and future. If this site is not used, the costs of a new Senior Center will be prohibitive and a Center probably won't be built.

✓ Dave Sullivan, Mayor of Huntington Beach

✓ Shirley Dettloff, Former Mayor of Huntington Beach

✓ Norma Brandel Gibbs, Former Mayor of Huntington Beach

✓ Ralph Bauer, Former Mayor of Huntington Beach

✓ Tom Harman, California State Senator, 35th District

Dombo, Johanna

From: Kim Kramer <kim@e-mailcom.com>
Sent: Sunday, December 06, 2015 8:58 AM
To: CITY COUNCIL
Cc: Wilson, Fred; Michael Gates; Planning Commission
Subject: Rogers Senior Center
Attachments: FLYER_FRONT.jpg; FLYER_BACK.jpg

Dear City Council,

Cc: City Manager, City Attorney, Planning Commission,

In follow-up to my e-mail yesterday, please see the attached flyer.

This flyer has been attributed to former Mayor Ralph Bauer and was presumably distributed during the 2006 campaign season in support of Measure T.

Of particular interest is item #9 which reads . . .

9. When Measure "T" passes, the current downtown Center will be returned to general park use.

Thus Downtown residents will benefit from the passage of Measure "T".

Please consider the moral dilemma presented by the promises made to the citizens of Huntington Beach in this document and the document presented in my previous email.

In addition, please consider the original intent of the donor.

Let's set aside the legal opportunity presented by Chevron and consider our moral obligation to the citizens of Huntington Beach.

Let's celebrate as a community united with the opening of both the New Senior Center and the "Michael E. Rogers Community Park."

Respectfully,

Kim Kramer

**SUPPLEMENTAL
COMMUNICATION**

Meeting Date: 12/7/15

Agenda Item No. Closed Session

Vote Yes on Measure "T"



Ten Reasons Why You Should Support Our Seniors and

Vote Yes on Measure "T"

1. A majority vote for Measure "T" will set aside 5 acres for a Senior Center on Goldenwest at Talbert across from the Library. This is only 1.4% of the 356 acre Central Park. There will be no tax increase when the measure passes. Measure "T" is for land use only. The City Council has committed developer fees not taxes to build the new center. The use of these developer fees will ultimately benefit more Huntington Beach residents than any other park project being planned. The use of such developer fees by law cannot be used for other purposes like police and fire protection or streets, curbs, gutters and sidewalks. The budget for safety services and infrastructure will be undiminished by the passage of Measure "T".
2. Currently Central Park devotes 25 acres to horses, 2 acres to dogs, 7.7 acres to a mobile home park, 2 acres to a rock crusher, 1.2 acres to a home for runaway children, and 15 acres to a Frisbee golf course. Devoting 5 acres to a Senior Center is reasonable.
3. The current Senior Center is not large enough to accommodate the 64% increase in the senior population coming to Huntington Beach. This increase will bring the senior population to over 53,000 in the next few years. In recent years the usage of the Senior Center has more than doubled.
4. The current Senior Center is housed in an old, rehabilitated 1940's building which needs to be replaced. However, the small 2

& ½ acre current site would require multi-story construction and underground parking, thus adding an estimated \$10 million to the project. Building a Senior Center on the present downtown site would still require a vote of the people. If Measure T fails, the voters will certainly not approve the more expensive downtown site at a future election. *It is now or never for a new senior center.*

5. To plan for the future, the city hired L.P.A., an expert firm in designing senior centers. Using 24 criteria, L.P.A. evaluated 9 sites. It was determined that a 5 acre site at Goldenwest and Talbert across from the library is clearly the best alternative. School sites were evaluated, but in discussions with the school district, it was found that no school sites were available.
6. The proposed Goldenwest site is ideal in that it is owned by the city, it is in the geographic center of the city, it is on a bus line, it will have minimal impact on traffic and neighbors both during construction and operational use, and it provides excellent access to the library and park facilities.
7. The proposed site itself was a dirt excavation pit for constructing the 405 Freeway. It is a weed-filled vacant lot which has remained unused for 37 years of park history.
8. Parking facilities at the Senior Center will be shared with the Shipley Nature Center. Friends of the Shipley Nature Center will select the plants for landscaping. Because of modern, environmentally sensitive design, the operational cost of the new Senior Center will be comparable to that of the existing Center.
9. When Measure "T" passes, the current downtown Center will be returned to general park use. Thus Downtown residents will benefit from the passage of Measure "T"
10. Many community leaders, including 17 former mayors, as well as a majority of the City Council, the Community Services Commission, the Council on Aging, the Chamber of Commerce, Huntington Landmark Adult Community, and Friends of the Shipley Nature Center all support a new Senior Center.

Please visit our website at www.sosshb.com.

You may also send your comments and donations to
Support Our Seniors (ID # 1289996)
16511 Cotuit Circle, Huntington Beach, CA 92649

Dombo, Johanna

From: Stephen or Michelle Marciniiec <marciniecs@verizon.net>
Sent: Sunday, December 06, 2015 7:35 PM
To: CITY COUNCIL
Cc: Fikes, Cathy
Subject: Rodgers Park

December 6, 2015

Dear City Council Members,

This letter is to respectfully voice our opposition to the plan to rezone public park land on 17th Street to residential land. The loophole being used to place this motion on the ballot in 2016 is disingenuous. During the 2006 election, a promise was made to downtown residents that the park would remain for all the citizens. Please reconsider the plan to build residential homes on this parkland and develop a beautiful park instead for downtown children and adults that will last for decades to come.

Michelle and Stephen Marciniiec
327 18th Street
Huntington Beach CA 92648
marciniecs@verizon.net

**SUPPLEMENTAL
COMMUNICATION**

Meeting Date: 12/7/15

Agenda Item No. Closed Session

Dombo, Johanna

From: Del Seraphine <del.seraphine@verizon.net>
Sent: Monday, December 07, 2015 12:19 PM
To: CITY COUNCIL
Subject: Central Park Senior Center

Del Seraphine
509 17th Street
Huntington Beach, Ca 992648

My concern is more traffic on 17th Street

This morning at eight-ten the traffic was backed up, from Orange to Palm, as it is every week day. Twenty two homes in a one block area will probably bring almost another eighty vehicles to leave and arrive daily. In the late eighties my wife Kay, was a member of the Huntington Beach Environmental board and at that time vehicle count mattered when new housing was planned.

It seems to me that isn't part of the equation anymore. What is going to happen near Got hard and Edinger when all the new housing is occupied?

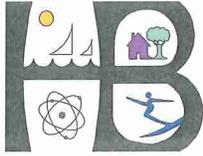


This email has been checked for viruses by Avast antivirus software.
www.avast.com

**SUPPLEMENTAL
COMMUNICATION**

Meeting Date: 12/7/15

Agenda Item No. Closed Session



CITY OF HUNTINGTON BEACH

Interdepartmental Memo

TO: City Council

FROM: Fred A. Wilson

PREPARED BY: Michele Warren, Director of Human Resources *Michele Warren*

DATE: December 7, 2015

SUBJECT: Supplemental Communication – MEO Side Letter

The Human Resources Department submitted RCA HR 15-007 for Council Action regarding a resolution and side letter amending the MEO MOU to permit MEO employees to take paid leave for select dates referred to as "Holiday Closure."

Per the request of MEO, the City paid holiday dates were removed from the side letter language as follows:

ARTICLE IX – HOURS OF WORK/ADMINISTRATIVE LEAVE

D. Holiday Closure

- i. Thursday, December 24, 2015, ~~Friday, December 25, 2015,~~ and Thursday, December 31, 2015, ~~and Friday, January 1, 2016,~~ will be known and referred to as "Holiday Closure" for the dates specified. Some departments, at the discretion of the Department Director with the approval of the City Manager, will be excluded from the holiday closure and employees must work as scheduled.

Attachments to be submitted as supplemental communications:

1. Revised Exhibit "A" Side Letter Agreement

SUPPLEMENTAL COMMUNICATION

Meeting Date: 12/7/2015

Agenda Item No. 6

**City of Huntington Beach
SIDE LETTER AGREEMENT**

Representatives of the Management Employees Organization (MEO) and the City of Huntington Beach (CITY) hereby agree to the following terms related to the MEO MOU with respect to the following:

ARTICLE IX – HOURS OF WORK/ADMINISTRATIVE LEAVE

D. Holiday Closure

- i. Thursday, December 24, 2015, and Thursday, December 31, 2015, will be known and referred to as "Holiday Closure" for the dates specified. Some departments, at the discretion of the Department Director with the approval of the City Manager, will be excluded from the holiday closure and employees must work as scheduled.
- ii. Employees will use approved leave accruals (administrative leave or general leave) to account for the time away from work during the Holiday Closure days of December 24, 2015 and December 31, 2015.
- iii. Employees who wish to take time off in addition to the Holiday Closure must seek approval to do so from their department head.
- iv. Employees will not report to work on any of the designated holiday closure days: December 24, 2015, December 25, 2015 (Christmas Day), December 31, 2015, and January 1, 2016 (New Years Day).
- v. Employees on the 9/80 work schedule FLEX A, will not be required to account for Holiday Closure hours for December 24, 2015 as this will be considered the appropriate "Flex" Friday exchange day. Employees on the 9/80 work schedule FLEX B, will not be required to account for Holiday Closure hours for December 31, 2015 as this will be considered the appropriate "Flex" Friday exchange day.
 - a. Employees on the 9/80 work schedule FLEX A, will be required to account for Holiday Closure hours for December 31, 2015 and will be required to use a leave bank (either Administrative Leave and/or General Leave).
 - b. Employees on the 9/80 work schedule FLEX B, will be required to account for Holiday Closure hours for December 24, 2015 and will be required to use a leave bank (either Administrative Leave and/or General Leave).
 - c. Employees working a non-FLEX schedule may be required to utilize a leave bank (either Administrative Leave and/or General Leave) for one or more holiday closure days, depending upon the employee's work schedule.

a. Time Accounting

- i. Members of this unit will be required to account via payroll for the appropriate leave time associated with the Holiday Closure and any additional elective approved time off.
- ii. The payroll accounting of the Holiday Closure will include use of approved leave accruals (2015 calendar year administrative leave, or general leave) or alternative equivalent time taken in-lieu of the specific Holiday Closure dates referenced herein. Payroll accounting for Holiday Closure time not specifically listed herein must be approved by the City Manager or designee.
- iii. The payroll accounting methods listed herein may be used in any approved combination.
- iv. All Holiday Closure hours are to be accounted for via payroll effective the pay period ending January 1, 2016.

- v. Any Holiday Closure hours not voluntarily accounted for via payroll as of the end of the pay period ending January 1, 2016, shall be accounted for in the following order until a zero balance is achieved:
 1. Administrative Leave
 2. General Leave

Side Letter Implementation

The parties agree that this side letter agreement and the implementation thereof will not be subject to Personnel Rule 19 – Grievance Procedure/Non-Disciplinary Matters nor or otherwise appealed either administratively or in a court of competent jurisdiction.

IN WITNESS WHEREOF, the parties have caused this SIDE LETTER AGREEMENT to be executed by and through their authorized officers on _____.

**Huntington Beach
Management Employees Organization**

City of Huntington Beach



Scott Smith
President

Fred A. Wilson
City Manager

Dated: 12-7-15

Dated: _____

Jane Cameron
Vice-President

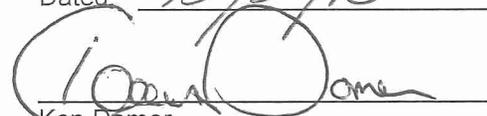


Michele Warren
Director of Human Resources

Dated: _____

Dated: 12/2/15

Aaron Peardon
OCEA Representative



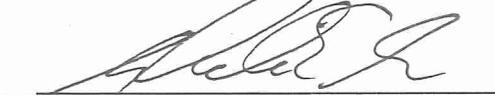
Ken Domer
Assistant City Manager

Dated: _____

Dated: 12-7-15

APPROVED AS TO FORM:

Heather Sutherland
OCEA Representative



Michael Gates
City Attorney

Dated: _____

Dated: 12/2/15

- v. Any Holiday Closure hours not voluntarily accounted for via payroll as of the end of the pay period ending January 1, 2016, shall be accounted for in the following order until a zero balance is achieved:

1. Administrative Leave
2. General Leave

Side Letter Implementation

The parties agree that this side letter agreement and the implementation thereof will not be subject to Personnel Rule 19 – Grievance Procedure/Non-Disciplinary Matters nor or otherwise appealed either administratively or in a court of competent jurisdiction.

IN WITNESS WHEREOF, the parties have caused this SIDE LETTER AGREEMENT to be executed by and through their authorized officers on _____.

**Huntington Beach
Management Employees Organization**

City of Huntington Beach

Scott Smith
President

Fred A. Wilson
City Manager

Dated: _____

Dated: _____

Jane Cameron
Vice-President

Michele Warren
Director of Human Resources

Dated: _____

Dated: _____



Aaron Peardon
OCEA Representative

Ken Domer
Assistant City Manager

Dated: _____

Dated: _____



Heather Sutherland
OCEA Representative

APPROVED AS TO FORM:

Dated: _____

Michael Gates
City Attorney

Dated: _____

December 6, 2015

Mayor & City Council
City of Huntington Beach

Ref. LeBard Park Agreement for Acquisition & Escrow Instructions

Please pull consent calendar item 11 on the December 7, 2015 council agenda and address the issue presented below.

1. In 2014 the Meredith Gardens Homeowners Association board of directors voted to oppose extending the parking lot into the park and put the savings into park amenities.

In July 2015 the City Council approved the school district development plan without two proposed parking lots and ball field relocations and requested staff to pursue use of the resulting savings. Meredith Gardens and Suburbia park residents also spoke to this at the Planning Commission and City Council public hearings.

The subject agreement does not contain or reference park site improvements requested by the public, the mayor and council members when the entitlements were approved in July.

Recommendation: Add an item (d) on page 5 under City Park Site Improvements "Install an overhead picnic structure and amenities as depicted in the LeBard Park phase 2 plan approved in 2008".

Thank you for your consideration of this matter.

Ed Kerins
Secretary
Meredith Gardens Homeowners Association

**SUPPLEMENTAL
COMMUNICATION**

Meeting Date:

12/7/2015

Agenda Item No.

11

Dombo, Johanna

From: Alan Walls <alandwalls@aol.com>
Sent: Sunday, December 06, 2015 5:02 PM
To: CITY COUNCIL; city@aol.com
Subject: Acquisition and Escrow Agreement

Honorable Mayor and City Council Members:

Please pull Item 11 of the Consent Calendar from tomorrow's agenda to resolve how much of the School District's \$607,000 estimate in the MOU of 5/5/14 for improvements to LeBard Park was saved when the following were deleted by request of the surrounding community:

1. A 50 car parking lot that required two T-Ball fields be dismantled and the resultant space regraded, paved, and lined.
2. One T-Ball field wholly rebuilt together with backstop and associated grading.
- 3 Creation of a second practice area for T-Ball.

That community agreed to accept increased street parking precisely so that the savings could be used to enhance the park as referred to by the Mayor at the entitlement hearings. Those same improvements are now estimated by the School District to be \$850,000; a suspicious 40% increase which would eliminate the savings and negate the sacrifice of the neighborhoods.

This is money the City can use to begin the Phase 11 upgrade envisioned back in 2008.

Thanks for your consideration. Alan Walls, Suburbia Park Committee to Save LeBard

**SUPPLEMENTAL
COMMUNICATION**

Meeting Date: 12/7/15

Agenda Item No. 11