



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

TO: Honorable Mayor and City Council
FROM: Joan L. Flynn, City Clerk 
DATE: December 17, 2012
SUBJECT: **SUPPLEMENTAL COMMUNICATIONS FOR THE DECEMBER 17, 2012
REGULAR CITY COUNCIL/PFA MEETING and SPECIAL MEETINGS OF
THE HOUSING AUTHORITY, PARKING AUTHORITY, CIVIC
IMPROVEMENT CORPORATION AND THE SUCCESSOR AGENCY**

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

Consent Calendar

#22. Communication received from Lori Ann Farrell, Director of Finance, dated December 17, 2012, submitting a revised Exhibit A.

#25. Communication received from Michele Warren, Director of Human Resources, dated December 17, 2012 submitting the fully executed Municipal Employees' Association (MEA) Side Letter.

#34. Communication received from HK & C, dated December 17, 2012, regarding Pacific Mobile Home Park.

Councilmember Items

#38. Communication received from Mary Urashima, dated December 17, 2012, supporting the nomination of the Huntington Beach Public Library on Triangle Park to the National Register of Historic Places.

Esparza, Patty

From: Farrell, Lori Ann
Sent: Monday, December 17, 2012 3:21 PM
To: Flynn, Joan; City Clerk Agenda
Cc: Wilson, Fred; Hall, Bob
Subject: FW: <FYI> Exhibit I for FY 11.12 YE Appropriation REV.xlsx
Attachments: Exhibit I for FY 11.12 YE Appropriation REV.pdf

Hi,

Please see the revised Exhibit A attached herein for Item # 22 on tonight's City Council agenda, "Fiscal Year 2011-12 Year End Budget Adjustments." Please distribute this revised attachment to the City Council for Item #22.

Thanks,

Lori Ann Farrell
Director of Finance
City of Huntington Beach
(714) 536-5225
loriann.farrell@surfcity-hb.org

From: Molina-Espinoza, Carol
Sent: Monday, December 17, 2012 3:08 PM
To: Farrell, Lori Ann
Subject: <FYI> Exhibit I for FY 11.12 YE Appropriation REV.xlsx

Lori Ann,

Attached is the revised Exhibit I for FY 11/12 Year-End Budget Appropriation Adjustments.

Thanks!

Carol Molina-Espinoza, MPA
Budget Manager
City of Huntington Beach
(714) 374-1526

**SUPPLEMENTAL
COMMUNICATION**

Meeting Date: 12/17/12

Agenda Item No. 22

EXHIBIT A Revised

FY 2011/2012 Year-End Budget Appropriation Request

GRANTS

Fund No	Fund Name	Appropriation	Dept
802	UASI FY 11/12	\$ 94,100	Fire / Police
807	Energy Efficiency	\$ 25,000	Various
909	UASI/OCIAC Program	\$ 12,000	Police
950	Office of Traffic Safety 10/11	\$ 900	Police
964	OCATT Program	\$ 12,600	Police
967	ABC Grant 11/12	\$ 400	Police
838	Jail Training Grant	\$ 11,300	Police
NEW	OC Real Estate Fraud Trust	\$ 25,000	Police
NEW	OCDE Task Force	\$ 100,000	Police
NEW	Human Trafficking	\$ 50,000	Police
NEW	AB 109 Public Safety Realignment	\$ 73,300	Police
		\$ 404,600	

SPECIAL EVENTS/SCHOOL EVENTS FUNDS

Fund No	Fund Name	Appropriation	Dept
101	Special Events	\$ 140,000	Community Services
104	School Events	\$ 3,700	Police
		\$ 143,700	

BUSINESS IMPROVEMENT DISTRICT/STRAND FUNDS

Fund No	Fund Name	Appropriation	Dept
701	BID - Auto	\$ 45,100	Economic Development
709	BID - Hotel/Motel	\$ 95,500	Economic Development
712	Parking Structure - Strand	\$ 134,200	Economic Development
		\$ 274,800	

GENERAL FUND

Fund No	Fund Name	Appropriation	Dept
100	General Fund	\$ 60,000	Planning & Bldg/PW

PA&D FUND TO THE GENERAL FUND

Fund No	Fund Name	Transfer-In	Dept
100	General Fund	\$ 75,000	Community Services

RETIREE SUPPLEMENTAL FUND

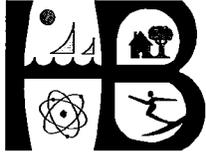
Fund No	Fund Name	Appropriation	Dept
703	Retiree Supplemental	\$ 969,000	All

DONATIONS FUND

Fund No	Fund Name	Appropriation	Dept
103	Donations Fund	\$ 1,043,000	Various

INFRASTRUCTURE FUND

Fund No	Fund Name	Transfer-In	Dept
314	Infrastructure Fund	\$ 1,828,800	Public Works



CITY OF HUNTINGTON BEACH
Interdepartmental Memo

TO: Joan Flynn, City Clerk

FROM: Michele Warren, Director of Human Resources 

DATE: December 17, 2012

SUBJECT: **Late Communication: Replacement Side Letter for the Municipal Employees' Association (MEA).**

The Human Resources Department submitted RCA HR 12-017 for Council Action. Signatures were not obtained before the agenda deadline.

The signed MEA Side Letter is attached as a late communication.

Attachments:
RCA Attachment 1, Exhibit A: Side Letter

**SUPPLEMENTAL
COMMUNICATION**

Meeting Date: 12/17/2012

Agenda Item No. 25

SIDE LETTER OF AGREEMENT

Representatives of the Municipal Employees' Association (MEA) and the City of Huntington Beach (City) have met and conferred and hereby agree to the following terms related to the MEA MOU:

Article II – Representational Unit/Class

The City of Huntington Beach proposes to delete the following classifications from the City's Classification Plan and the MEA MOU as approved by the Personnel Commission during public hearings on May 16 and July 18, 2012:

- Communications Technician
- Computer Drafting Technician
- Concrete Finisher
- Crossing Guard Coordinator
- Fire Training Media Specialist
- Grader Equipment Operator
- Graphics Administrative Specialist
- Housing Development Specialist
- Information Systems Specialist I, II, and III
- Medical Claims Examiner
- Park Naturalist
- Public Works Plan Checker
- Street Services Leadworker
- Traffic/Signal/Light Leadworker

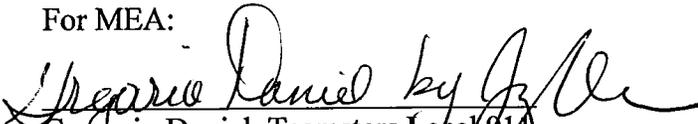
Side Letter Implementation

Except as specifically modified herein, all other terms and conditions of the MOU shall remain in full force and effect.

IN WITNESS WHEREOF, the parties have caused this side Letter Agreement to be executed by and through their authorized officers on _____, 2012.

For MEA:

For the City of Huntington Beach:



Gregorio Daniel, Teamsters Local 914



Fred A. Wilson, City Manager



Judy Demers, MEA President

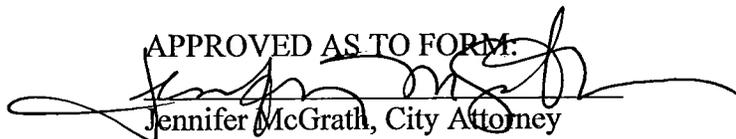


Michele Warren, Director of Human Resources

Dated: 12-11-12

Dated: 11/28/12

APPROVED AS TO FORM:



Jennifer McGrath, City Attorney

Dated: 11.28.12

HK&C
HART, KING & COLDREN
30 Years of Excellence

Mark D. Alpert
malpert@hkclaw.com

December 17, 2012

Our File Number: 36608.006/4833-5246-7730v.1

VIA EMAIL AND REGULAR MAIL

Connie Boardman, Mayor
Matthew Harper, Mayor Pro Tem
Jill Hardy, Councilmember
Jim Katapodis, Councilmember
Joe Carchio, Councilmember
Dave Sullivan, Councilmember
Joe Shaw, Councilmember
City of Huntington Beach
2000 Main Street
P.O. Box 190
Huntington Beach, CA 92648

**SUPPLEMENTAL
COMMUNICATION**

Meeting Date: 12/17/2012
Agenda Item No. 34

Re: Pacific Mobile Home Park
80 Huntington Street, Huntington Beach, CA. 92648
Subdivision Application for Tentative Tract Map No. 17392 and Related Coastal Permit
Remand Hearing/Reconsideration of Reconsideration December 17, 2012

Dear Mayor and Council Members:

I reviewed the agenda for tonight's council meeting with utter disbelief. After illegally and improperly reconsidering the Tentative Tract Map and Coastal Permit for Pacific Mobile Home Park (approved November 19, 2012) on December 3, 2012, the City is poised to "affirm" that illegal reconsideration tonight, purportedly in order to address the violation of the Brown Act. If the City takes such action, any Council members supporting it will be in contempt of a Superior Court Order Issued December 10, 2012.

On December 10, 2012, the Judge Rodriguez issued an order stating:

1. The December 3, 2012 action of the City, purporting to "reconsider" the November 19, 2012 granting of Tentative Tract Map 17397 and Coastal Development Permit No. 10-017 ("Applications"), purportedly nullifying the approval of the Applications and setting them for return to the City Council on January 22, 2013 is deemed legally invalid and voided.
2. The City Is Barred from reconsidering the Applications (emphasis added)

A copy of the order, which was served on the City Attorney's office last week, is enclosed.

A Professional Law Corporation
200 Sandpointe, Fourth Floor, Santa Ana, California 92707
Ph 714.432.8700 | www.hkclaw.com | Fx 714.546.7457



HART, KING & COLDREN

City Council
City of Huntington
December 17, 2012
Page 3

We can only hope that you have not been fully advised of the implications of the vote you are considering this evening. You cannot legally take the action staff recommends. I hope you will vote against affirming your prior legally invalidated vote to reconsider the Applications.

Respectfully Submitted,

HART, KING & COLDREN

A handwritten signature in black ink, appearing to read 'Mark D. Alpert', with a long horizontal line extending to the right.

Mark D. Alpert
MDA/dr

cc: Scott Field, Esq. (via email)
Joan Flynn, City Clerk (via email)
Pacific Mobile Home Park, LLC (via email)
Jennifer McGrath (via email)

1 The ex parte application of Pacific Mobile Home Park for an Order Invalidating and
2 or Voiding the Vote Taken by Respondent City of Huntington Beach City Council on
3 December 3, 2012 to "Reconsider" the November 19, 2012 Granting of Tentative Tract Map
4 17397 and Coastal Development Permit No. 10-017 and Related Remedies or For Order
5 Shortening Time came for hearing, ex parte, at 9:00 a.m. in Department C6 of the above
6 entitled Court. Petitioner and Applicant Pacific Mobile Home Park appeared by its attorney
7 Mark Alpert of Hart, King & Coldren; Respondent City of Huntington Beach appeared by
8 _____ . After hearing, and on good cause appearing,

9 IT IS ORDERED that:

10 1. The December 3, 2012 action of the City, purporting to "reconsider" the
11 November 19, 2012 granting of Tentative Tract Map 17397 and Coastal Development
12 Permit No. 10-017 ("Applications"), purportedly nullifying the approval of the Applications
13 and setting them for return to the City Council on January 22, 2013 is deemed legally
14 invalid and voided.

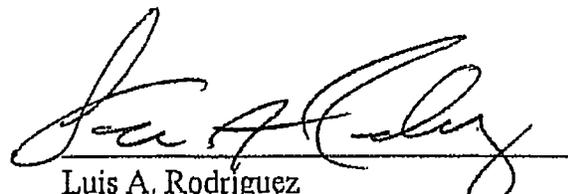
15 2. The City Is Barred from reconsidering the Applications;

16 ~~3. The City shall issue of a certificate of approval under the Map Act forthwith.~~

17 [~~ALTERNATIVELY, Request for Order Shortening Time for hearing before December 14,~~
18 ~~2012.] ONLY ON # 3~~

19 ~~Pacific is granted an Order Shortening Time to hear an Application regarding the~~
20 ~~relief sought in item # 3 of this order on December _____, 2012 at _____ m. in this~~
21 ~~Department. The Ex Parte Application and supporting papers to serve as the moving papers~~
22 ~~Any opposition to be filed and served by December _____, 2012. Any reply brief to be filed~~
23 ~~and served by December _____, 2012.~~

24
25 Dated: 12-10-12

26 
27 Luis A. Rodriguez
28 Judge of the Superior Court

SERVICE LIST

Pacific Mobilehome Park, LLC vs. City of Huntington Beach
Court Case No. 30-2011-00449749-CU-PT-CXC

1
2
3
4
5
6
7
8
9
10
11
12
13
14
15
16
17
18
19
20
21
22
23
24
25
26
27
28

Jennifer McGrath, Esq.
Scott F. Field, Esq.
City of Huntington Beach
Box 190, 2000 Main Street, 4th Floor
Huntington Beach, CA 92648
Tel.: (714) 536-5555
Fax: (714) 374-1590
jmcgrath@surfcity-hb.org
sfield@surfcity-hb.org

Attorneys for Defendant and Cross-Complainant, City of Huntington Beach
VIA EMAIL AND MAIL

Barry A. Ross
Law Office of Barry A. Ross
7700 Irvine Center Drive, Suite 710
Irvine, CA 92618
Tel.: (949) 727-0977
Fax: (949) 727-9927
barry@rossrealestatelaw.com

*Attorney for Cross-Defendants,
Robert E. Calvert, Kathleen R. Calvert, Dolores L. Largent, Frank Loccisano and Corrina Loccisano*

Dennis G. Cosso
Law Offices of Dennis G. Cosso
414 S. First Avenue
Arcadia, CA 91006
Tel.: (626) 574-8000
Fax: (626) 574-8081
dccosso@sbcglobal.net

*Attorney for Cross-Defendants,
Lawrence Rodriguez and Rod Rodriguez*

Wyatt Evan Sloan-Tribe
Office of the Attorney General
300 S. Spring Street
Los Angeles, CA 90013
Tel.: (213) 620-6521
Fax: (213) 897-2801
wyatt.sloan-tribe@doj.ca.gov

Attorney for State of California

Rosemary Martin
80 Huntington Street, Space 101
Huntington Beach, CA 92648

Jody Lynn Mannheimer
80 Huntington Street, Space 105
Huntington Beach, CA 92648

Christopher Friberg
80 Huntington Street, Space 107
Huntington Beach, CA 92648

Philip Kile
80 Huntington Street, Space 109
Huntington Beach, CA 92648

Ross, Rebecca

From: Esparza, Patty
Sent: Monday, December 17, 2012 3:10 PM
To: Ross, Rebecca
Subject: FW: Surf City Pipeline: Comment on an Agenda Item (notification)

From: Surf City Pipeline [<mailto:noreply@user.govoutreach.com>]
Sent: Monday, December 17, 2012 3:02 PM
To: CITY COUNCIL; Agenda Alerts
Subject: Surf City Pipeline: Comment on an Agenda Item (notification)

Request # 13038 from the Government Outreach System has been assigned to Johanna Stephenson.

Request type: Comment

Request area: City Council - Agenda & Public Hearing Comments

Citizen name: Mary Urashima

Description: RE: Letter of Support regarding the nomination of the Huntington Beach Public Library on Triangle Park to the National Register of Historic Places

Please support the nomination of the Huntington Beach Main Street Branch Library on Triangle Park to the National Register of Historic Places. Once the City's main library--sited on one of the City's oldest parks---this library and park site is important to the history of the community.

Per the City of Huntington Beach Historical Notes (1975) report "on July 5, 1921, a lease contract was signed with R.E. Wright who constructed small beaverboard houses and rented them for \$30 and \$35 a month of which \$8 a year went to the City. Bungalet Court, more commonly known as 'Cardboard Alley' was located on the triangular piece of land."

By February 1925, the board of trustees (city council) discussed "with considerable interest" a resident suggestion "advocating the use of Block 505 for a recreation park, suggesting tennis, croquet, and handball courts as being a very desirable form of amusement." Triangle Park soon became a favorite spot in town, including checker boards, horseshoe courts, and a putting green.

The Horseshoe Club was constructed in 1931 "on the north east corner of Triangle Park, it was used by several clubs for meetings until 1942...During the war, the American Red Cross set up headquarters in the building where they gave first aid and volunteers rolled bandages."

The Historical Notes continue, "When the current Main Street facility (library), consisting of 9,000 square feet, was completed in 1951, it was celebrated for its size and its design. The Carnegie Library, 8th and Walnut Street, its predecessor, was half as big. The 1951 structure opened with 40,000 volumes with a budget of \$40,000. The marble façade at the entrance was a real attraction. The walls were pre-cast, reinforced concrete

sections. The ceiling was acoustical and the heating was provided by radiant pipes embedded in the floor. The large picture window at the north east end of the building displayed various artwork several times a year...The attractive park site remains a fine setting for the building.”

Retaining this historical library and park is important for the entire community, both as a legacy of our past, and also as an important cultural element in a livable and walkable downtown.

Expected Close Date: 12/18/2012

[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.

SUPPLEMENTAL COMMUNICATION

Meeting Date: 12/17/2012

Agenda Item No. 38