

MEETING ASSISTANCE NOTICE - AMERICANS WITH DISABILITIES ACT

In accordance with the Americans with Disabilities Act the following services are available to members of our community who require special assistance to participate in City Council and Redevelopment Agency meetings. If you require, American Sign Language interpreters, a reader during the meeting, and/or large print agendas, to make arrangements, please call: **Office of the City Clerk (714) 536-5227**. To make arrangements for an assisted listening system (ALD) for the hearing impaired, please contact: the **Sergeant at Arms (714) 536-5693** or the **City Clerk (714) 536-5227**.

72 hours prior notification will enable the city to make reasonable arrangements to ensure accessibility to a meeting.

REVISED ACTION AGENDA

(See Page Three)

**SPECIAL CITY COUNCIL MEETING
CITY OF HUNTINGTON BEACH**

MONDAY AUGUST 8, 2005

6:00 P.M. – Council Chambers

Civic Center, 2000 Main Street
Huntington Beach, California 92648

6:00 P. M. - Special Meeting Council Chambers

Call City Council Special Meeting to Order

Roll Call Hansen, Coerper, Sullivan, Hardy, Green, Bohr, Cook
Present, Bohr out of room, Hansen arrived during Closed Session at 6:15 p.m.

City Clerk Reads Call for Special Meeting

CALL FOR CITY COUNCIL SPECIAL MEETING

CITY OF HUNTINGTON BEACH

MONDAY, AUGUST 8, 2005

Jill Hardy, Mayor
Dave Sullivan, Mayor Pro-Tem
Don Hansen, Council Member
Gil Coerper; Council Member
Cathy Green, Council Member
Keith Bohr, Council Member
Debbie Cook, Council Member

You are hereby notified that a Special Meeting of the Huntington Beach City Council of the City of Huntington Beach, California, is called for and will be held in the **Civic Center Council Chambers, 2000 Main Street, Huntington Beach, CA 92648** at the hour of **6:00 p.m.** on **Monday, August 8, 2005** in order to allow discussion of the following agenda items:

(Redevelopment Agency) Closed Session – Pursuant to Government Code Section 54956.9(b)(3)(B) to confer with its attorney regarding pending litigation of which facts and circumstances, including, but not limited to an accident, disaster, incident, or transactional occurrence that might result in litigation against the agency and that are known to a potential plaintiff or plaintiffs, which facts or circumstances shall be publicly stated on the agenda or announced. Subject: **Owner Participation Agreement By and Between the Redevelopment Agency of the City of Huntington Beach and Huntington Center Associates** (120.80)

(City Council/Redevelopment Agency) Open Session – Approve or Deny the First Implementation Agreement By and Between the Redevelopment Agency and Huntington Center Associates, LLC - Approve or Deny Assignment Assumption Agreements for Bella Terra Associates, LLC (.) Approve or Deny the First Implementation Agreement by and between the Redevelopment Agency and Huntington Center Associates, LLC; Approve or Deny Assignment Assumption Agreements for Bella Terra Associates, LLC for the Transfer of the Site and the Operation of the Parking Structure and, if approved, Authorize the City Administrator to Execute on Behalf of the City All Documents Necessary to Carry Out and Implement the Assignment Assumption Agreements.

Dated: August 5, 2005

ATTEST: City Clerk

Mayor

I hereby certify that I received the above notice, "Call of Special Meeting of the Huntington Beach City Council" prior to 6:00 p.m. on Sunday, August 7, 2005.

Mayor

Pursuant to the Brown (Open Meetings) Act the City Clerk Announces Late Communications Received by the Clerk’s Office Which Pertain to the Items on the Agenda (1) The Brown (Open Meetings) Act requires that copies of late communications submitted by City Councilmembers or City Departments are to be made available to the public at the City Council meeting. (2) Late communications submitted by members of the public are to be made available to the public at the City Clerk’s Office the morning after the Council meeting. (Late Communications are communications regarding agenda items that have been received by the City Clerk’s Office following distribution of the agenda packet.)

2 items

Public Comments Regarding 6:00 Portion of Council Meeting for Closed Session Agenda Item
None

Recommended Action: Motion to recess to Closed Session on the following item:
Approved by consensus

(Redevelopment Agency) Closed Session – Pursuant to Government Code Section 54956.9(b)(3)(B) to confer with its attorney regarding pending litigation of which facts and circumstances, including, but not limited to an accident, disaster, incident, or transactional occurrence that might result in litigation against the agency and that are known to a potential plaintiff or plaintiffs, which facts or circumstances shall be publicly stated on the agenda or announced. Subject: **Owner Participation Agreement By and Between the Redevelopment Agency of the City of Huntington Beach and Huntington Center Associates** (120.80)

Reconvene City Council Meeting at the Conclusion of the Closed Session – Council Chambers – 7:10 p.m.

Roll Call Hansen, Coerper, Sullivan, Hardy, Green, Bohr, Cook
Present

No Action to be reported out is anticipated.

City Clerk Joan L. Flynn announced 2 Late Communications

Public Comments Regarding Special Meeting Item

Speaker from J.H. Snyder Company reported on status of project completion and store openings at Bella Terra and asked Council to approve the staff recommendation.

Managing Member of DJM Acquisitions Group and Bella Terra Associates representing the prospective purchasers of Bella Terra thanked Council for time taken to consider the agreement, announced his availability to answer questions, and requested Council approve the assignment agreement.

Recommended Action: Approve item on the Consent Calendar by affirmative roll call vote.

(City Council/Redevelopment Agency) Approve or Deny the First Implementation Agreement By and Between the Redevelopment Agency and Huntington Center Associates, LLC - Approve or Deny Assignment Assumption Agreements for Bella Terra Associates, LLC (.)

- Approve or Deny the First Implementation Agreement by and between the Redevelopment Agency and Huntington Center Associates, LLC; Approve or Deny Assignment Assumption Agreements for Bella Terra Associates, LLC for the Transfer of the Site and the Operation of the Parking Structure and, if approved, Authorize the City Administrator to Execute on Behalf of the City All Documents Necessary to Carry Out and Implement the Assignment Assumption Agreements.

City Administrator Penny Culbreth-Graft reported orally. Council inquiries ensued regarding the terms of the assignment and the guarantee of completion of the project. Deputy City Attorney Leonie Mulvihill reported. Recommended action as amended by Late Communication as follows:

Recommended City Action: 1. Approve the Assignment and Assumption Agreement between the City of Huntington Beach, Huntington Center Associates, LLC, and Bella Terra Associates, LLC, for the Operating Agreement for the Huntington Center Parking Structure; 2. Authorize the City Administrator to execute on behalf of the City all documents necessary to carry out and implement the Assignment and Assumption Agreement.

Recommended Agency Action: 1. Approve the Assignment and Assumption Agreement for the OPA dated October 2, 2000, between the Redevelopment Agency of the City of Huntington Beach, Huntington Center Associates, LLC, and Bella Terra Associates, LLC; 2. Approve First Implementation Agreement by and between the Redevelopment Agency and Huntington Center Associates, LLC and authorize the Agency Chairman and Agency Clerk to execute the agreement.

Approved as amended 7-0

Council/Agency Adjournment at 7:22 p.m. to Monday August 15, 2005 at 4:30 p.m., in Room B-8, Civic Center, 2000 Main Street, Huntington Beach, California.

Council/Agency Agendas and Minutes are Available at No Charge to the Public at the City Clerk's Office, on the City's Website, Via Email, and Through Paid Subscription. Complete Agenda Packets are Available at the Central Library and Library Branches on Friday Prior to Meetings. Videotapes of Council Meetings are Available for Checkout at the Central Library at No Charge.

JOAN L. FLYNN, CITY CLERK
City of Huntington Beach
2000 Main Street - Second Floor
Huntington Beach, California 92648

COMPUTER INTERNET ACCESS TO CITY COUNCIL/REDEVELOPMENT AGENCY AGENDA WITH STAFF REPORTS IS AVAILABLE PRIOR TO CITY COUNCIL MEETINGS
<http://www.surfcity-hb.org>