

## **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 special assistance, 72-hour prior notification will enable the city to make reasonable arrangements. For American Sign Language interpreters, a reader during the meeting, and/or large print agendas, 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** at the meeting or the **City Clerk (714) 536-5227**.

## **ACTION AGENDA**

### **ADJOURNED REGULAR CITY COUNCIL/REDEVELOPMENT AGENCY CITY OF HUNTINGTON BEACH**

**MONDAY SEPTEMBER 12, 2005**

#### **6:00 P.M. - Council Chambers**

Civic Center, 2000 Main Street  
Huntington Beach, California 92648

#### **6:16 P.M. - Council Chambers**

#### **Call City Council/Redevelopment Agency Meeting to Order**

**Roll Call** Hansen, Coerper, Sullivan, Hardy, Green, Bohr, Cook  
**Present (Cook arrived at 6:19 p.m.)**

#### **Pursuant to the Brown (Open Meetings) Act the City Clerk Announces Late Communications Received by Her Office Which Pertain to 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.)

#### **D-1 (2 items)**

The City Council and the Redevelopment Agency of the City of Huntington Beach will regularly convene in joint session for the purpose of considering the following City Council-Redevelopment Agency Agenda Items. The Huntington Beach Parking Authority, Civic Improvement Corporation, and the Huntington Beach Public Financing Authority are also agencies on which Council serves as members. On each Agenda these Agencies may have items scheduled. When an Agenda Item requires action by any of these Agencies, it will show in parenthesis preceding the item, for example (City Council-Redevelopment Agency).

Hello and welcome to the Huntington Beach City Council meeting. If you would like to address the Council, please fill out the pink public comment sheet attached to the agenda. After completing the form, hand it to the Sergeant at Arms and he will give it to the City Clerk. **As a courtesy to those in attendance, I would ask that cellphones and pagers be turned off or set in their silent mode. Thank you.**

**B. PUBLIC COMMENTS**

This is the time of the meeting for the Council to receive comments from the public regarding items of interest or agenda items OTHER than Public Hearings. Generally, Council will not enter into a dialogue during this period.

Pursuant to the Brown (Open Meeting) Act, the City Council may not discuss items unless they are on our agenda. So if you are speaking on an item not on the agenda, we cannot discuss the issue with you at this meeting. However, if you wish to meet with any of us please call the Council's Secretary at 714-536-5553. Thank you for taking the time to come to the council meeting to address the Council. Councilmembers strive to treat members of the public with respect, and we ask that you also express your concerns and opinions in a civil and respectful manner.

Each speaker is allowed 3 minutes and time may not be donated to others. No action can be taken by Council/Agency on this date unless the item is agendized.

Complete the attached pink form and give to the Sergeant-At-Arms (the Police Officer located near the speaker's podium).

***Speaker voiced concern about sidewalks on Frankfort St. between Delaware Ave. and Huntington St. in need of repair. Stated that situation is in dire need of attention, and was reported in 1998. Also, valves at Worthy Park, Field No. 1 need repair. Asked these repairs be approved in the budget.***

***Speaker, President of Friends of Shipley Nature Center, asked Council to approve the budget item for the Nature Center. Stated appreciation for the City's partnership with the Center.***

***Speaker, Co-Chair of Project Self Sufficiency (PSS) Program, described the creation of PSS and the need for funding. She gave examples of aspects of the program funded by the City. Thanked Council and City Administrator for support of the program.***

***Speaker thanked Councilmembers who voted to approve Poseidon Environmental Impact Report (EIR) at the last meeting. He gave examples of projects that may be funded by income the City receives from Poseidon.***

***Speaker, 20-yr resident & real estate agent, stated concern about lack of signage at City boundaries. Asked Council to allocate money in the budget for signage to help identify the boundaries.***

**D-1. (City Council) Public Hearing Regarding Adoption of Proposed City Budget for Fiscal Year 2005-06 (320.20)**

Communication from the Finance Officer transmitting the following

**Statement of Issue:** The City of Huntington Beach Charter requires a Public Hearing prior to the adoption of the City Budget. The City Charter requires adoption of the annual budget by September 30, 2005 for the next fiscal year.

The complete, proposed budget for FY 2005/06 may be reviewed by the public from 8:00 AM to 5:00 PM, Monday through Friday in the City Clerk's Office at City Hall, 2000 Main Street, Huntington Beach. Copies of the proposed budget are also available for public review at the City's Central Library located at 7111 Talbert Avenue (Goldenwest St. and Talbert Ave.),

and all branch libraries. Copies of the **Proposed Budget Summary** may be obtained by the public from the City's website at <http://www.surfcity-hb.org>.

All interested persons (especially senior citizens and handicapped individuals) are invited to attend the budget hearing to express their opinions for, or against, the proposed budget with written or oral comments. Written communications to the City Council also may be mailed to the City Clerk. Further information may be obtained from the Office of the City Clerk, 2000 Main Street Huntington Beach, CA. 92648 - Phone # (714) 536-5227.

The City of Huntington Beach endeavors to accommodate persons of handicapped status in the admission or access to, or treatment or employment in, City programs or activities. The City of Huntington Beach is an equal opportunity employer.

1. Staff report
2. City Council discussion
3. Open public hearing
4. Following public input, close public hearing

**Recommended Action:** Motion to:

1. Open the Public Hearing on the proposed fiscal year 2005/2006 City Budget appropriation of \$318,637,956 as outlined in the proposed budget document and all revisions contained in the Exhibits of the Budget Resolution.

**and**

2. Adopt Resolution Number 2005-64, "A Resolution of the City Council of the City of Huntington Beach Adopting a Budget for the City for Fiscal Year 2005/06."

**and**

3. Authorize the *Professional Services Included in FY 2005/06 Budget* to be representative of services projected to be utilized by departments in 2005/06.

**City Administrator Penny Culbreth-Graft gave a PowerPoint report. Councilmembers requested a Study Session describing methodology for equipment replacement in the City. Culbreth-Graft responded, stating report would be forthcoming and be inclusive of equipment in many departments. She reviewed general fund revenue vs. appropriations, fund balance reserves, unfunded liabilities, budget issues, extraordinary general fund issues, and other projects.**

**Councilmember commented on retirement unfunded liabilities, and asked for an explanation of the Retiree Medical Subsidy. Finance Officer Dan Villella reported. Councilmember inquired about state takeaway, repayments, and funds forgiven stating preferences for Water Master Plan charges. Councilmember commented on dates of mid-year review, inquiring about bringing non-budgeted projects forward. Culbreth-Graft reported on both, stating mid-year review will be held in March/April.**

**City Administrator Culbreth-Graft then introduced Deputy City Administrator Paul Emery, who presented highlights of the Capital Improvement Program (CIP). Councilmembers inquired about requirements for mid-year budget session, the definition of various arterial highways, and complimented staff on recommended increase of funding to infrastructure projects, asking drainage/storm water quality category be increased in the future. Deputy Emery announced availability of CIP project detail on the City's website.**

*He gave further details on water facilities, arterial rehabilitation, sewer projects, residential sidewalk/tree replacement, drainage and water quality, and drainage pump stations. City Administrator Culbreth-Graft concluded, speaking of opportunities to bring non-budgeted projects forward. She thanked Dan Villella, John Roulette, and Jennifer Lampman their for efforts, and Department Heads for adjusting budgets to balance.*

*Councilmembers inquired about reserving the right to change the budget mid-year or other times, including Strategic Planning meeting, about Proposition 172 requirements in regards to funds and public safety departments and about unfunded public safety positions. Staff reported on these inquiries. Councilmembers commended staff and the City Administrator for improvements to the budget report. A further Council inquiry was made about funding for curb & gutter repairs and timeline for repairs, stating preference for increased funding in this area. Deputy Emery reported four street segments completed last year, 20 budgeted for next year. Council inquiry made regarding parking fine fluctuations and staff reported, stating vacant enforcement positions have been filled and public better educated on street sweeping schedule. Council inquiry regarding vulnerability for service level declines and potential adjustments necessary. City Administrator Culbreth-Graft reported, stating Community Services and Public Works are vulnerable. Further Council inquiries were made regarding projected increase in fuel expenses, specifically natural gas, sources of funding for unfunded increases, professional services contracts and dollar limit above which they must be presented to Council, and the format of the budget and number of personnel in departments. Open public hearing, City Clerk reiterated Late Communications for the record. Six public speakers as follows:*

*President of Board of Directors of Huntington Beach Concert Band urged Council to adopt staff recommendations on budget for Band. He stated he has been the manager of the band for 25 yrs, and reported over 30 years of concerts in the park. He further stated he hoped to increase to 10 weeks/10 concerts next year, and asked council to continue support. He announced a music CD created by the band and distributed copies to Council and staff.*

*Forty-one year resident expressed appreciation for Council efforts, thanked for funding for Little League, signal at Graham and Heil and concurred with previous speaker on funding support for Huntington Beach Concert Band. Also stated support for Art Center and infrastructure repairs, flood control, urban runoff solutions and spoke about the Harbor Patrol and the County. Lastly he spoke regarding Measure M funds and volunteered to help.*

*Speaker, President of Huntington Beach Conference and Visitors Bureau, voiced support for funding of Bureau to assist in increasing overnight tourism. He referred to details of contract with City, and urged Council to approve the budget resolution as submitted.*

*Speaker, President of Sea Isle Garden Club, stated appreciation for Council on behalf of the club. She spoke about the Edinger Beautification Project, thanking the City for assistance and the residents for attending. She also thanked Dorothy Ralphs for her fundraising and support of the group.*

**Speaker voiced support for the Edinger Beautification Project, thanking Council for assistance with the initial study. She updated Council on further necessary studies and costs involved. She asked Council to support Councilmember Bohr's proposal to support this project, and volunteered her time to continue to raise funds.**

**Councilmember Bohr announced that he would be presenting a PowerPoint report later on in the hearing on the Edinger Beautification Project.**

**Vice Chair of the City's Finance Board congratulated staff on the budget document and for their commitment to improve in the future. He stated the Finance Board looks forward to continued involvement, and urged citizens to become involved as well. He lastly concurred with support for the Conference and Visitors Bureau.**

**Closed public hearing. Coerper/Green motion to approve recommended action.**

**Bohr presented PowerPoint report detailing 5 items for Council consideration:**

**Item 1-Edinger Avenue Parkway Improvements for \$150,000 from 2<sup>nd</sup> tier or CIP reserve (giving authority to staff to determine which) and direct staff to commence first phase of work;**

**Councilmember Cook suggested a competitive grant process for projects. Councilmember Coerper stated concerns regarding safety issues on pavement drop-off. Staff responded, stating the area in question needs attention. Councilmembers inquired about assistance from County or Navy, amount of funding requested, existing procedure for funding requests and grants available. Councilmembers Coerper and Hansen stated support for the project.**

**Bohr/Coerper motion to approve item 1. Cook stated opposition to motion, stating need for a consistent process. Green inquired about payment for initial study. Staff reported that group would be billed. Green stated reasons for supporting motion.**

**Councilmembers inquired about irrigation requirements, ongoing maintenance, curb and gutter requirements, Newland beautification project costs & source of funding, and Garden Club communication, and potential formation of assessment district and timeframe. Staff reported. Mayor Pro Tem Sullivan stated possible reasons for opposing motion, including greater liabilities in other areas of City, and past lack of success with this type of project. He suggested Garden Club funds be received before City funds spent, and support for assessment district. Mayor Hardy stated preference for the Mayor Pro Tem's suggestion to require funds from group and match funds by project phase, up to \$150,000. She also stated her preference for creating a consistent process such as a formal grant.**

**City Administrator advised caution in creating a process due to inconsistency of surplus dollars. Councilmember Coerper inquired about fundraising efforts and Councilmember Bohr reported, stating Garden Club successes. Mayor Hardy stated support for motion if it includes curb and gutter and match is project by project. Councilmember Hansen stated further support for providing infrastructure that was not already provided by City. Councilmember Green stated further support for curb and gutter improvements and conservation-minded irrigation and lighting.**

***Sullivan/Hardy substitute motion to appropriate \$90,000 for curb and gutter improvements on this section of Edinger. Councilmember Bohr requested an additional \$60,000 to be spent on the project, as matched by the Garden Club. Maker and second agreed to the amendment. Councilmember Green suggested an amendment for an additional \$66,000 for drip irrigation and solar lighting to encourage conservation. Maker of motion denied this amendment. Staff direction to encourage energy saving irrigation and lighting when those phases of project arise. Funds to come from surplus any fund balance if available, then 2<sup>nd</sup> Tier Reserve. Approved 6-1 (Cook-No)***

***Councilmember Bohr brought forth additional items which he did not anticipate action on at this meeting, but will bring back to Council at a later date. They included:***

***Item 2: Requested City fund \$100,000 for design and construction of monument type signage for up to 10 City gateways, for Mayor to form Council subcommittee to work with Design Review Board, and staff to develop design process to be brought back to Council. Mayor agreed to form subcommittee and suggested consideration of funding come at a later date, to be discussed at Strategic meeting at end of month. Councilmembers to contact Mayor if interested in serving as liaisons on the subcommittee.***

***Item 3: Request City fund replacement/upgrade of porta potties at the beach.***

***Item 4: Request Replacement of portable business units on Pier with permanent structures.***

***Item 5: Request Huntington Harbour Yacht Club/HB Warner Fire Station refurbishments.***

***Mayor Pro Tem Sullivan inquired about traffic signal at Warner Fire Station, asking for an update and suggesting expediting in the interest of public safety. Staff reported.***

***Mayor announced vote on original motion to adopt Resolution Number 2005-64, "A Resolution of the City Council of the City of Huntington Beach Adopting a Budget for the City for Fiscal Year 2005/06." as amended by Late Communication and to authorize the Professional Services Included in FY 2005/06 Budget to be representative of services projected to be utilized by departments in 2005/06.***

***Sullivan stated concerns with equipment replacements. Suggested Section 6 of the Resolution be amended to include final sentence of: " However the City Administrator must obtain City Council approval for items that exceed \$500,000" Maker and 2<sup>nd</sup> to motion accepted. Approved 6-1 (Cook-No)***

**Call Closed Session of City Council/Redevelopment Agency – 9:36 p.m.**

**Recommended Action: Motion to recess to Closed Session on the following items: Sullivan/Coerper to Closed Session, approved by consensus of all present.**

**(City Council) Closed Session** – Pursuant to Government Code Section 54957 to consider personnel matters. Subject: **Appointment of Economic Development Director.** (120.80)

**(City Council) Closed Session** – Pursuant to Government Code Section 54957.6 to meet with its designated representatives: Agency Negotiators: Penelope Culbreth-Graft, City Administrator; Chuck Thomas, Acting Director of Administrative Services; Dan Villella, Finance Officer; and Irma Youssefieh, Human Resources Manager regarding labor relations matters – meet and confer with the following employee organizations: **MSOA and SCLEA.** Subject: **Labor Relations – Meet & Confer.** (120.80)

**(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 **Baugh v. City of Huntington Beach**; Orange County Superior Court –West Justice Center; Case No. 05WS00870. Subject: **Baugh v. City of Huntington Beach** (120.80)

**The City Attorney Shall Determine If Any Actions Taken By The City Council or Redevelopment Agency In Closed Session Shall Require A Reporting On Those Actions As Required By Law (Government Code §54957.1(a) (3) (B)).**

**Council/Agency Adjournment at 10:00 p.m.**

The next regularly scheduled Council meeting is **Monday, September 19, 2005**, at 4:00 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>**