

**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.*

**ACTION AGENDA**

**SPECIAL AND ADJOURNED CITY COUNCIL/REDEVELOPMENT AGENCY  
CITY OF HUNTINGTON BEACH**

**MONDAY NOVEMBER 29, 2004**

**4:00 P.M. – Public Comments**

***Prior to Closed Session in the Council Chambers***

5:00 P.M. - Council Chambers  
Civic Center, 2000 Main Street  
Huntington Beach, California 92648

**4:00–5:00 P.M. - Special Meeting and 5:00 P.M. – Adjourned Regular Meeting  
(Council Chambers)**

**Call City Council/Redevelopment Agency Special and Adjourned Regular Meetings  
to Order**

**Roll Call** Sullivan, Coerper, Hardy, Green, Boardman, Cook, Winchell  
***Present (Mayor Green and Councilmember Boardman requested permission to  
be absent from the meeting pursuant to Resolution No. 2001-54.)***

**City Clerk Reads Call for Special Meeting**  
***City Clerk Joan L. Flynn read the “Call for Special Meeting”***

**CALL FOR CITY COUNCIL/REDEVELOPMENT AGENCY SPECIAL MEETING**

**CITY OF HUNTINGTON BEACH**

**MONDAY, NOVEMBER 29, 2004**

Cathy Green, Mayor  
Jill Hardy, Mayor Pro-Tem  
Dave Sullivan, Council Member  
Gil Coerper, Council Member  
Debbie Cook, Council Member  
Grace Winchell, Council Member  
Connie Boardman, 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 **Lower Level, Civic Center Council Chambers, 2000 Main Street, Huntington Beach, CA 92648** at the hour of **4:00 p.m.** on **Monday, November 29, 2004** in order to allow discussion of the following Closed Session agenda item:

**(City Council) Closed Session** – Pursuant to Government Code Section 54957.6 to meet with its designated representatives: Agency Negotiators: Penelope Culbreth-Graft, City Administrator; Clay Martin, Director of Administrative Services; and Irma Youssefieh, Human Resources Manager regarding labor relations matters – meet and confer with the following employee organizations: **MEO, MEA, PMA, FMA, HBPOA, HBFA, MSOA, SCLEA and Non-Associated.** Subject: **Labor Relations – Meet & Confer.** (120.80)

Dated: November 19, 2004

\_\_\_\_\_  
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 4:00 p.m. on Sunday, November 28, 2004.

\_\_\_\_\_  
Mayor

**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.)

**Notices of Absence**

**Public Comments Regarding 4:00 P.M. Special Meeting Portion of Council Meeting – Restricted to Closed Session Agenda Item Only**

**None**

**Call Closed Session of City Council/Redevelopment Agency**

**Recommended Action:** Motion to recess to Closed Session on the following items:  
**Approved 5-0-2 (Green, Boardman – 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; Clay Martin, Director of Administrative Services; and Irma Youssefieh, Human Resources Manager regarding labor relations matters – meet and confer with the following employee organizations: **MEO, MEA, PMA, FMA, HBPOA, HBFA, MSOA, SCLEA and Non-Associated.** Subject: **Labor Relations – Meet & Confer.** (120.80)

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).

### **5:00 P.M. - Regular Adjourned Meeting (Council Chambers)**

#### **Reconvene City Council/Redevelopment Agency Meeting**

**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)).**  
**None**

**Roll Call** Sullivan, Coerper, Hardy, Green, Boardman, Cook, Winchell  
**Present (Mayor Green and Councilmember Boardman requested permission to be absent from the meeting pursuant to Resolution No. 2001-54.)**

#### **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.)

**Notices of Absence, D1, D2**

### **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.

3 minutes per person, time may not be donated to others. No action can be taken by Council/Agency on this date unless agendaized.

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

***Speakers spoke relative to the proposed Through Lots Ordinance, current status of the ordinance, and upcoming City Council agendas.***

***Speaker alleged false titles filed relative to a certain developer and asked that the situation be reviewed by Council or staff.***

#### **D. PUBLIC HEARINGS**

Anyone wishing to speak on an OPEN public hearing is requested to complete the attached pink form and give it to the Sergeant-at-Arms located near the Speaker's Podium.

#### **D-1 (City Council) Public Hearing to Consider Approval of Master Conditional Use Permit (CUP) No. 04-43 as Part of a Settlement Agreement between the City and Five Title Companies Representing Property Owners Pertaining to the Conversion of Approximately 58 Condominiums on Approximately 15 Properties (420.40)z**

The Public Hearing Notice sets forth the following:

**Applicants:** Multiple Property Owners

**Request:** To approve approximately 65\* condominium units on approximately 15 properties.

**Locations:** 7342 Garfield Avenue, 7352 Garfield Avenue, 16751 Green Street, 16741 Green Street, 16821 Green Street, 8161 Forelle Drive, 7551 Amazon Drive, 1412-1418 Orange Avenue, 2505 Delaware Street, 402 Twenty-first Street, 17031 Ash Street, 317 Seventeenth Street, 218 Sixteenth Street, 1703 Alabama Street, 816, 820, and 828 Eleventh Street

NOTICE IS HEREBY GIVEN that this agenda item is categorically exempt from the provisions of the California Environmental Quality Act (CEQA).

ON FILE: A copy of the proposed requests is on file in the City Clerk's Office, 2000 Main Street, Huntington Beach, California 92648, for inspection by the public. A copy of the staff report will be available to interested parties at the City Clerk's Office on Wednesday, November 24, 2004.

ALL INTERESTED PERSONS are invited to attend said hearing and express opinions or submit evidence for or against the application as outlined above. If you challenge the City Council's action in court, you may be limited to raising only those issues you or someone else raised at the

public hearing described in this notice, or in written correspondence delivered to the City at, or prior to, the public hearing. If there are any further questions please call the Planning Department at 536-5271 and refer to the above items. Direct your written communications to the City Clerk.

1. \*Staff report lists 58 condominiums
2. City Council discussion
3. Open public hearing
4. Following public input, close public hearing

**Recommended Action:** Motion to:

Approve Conditional Use Permit No. 04-43 with findings and conditions for approval.

***Planning Director Howard Zelefsky gave an oral report.***

***City Clerk Flynn announced Late Communications.***

***Speaker spoke relative to conditions of the proposed settlement.***

***City Attorney McGrath responded to Council and speaker inquiries.***

***Motion to approve CUP 04-43 with revised findings and conditions for approval per Late Communication submitted by City Attorney and Director of Planning – Approved 5-0-2 (Green, Boardman - absent)***

**D-2. (City Council) Continued from November 15, 2004 Council Meeting - Public Hearing to Consider (1.) Approval of Zoning Text Amendment No. 04-03 Amending Huntington Beach Zoning and Subdivision Ordinance (ZSO) Chapter 250 Relating to a Tentative Parcel Map Exemption for Condominium Conversions - Approve for Introduction Ordinance No. 3690 and (2.) Approve Adoption of Resolution No. 2004- 91 Establishing the Affordable Housing In-Lieu Fee Authorized by Zoning and Subdivision Ordinance (ZSO) Chapter 235 Relating to Residential Condominium Conversions (450.20)**

**Applicant:** City of Huntington Beach

**Request 1.** To amend Chapter 250, Subdivisions – General Provisions, of the Huntington Beach Zoning and Subdivision Ordinance. The proposed amendment is intended to provide an exemption to the tentative parcel map process for apartments and stock cooperatives previously converted to condominiums without City approval;

**and**

**Request 2.** To establish an affordable housing in-lieu fee for apartments and stock cooperatives previously converted to condominiums without City approval.

**Location:** Citywide

NOTICE IS HEREBY GIVEN that Item #1 is exempt from the provisions of the California Environmental Quality Act (CEQA) pursuant to City Council Resolution 4501, Section 6, Class 20, which supplements CEQA and exempts minor amendments to zoning ordinances. Additionally Item #2 is not subject to the provisions of CEQA pursuant to Section 15061 b) 3), because it can be seen with certainty that there is no possibility that the activity in question may have a significant effect on the environment.

ON FILE: A copy of the proposed requests is on file in the City Clerk's Office, 2000 Main Street, Huntington Beach, California 92648, for inspection by the public. A copy of the staff report will be available to interested parties at the City Clerk's Office on Wednesday, November 10, 2004.

ALL INTERESTED PERSONS are invited to attend said hearing and express opinions or submit evidence for or against the application as outlined above. If you challenge the City Council's action in court, you may be limited to raising only those issues you or someone else raised at the public hearing described in this notice, or in written correspondence delivered to the City at, or prior to, the public hearing. If there are any further questions please call the Planning Department at 536-5271 and refer to the above items. Direct your written communications to the City Clerk.

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

**Recommended Action:** Motion to:

1. After the City Clerk reads by title, approve for introduction **Ordinance No. 3690 – “An Ordinance of the City of Huntington Beach Amending Chapter 250 of the Huntington Beach Zoning and Subdivision Ordinance Relating to General Provisions – Map Requirements,”** and Approve Zoning Text Amendment No. 04-03 with findings for approval (ATTACHMENT NO. 1 and NO. 2);

**and**

2. Adopt **Resolution No. 2004-91 – “A Resolution of the City Council of the City of Huntington Beach Establishing the Affordable Housing In-Lieu Fee Authorized by Zoning and Subdivision Ordinance Chapter 235 Relating to Residential Condominium Conversions.”**

**Senior Planner Jane James gave a PowerPoint report.**

**City Clerk Flynn announced Late Communications.**

**Speaker spoke relative to the study done to determine in-lieu fees, stating concerns about the appropriateness of the fees.**

**Speaker informed Council of his concerns regarding potential future fees to homeowners and whether title companies will accept responsibility.**

**City Attorney McGrath responded to Council inquiries.**

**Motion to approve for introduction Ordinance No. 3690, approve ZTA 04-03 with findings for approval, and adopt Resolution No. 2004-91 – Approved 5-0-2 (Green, Boardman – absent)**

**Council Comments - (Not Agendized)**

At this time Councilmembers may report on items not specifically described on the agenda which are of interest to the community. No action or discussion may be taken except to provide staff direction to report back or to place the item on a future agenda.

**None**

**Council/Agency Adjournment to Monday, December 6, 2004, at 6:00 p.m., in Room B-8, Civic Center, 2000 Main Street, Huntington Beach, California. (The 5:00 p.m. portion of the meeting will be recessed by the City Clerk to 6:00 p.m. due to an anticipated lack of quorum.)**

**Adjourned at 5:42 p.m. to Monday, December 6, 2004 at 6:00 p.m.**

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>***