

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

CITY COUNCIL/REDEVELOPMENT AGENCY
CITY OF HUNTINGTON BEACH

MONDAY, DECEMBER 6, 2004

6:00 P.M. - Council Chambers

Civic Center, 2000 Main Street
Huntington Beach, California 92648

The City Clerk will recess the 5:00 P.M. portion of the Meeting due to an anticipated lack of quorum.

Deputy City Clerk Kelly Mandic recessed the meeting.

Call City Council/Redevelopment Agency Meeting to Order

Roll Call Sullivan, Coerper, Hardy, Green, Boardman, Cook, Winchell

Present

Pledge of Allegiance/Flag Salute – Presentation of the colors by the Huntington Beach Fire and Police Departments' Honor Guard

Invocation – Reverend Bruce Templeton, First Christian Church

Councilmember Sullivan requested the meeting be held in the memory of two men who have recently passed away: William James and Bob Barker.

Public Comments speaker requested Council study issues in depth on item number 2.

1. (City Council) Adopt Resolution No. 2004-94 Reciting the Facts of the November 2, 2004 General Municipal Election and Certifying to the City Council the Canvass of Election by the Registrar of Voters - (620.20)

Communication from the City Clerk transmitting **Resolution No. 2004-94** - Certification of Canvass of Election by the Registrar of Voters.

Recommended Action: Motion to:

Adopt **Resolution No. 2004-94-** "A Resolution of the City Council of the City of Huntington Beach Reciting the Fact of the General Municipal Election Held on November 2, 2004 Consolidated with the County of Orange, and Declaring the Results Thereof and such other Matters as Provided by Law." Submitted by the City Clerk.

Funding Source: Election Program Account.

Adopted 7 – 0

City Clerk Joan L. Flynn distributed Certificates of Election to newly elected officials: Councilmembers Debbie Cook, Keith Bohr and Don Hansen, and City Treasurer Shari Freidenrich.

Submitted by Councilmember Grace Winchell

2. (City Council) Direct the Planning Director to Return to Council with an Ordinance Limiting the Building Floor Area Ratio (FAR) for Low Density Residential (RL) Districts for Single-Family Homes (120.90)

Communication from Councilmember Grace Winchell transmitting the following

Statement of Issue: The city has experienced an increase in the number of additions/expansions to existing single-family residences in existing, established residential neighborhoods. Some of these additions have included additional stories resulting in structures that are out of character and scale for the neighborhood.

In order to address this issue, it is recommended that a maximum floor area ratio (FAR) be included as a development standard in the RL districts only. This would limit the size and bulk of residential structures proportionate to the size of the lot. Such an ordinance would not affect existing homes that may not comply because there is existing language in the zoning code that addresses non-conforming structures. It will also not affect single-family homes in specific plan areas.

Recommended Action:

Direct the Director of Planning to bring back to the Council an ordinance limiting the FAR to .5 for low density residential (RL) districts.

Councilmember Grace Winchell reported orally. Planning Director Howard Zelefsky responded to Council inquiries regarding the issue. Amended motion to study.

Approved 7 - 0

State of the City Address and Presentations by Mayor Green

Mayor Cathy Green reported objective summary and year as Mayor: Recruitment of new City Administrator Dr. Penelope Culbreth-Graft and Assistant City Administrator William Workman has been recruited by the City of Redondo Beach and appointment of City Clerk Joan L. Flynn who has been elected, among other highlighted bullet points on projects throughout the city.

Presentations to Each Councilmember by Mayor Green

Mayor Green presented prints created and signed by Dean Torrance depicting Surf City.

City Administrator Remarks to Outgoing Councilmember Boardman

Dr. Penelope Culbreth-Graft commented based on Department Heads' remarks and presented a token of appreciation.

Councilmember Boardman Addresses Council and Citizens

Councilmember Boardman thanked the people of the City for the opportunity to serve and addressed issues relative to the environment, the City's financial status, and other topics.

Presentations from the Community to Outgoing Councilmember Boardman

Huntington Beach Tomorrow – Ed Kerins to Connie Boardman

Bob Biddle, from State Assemblyman Tom Harman's Office to Connie Boardman

Other presenters were: Steve Gullage, Golden State Mobilhome Owners League (GSMOL); Municipal Employees Association (MEA) representative, Bob Hidusky, Gerald Chapman, President of Bolsa Chica Land Trust and Councilmember Debbie Cook. Topper Horack presented a PowerPoint tribute.

Councilmember Grace Winchell made parting remarks on her short tenure.

Oath of Office to City Clerk

Mayor Green to administer Oath of Office to Joan Flynn, City Clerk.

Oath administered.

Mayor Green Invites Incoming Councilmembers Cook, Bohr, and Hansen to the Dais

Momentary Recess - Councilmembers Bohr and Hansen to assume their places at the Council Dais.

Councilmembers took their respective places at the dais.

Oath of Office to Councilmembers

The City Clerk to administer the Oath of Office to the newly elected officers as follows:

Oaths administered to the following by City Clerk Joan L. Flynn:

Members of the City Council

Debbie Cook

Keith Bohr

Don Hansen

City Treasurer

Shari Freidenrich

City Clerk Presides

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

Conduct Election of Mayor and Mayor Pro Tempore for Ensuing Year

City Clerk calls for motion to elect Mayor.

City Clerk conducted elections and called for a motion.

Motion was made to elect Jill Hardy as Mayor.

Vote by acclamation.

Election made by acclamation.

Oath of Office to New Mayor

City Clerk Administers Oath of Office to New Mayor

Oath administered.

Presentation by Outgoing Mayor Green to New Mayor

Mayor Green presented gavel to new Mayor Hardy.

Presentation by New Mayor to Outgoing Mayor Green

New Mayor Jill Hardy presented "Ultimate Challenge" surfer statuette.

Presentations from the Community to outgoing Mayor Green.

Presentations made to outgoing Mayor by former Councilmember, Mayor and spouse Peter Green; Supervisor Jim Silva; Eagle Scout from Troop 558, Timothy DeFresne; Tom Livengood of the "Green Team"; Natalie Kotsch, Surfing Museum; Pat Davis, Businessperson; Dale Dunn, President of Huntington Beach Council on Aging; and Interfaith Council Minister, Reverend Peggy Price.

Presentation by Community to New Mayor Hardy

Elaine Murphy, Bolsa Chica Land Trust presented an Honorary Grant Deed of one square foot; Jenny Troutman and other Huntington Beach High School students of teacher, Jill Hardy spoke and presented flowers.

New Mayor Presides

Election of Mayor Pro Tempore

New Mayor calls for motion to elect Mayor Pro Tempore

Motion made to elect Dave Sullivan as Mayor Pro Tem.

Vote by acclamation.

Election made by acclamation.

Comments by Newly Elected Mayor

Mayor Jill Hardy thanked outgoing Councilmembers Boardman and Winchell and newly elected Councilmembers Bohr and Hansen, fiancé, family members, City staff and voters.

Statements by Newly Elected Councilmembers, City Clerk and City Treasurer
Councilmembers Cook, Bohr, and Hansen; City Clerk Joan L. Flynn and City Treasurer Shari Freidenrich conveyed their appreciation to family, friends, staff, supporters and the People of Huntington Beach.

Recess - Reception in Room B-8**Reconvened in the Council Chambers**

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

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.**

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.)

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.

Speaker, Vice President of Huntington Beach Municipal Employees Association (MEA), thanked outgoing Mayor and congratulated newly elected officials.

Speaker, resident of Ellis-GoldenWest quarter section, spoke regarding the Specific Plan. He distributed photos of grading and spoke regarding the alleged lack of permitting for the "cut and fill" work being done and the work stoppage he initiated.

Speaker voiced concerns over construction of the Surf Museum and the direction he believes it is taking as a commercial venture. The speaker made some recommendations about the construction, including funding through a CD he recorded, "I Need a (Root) Beer".

Speaker extended thanks to new members of Council and informed Council of his concerns regarding his tract and methane barriers.

Speaker, Vice Chairman of Finance Board relayed greetings from his chair, Charles Falzon to congratulate all the newly elected officials and to thank the outgoing members of Council.

Speaker, member of Finance Board, informed Council of her impending departure and commended Finance Board Chair Falzon for his work.

Speaker requested Council ban cigarette smoking in City parks. He stated the City of Laguna Hills is in the process of instating such a ban.

Speaker, soon to be Chair of the Planning Commission, welcomed new Council and thanked outgoing Council.

Speaker, Senior Legislative Representative of the California National Guard Association, spoke to thank outgoing Mayor Green. He informed Council of the Yellow Ribbon Campaign in support of the U. S. Military and its success. Speaker presented a Yellow Ribbon pin to outgoing Mayor Green.

C-1. Council Committee/Council Liaison Reports

None

C-2. City Administrator's Reports

None

E. CONSENT CALENDAR

All matters listed on the Consent Calendar are considered by the City Council and Redevelopment Agency to be routine and will be enacted by one motion in the form listed.

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

E-1. (City Council) Approve City Departments' Recommendations for the Projects to Receive the Highest Level of Focus for Funding Efforts by the City's State and Federal Lobbyists during the 2005 Legislative Session (640.90) - The Intergovernmental Relations Committee has reviewed the department recommendations for the Funding Priorities List and is recommending the City Council take the following action. **Motion:** Approve the projects as shown in the 2005 State and Federal Legislation Funding Priorities List (Attachment No. 1) as those projects to be the focus of the City's funding efforts in the coming year. Submitted by the Intergovernmental Relations Committee Chair and Council Committee Members. Funding Source: Not Applicable.

Approved 7 – 0

E-2. (City Council) Approve License Renewal Agreement with Southern California Edison (SCE) for Edison Community Park (600.10) – Approve the *License Agreement* with SCE for the use of the property known as Edison Community Park, and authorize the Mayor and City Clerk to execute any and all documents necessary to conclude this transaction. Submitted by the Economic Development Director and Community Services Director. Funding Source: The annual payment of \$1,632 is budgeted in the Park Acquisition and Development Fund; total amount for five-year agreement is \$8160.

Approved 7 – 0

E-3. (City Council) Approve License Renewal Agreement with Southern California Edison (SCE) for Gisler Park (600.10) – Approve the *License Agreement* with SCE for the use of the property known as Gisler Park, and authorize the Mayor and City Clerk to execute any and all documents necessary to conclude this transaction. Submitted by the Economic Development Director and Community Services Director. Funding Source: The annual payment of \$2,100 is budgeted in the Park Acquisition and Development Fund Account No. 20945101.70300.

Approved 7 – 0

E-4. (City Council) Accept Race Pace Promotion's Request for Termination of Agreement with the City to Provide the Pacific Shoreline Marathon in Huntington Beach (600.10) – Waive the eleven-month notice provision, and accept Race Pace Promotions' request for termination of its agreement with the city to conduct the Pacific Shoreline Marathon. Submitted by the Community Services Director. Funding Source: Not applicable.

Councilmember Coerper inquired regarding how the item will not require funding.

Approved 7 – 0

E-5. (City Council) Adopt Resolution No. 2004-92 Requesting CalTrans Approve the Closure on February 6, 2005 of Pacific Coast Highway for the Pacific Shoreline Marathon Run and Resolution No. 2004-93 Approving the Closure on February 6, 2005 of Various Local City Streets Pacific Shoreline Marathon Run (800.60) – 1. Adopt Resolution No. 2004-92 – “A Resolution of the City Council of the City of Huntington Beach Requesting CalTrans Approve the Closing of Pacific Coast Highway for the Huntington Beach Pacific Shoreline Marathon Run;” and 2. Adopt Resolution No. 2004-93 - “A Resolution of the City Council of the City of Huntington Beach for the Temporary Closure of Portions of Goldenwest Street, Garfield Avenue, Edwards Street, Ellis Avenue, Talbert Avenue, Seapoint Street, Inlet Drive, Overlook Drive, Summit Drive, Varsity Drive, and Central Park Drive for the Pacific Shoreline Marathon Run.” Submitted by the Community Services Director. Funding Source: None.
Community Services Director Jim Engle reported in response to Councilmember Coerper to affirm no funding necessary. Information received that streets will reopen at 2:00 p.m.
Approved 7 – 0

E-6. (City Council/Redevelopment Agency) Adopt Council Resolution No. 2004-95 and Agency Resolution No.353 Approving Change In Start Time of City Council/ Redevelopment Agency Meetings (120.10) – 1. Adopt Resolution No. 2004-95 - “A Resolution of the City of Huntington Beach Fixing the Time of City Council Meetings,” and 2. Adopt Agency Resolution No. 353 - “A Resolution of the Redevelopment Agency of the City of Huntington Beach Fixing the Time of Redevelopment Agency Meetings.” Submitted by the City Attorney/Counsel and the City Clerk/Clerk. Funding Source: None.
Adopted 7 – 0

F. Administrative Items – None

G. Ordinances

G-1. Ordinances for Adoption

G-1a. (City Council) Adopt Ordinance No. 3691 Amending Chapter 248 of the Huntington Beach Zoning and Subdivision Ordinances Regarding Notices, Hearings, Findings, Decisions, and Appeals (450.20) - Ordinance No. 3691 – “AN ORDINANCE OF THE CITY OF HUNTINGTON BEACH AMENDING CHAPTER 248 OF THE HUNTINGTON BEACH ZONING AND SUBDIVISION ORDINANCE ENTITLED NOTICES, HEARINGS, FINDINGS, DECISIONS AND APPEALS.” (Approved for introduction at the November 15, 2004 Council Meeting.)
Recommended Action: After the City Clerk reads by title, adopt **Ordinance No. 3691**, by roll call vote.
Adopted 7 – 0

G-1b. (City Council) Adopt Ordinance No. 3690 Amending Chapter 250 of the Huntington Beach Zoning and Subdivision Ordinances Regarding General Provisions Map Requirements (450.20) - 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.” (Approved for introduction at the November 29, 2004 Council Meeting.)

Recommended Action: After the City Clerk reads by title, adopt **Ordinance No. 3690**, by roll call vote.

Adopted 7 – 0

G-2. Ordinances for Introduction - None

H. City Council/Redevelopment Agency Items

Council Comments - (Not Agendized)

Councilmember Green welcomed all newly elected officials and thanked outgoing Councilmembers.

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.

Council/Agency Adjournment to *Monday, December 20, 2004, 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**

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