

**Minutes
City Council/Redevelopment Agency
City of Huntington Beach**

Monday, January 5, 2004
5:00 P.M. - Room B-8
7:00 P.M. - Council Chambers
Civic Center, 2000 Main Street
Huntington Beach, California 92648

An audiotape of the 5:00 p.m. portion of this meeting
and a videotape of the 7:00 p.m. portion of this meeting
are on file in the Office of the City Clerk.

Call to Order

Mayor Pro Tem Hardy called the regular meetings of the City Council/Redevelopment Agency of the City of Huntington Beach to order at 5:00 p.m. in Room B-8.

City Council/Redevelopment Agency Meeting Roll Call

Present: Sullivan, Coerper, Cook, Houchen, Hardy (Green arrived at 5:15 p.m., Boardman arrived at 5:40 p.m.)

Absent: None

The Following Late Communication Was Submitted During the Study Session Portion of the Meeting:

Late Communication submitted by the Department of Public Works (undated) titled *Table 5-3. Summary of Storage/Supply Analysis (without Bolsa Chica)* was distributed during the Study Session portion of the meeting.

Public Comments

Russell Reinhart, representing the Huntington Beach Police Officers Association (HBPOA), spoke regarding the proposed health plan and the high costs incurred. He gave reasons why he believes Council needs to make a decision concerning an employee health plan.

Kreg Muller, representing the Huntington Beach Police Officers Association, spoke concerning labor relations which needs resolution to attract police recruits. He urged Council to make a decision concerning an employee health care plan.

Dennis Hashin, representing the Huntington Beach Police Officers Association, stated CALPERS is recommended and the preferred health plan by all employee associations. He spoke concerning an agreement by the HBPOA to pay benefits for the first year. Mr. Hashin urged Council to make a decision on employee health care.

Chuck Scheid expressed the need for information to be released to the public regarding labor negotiations. Mr. Scheid spoke concerning the security plan relating to the Water Master Plan, cautioning that funds will run out which will require funds to be co-mingled.

(City Council/Redevelopment Agency) Study Session Held – Presentation Made by the Public Works Department Regarding Water Master Plan Update (Refer to Consent Calendar Item to Follow) (.)

City Administrator Ray Silver introduced Public Works Director Robert F. Beardsley, who reported on the Water Master Plan update.

Director Robert F. Beardsley presented a Power Point report dated January 5, 2004 titled *Water Master Plan Update – Status Report of Programs and Progress* which was included in the agenda packet.

Public Works Director Beardsley spoke regarding emergency conditions as set forth in the Late Communication submitted during the Study Session portion of the meeting which was announced at the 7:00 portion of the meeting by Assistant City Clerk Liz Ehring. Analysis information included in the table of the document was clarified for Council by Director Beardsley.

Public Works Director Beardsley reported on the history of the City's severance of water connection with San Joaquin Reservoir and other concerns relating to the status of the water supply.

He informed Council that he will provide information on the agreement with neighboring cities for water connections.

Discussion was held between Council and staff concerning involvement of the Public Works Commission on the Water Master Plan.

Director Beardsley reported that the Consent Calendar agenda item regarding the Water Master Plan, to follow for Council consideration is not within purview of the Public Works Commission as it is not a capital improvement project.

Mayor Green thanked Director Beardsley for the report.

Motion to Recess to Closed Session – Approved

A motion was made by Coerper, second Boardman to recess to Closed Session on the following items. The motion carried by the following roll call vote:

AYES: Sullivan, Coerper, Hardy, Green, Boardman, Cook, Houchen

NOES: None

ABSENT: None

(City Council) Closed Session – Pursuant to Government Code Section 54957.6 to meet with its designated representatives: Agency Negotiators: Ray Silver, City Administrator; William Workman, Assistant City Administrator; Clay Martin, Director of Administrative Services; Jim Engle, Director of Community Services; Kenneth Small, Chief of Police; Duane Olson, Fire Chief; and Steven M. Berliner, Esq. and Bruce Barsook, Esq. of Liebert Cassidy Whitmore regarding **labor relations matters – meet and confer** with the following employee organizations: **MEO, MEA, PMA, FMA, HBPOA, HBFA, MSOA, SCLEA** and **Non-Associated**. (120.80)

Reconvened City Council/Redevelopment Agency Meeting – 7:15 P.M. – Council Chambers.**City Council- Redevelopment Agency Roll Call**

Present: Sullivan, Coerper, Hardy, Green, Boardman, Cook, Houchen

Absent: None

No Actions Taken Which Require a Reporting Pursuant to Government Code §54957.1(a) (3) (B)).

Mayor Green asked City Attorney Jennifer McGrath if there were any actions taken by the City Council or Redevelopment Agency in Closed Session that required a reporting. City Attorney McGrath responded that there were no actions to report.

Pledge of Allegiance – Led by Mayor Cathy Green

Invocation – Led by Councilmember Dave Sullivan

The City Clerk Announced Late Communications

Pursuant to the Brown (Open Meetings) Act, the City Clerk announced Late Communications regarding agenda items that had been received by her office following distribution of the agenda packet:

Communication submitted by the Department of Public Works (undated) titled *Table 5-3. Summary of Storage/Supply Analysis (without Bolsa Chica)* was distributed during the Study Session portion of the meeting.

Communication submitted by the City Clerk's Office dated January 5, 2004 (untitled) correcting a typographical error on the agenda item concerning City Council appointments to the Environmental Board.

The Following Additional Late Communications Were Submitted During the Meeting:

Communication submitted by Dr. Jan Vandersloot dated December 17, 2003 titled *Request for Expressions of Interest Ocean Water Desalination Program* from the Orange County Water District (OCWD) requesting interested companies to provide cost information for a potential desalination plant in Huntington Beach.

Communication in opposition to Districting submitted by Topper Horack transmitting a PowerPoint report which was presented during the Public Comments portion of the January 5, 2004 City Council meeting. Liz Ehring, Assistant City Clerk, requested a copy of the report for the official record.

Presentation made by Mayor Cathy Green, members of the Huntington Beach Youth Summit Coalition and Police Officer Bruce Bradley. These special presentations to the Youth Summit Coalition major sponsors were for their outstanding contributions to the program to combat alcohol and drug abuse. (160.40)

Presentation made by representatives of Santa Ana College, who presented a check to the Huntington Beach Fire Department for \$350,000.00 for improvements to the Fire Training Center Burn Tower. Mayor Cathy Green and Fire Chief Duane Olson accepted the check on behalf of the City. (160.40)

Presentation made in recognition to the Planning Department for outstanding service, by Planning Commission Chair Ron Davis on behalf of the Planning Commission. Planning Director Howard Zelefsky accepted the award on behalf of the Planning Department. (160.40)

Presentation made by Mayor Cathy Green, a commendation to Corporal David Tennant, who will be returning to his unit on January 9, 2004 to serve in the Iraq War. Mayor Green thanked Corporal Tennant for his outstanding courage and dedication while serving his country.

Public Comments

Joey Racano spoke in opposition to the proposed Poseidon desalination plant and the existing AES power generating plant in the South East Huntington Beach neighborhood.

Dr. Jan Vandersloot distributed a Late Communication urging opposition to the proposed desalination plant. He thanked Council for rejecting the proposed Poseidon desalination project EIR (Environmental Impact Report).

Thomas Lash stated his credentials as a microbiologist and thanked Council for their consideration concerning the proposed Poseidon desalination plant. Mr. Lash spoke in opposition to the proposed Poseidon desalination project.

Dr. Ralph Bauer spoke in opposition to Measure E, the Districting Initiative on the March 2, 2004 election ballot giving a website address of www.Nodistricts.org for citizens to contact for information concerning the proposed charter amendment measure.

John Earl spoke regarding the "public trust doctrine" in relation to water resources, stating that it should be adhered to for accountability. He spoke in opposition to the proposed desalination project.

Mary Jo Baretich spoke in opposition to the proposed Poseidon desalination plant. Ms. Baretich stated her belief that there are alternatives to desalination.

Councilmember Boardman announced that Wes Bannister is the City's representative on the Orange County Water Board (OCWD) to be contacted for any questions.

Gene Frederick stated that a walkway with overgrown vegetation in the area of Saddleback Lane up to Discovery Park and Summit Street needs maintenance and requested Council assistance.

Mayor Green requested Mr. Frederick to turn in a blue contact form to the Sergeant-at-Arms.

Topper Horack presented a PowerPoint report in opposition to Measure E - Districting measure on the March 2, 2004 election ballot. He spoke concerning the issues relating to the Districting Measure and how he believes Measure E would be detrimental to the City of Huntington Beach.

John McGregor spoke in opposition to the proposed Poseidon desalination plant. Mr. McGregor gave reasons why he believes that under existing conditions the proposed project should not be approved.

Doug Korthof thanked Council for helping to defeat the Sanitation District's request for sewage treatment waiver from the Clean Water Act. Mr. Korthof gave reasons why he believes the proposed Poseidon desalination plant is an industrial plant and does not belong at the proposed location. He stated his opposition to the proposed desalination project.

Tim Geddes stated his opposition to Measure E Districting charter amendment. Mr. Geddes gave reasons why he believes the citizens of Huntington Beach should vote no on Measure E.

Norm Westwell spoke in support of the agenda item concerning tree removal and replacement at the expense of a property owner, stating his belief it would promote community involvement. Mr. Westwell requested a "sunset clause" to be placed on the agenda item concerning sewer fees so it can be revisited at a later time.

Don McGee spoke in opposition to the proposed Poseidon desalination plant and the existing AES power generating plant in the South East Huntington Beach neighborhood. Mr. McGee stated his belief that the proposed desalination plant would harm the ecology.

Dean Albright spoke in favor of tree replacement and maintenance concerning curbs, gutters and sidewalks. Mr. Albright stated his belief that the Districting Measure E will not bring about changes regarding tree maintenance.

(City Council) Continued from the December 15, 2003 Council Meeting – Approved as Amended City Council Liaison Appointments for Citizen Boards, Commissions, Committees, and Task Forces for the Year 2004 (. .)

The City Council considered a communication from Mayor Cathy Green transmitting her list of recommendations for Council Liaison and Council Committee Member assignments for year 2004, titled *City of Huntington Beach – City Council Liaison Appointment - Citizen Boards, Commissions, Committees, and Task Forces*.

A motion was made by Coerper, second Sullivan to remove for separate consideration the Orange County Vector Control District assignment of Peter Green. The motion carried by the following roll call vote:

AYES: Sullivan, Coerper, Hardy, Green, Boardman, Cook, Houchen

NOES: None

ABSENT: None

Mayor Cathy Green stated she would abstain from voting due to her husband's appointment to continue on the Orange County Vector Control District.

Mayor Pro Tem Jill Hardy appointed Peter Green to the Orange County Vector Control Board.

A motion was made by Hardy, second Coerper to approve the Council Liaison Appointment List **as amended** by the first motion to remove for separate consideration the Vector Control Assignment of Peter Green and the subsequent appointment made by Mayor Pro Tem Hardy of Peter Green to Vector Control. The motion carried by the following roll call vote:

AYES: Sullivan, Coerper, Hardy, Boardman, Cook, Houchen

NOES: None

ABSENT: None

ABSTAIN: Green

(City Council) Recommendation by the City's Beautification, Landscape and Tree (BLT) Committee Re: Amendment to the City Policy to Allow Removal and Replacement (without Requirement of being on Petition List) of Parkway Trees at the Expense of the Property Owner - Pulled Recommended Action and Continued to BLT Committee Meeting (.)

The City Council considered a communication from Councilmember Coerper, Chair, transmitting on behalf of the Beautification, Landscape and Tree Committee members Mayor Pro Tem Jill Hardy and Councilmember Dave Sullivan, the following **Statement of Issue**: The current City Tree Removal/Replacement Policy (see Attachment 1 included in the agenda packet) outlines factors taken into consideration when the Director of Public Works determines whether the removal and replacement of a City Tree is necessary. The Public Works Department's Street Tree Petition process requires that at least 75% of the property owners on an impacted street agree with the proposed tree removal. The rationale for this is to insure that neighbors who benefit from the parkway trees are in agreement with the potential change in their streetscape. **Analysis**: The process of gaining neighborhood consensus is difficult and burdensome to many residents. Many property owners have expressed a desire to remove and replace the parkway tree in front of their residence at their own expense. Currently, the only way the Department of Public Works allows this to take place is if the resident's street is on the Petition List and, then, the Public Works Department will provide a "no fee" permit for the adjacent property owner's removal of the parkway tree, repair of any damaged curb, gutter and sidewalk, and planting of a new parkway tree, all at the property owners expense. If a property owner desires to complete this work on a street that is not on the Street Tree Petition list, then the resident is directed to complete the petition process.

Currently, there are over 90 street segments awaiting work that have completed the Street Tree Petition process. The estimated cost of these repairs exceeds \$14 million. Currently, only property owners on these 90 street segments have the opportunity to pay for the parkway tree removal/replacement, curb and gutter and sidewalk repair. The Beautification, Landscape and Tree Committee, on November 25, 2003, recommended that this process be brought to the full City Council, for discussion and possible amendment, to allow more property owners to correct their tree issues more readily, without the necessity of the Street Tree Petition process.

Included here is the November 25, 2003 staff report (without attachments) to the Beautification, Landscape and Tree Committee on this issue (see Attachment 2 included in the agenda packet).

Considerable discussion was held between Councilmembers and Public Works Director Robert F. Beardsley concerning tree issues including: 1) tree removal; 2) tree replacement; 3) types of trees allowed; 4) attempt to alleviate time consuming petitions; and 5) simplifying the process for citizens.

A motion was made by Coerper, second Sullivan to direct the Director of Public Works to allow removal and replacement of parkway trees, including necessary sidewalk, curb, and/or gutter repair, all at the expense of the property owner, without the location necessarily being on the Petition list. All other conditions of the current City Tree Removal/Replacement Policy will remain in effect.

The motion was **withdrawn**. The City Council removed the recommended action from consideration and continued the item to the Beautification, Landscape and Tree (BLT) Committee meeting.

(City Council) Announcement Made by Mayor Cathy Green of Individual Appointments of (1) Dick Harlow to the Public Works Commission; (2) Don Hansen to the Finance Board; and (3) Ed Bush to the Investment Advisory Board (.)

The City Council considered an announcement from Mayor Cathy Green concerning the following individual appointments.

A motion was made by Green, second Coerper to direct the City Clerk to make record in the minutes to reflect the individual appointments by Mayor Cathy Green of (1) Dick Harlow to the Public Works Commission; (2) Don Hansen to the Finance Board; and (3) Ed Bush to the Investment Advisory Board. The motion carried by the following roll call vote:

AYES: Sullivan, Coerper, Hardy, Green, Boardman, Cook, Houchen

NOES: None

ABSENT: None

(City Council) Approved Appointments of Randy Fuhrman and Don Rice to the Environmental Board (.)

The City Council considered a communication from Mayor Pro Tem Jill Hardy and Councilmember Connie Boardman, Liaisons to the Environmental Board, transmitting the following **Statement of Issue**: Currently, there are two vacancies on the Environmental Board due to unexpired terms.

A motion was made by Boardman, second Hardy to request Council approval of the following appointments to the Environmental Board: 1) **Randy Fuhrman** to fill the term of Joan Prijatel that expires on June 30, 2004; and 2) **Don Rice** to fill the term of Carrie Thomas that expires on June 30, 2007. The motion carried by the following roll call vote:

AYES: Sullivan, Coerper, Hardy, Green, Boardman, Cook, Houchen

NOES: None

ABSENT: None

Consent Calendar – Items Removed for Separate Discussion

The following items were removed from the Consent Calendar for separate discussion:

(City Council) Locals Night Downtown Free Parking Trial Promotion for Tuesday Nights in February or March in the Main Promenade Parking Structure

(City Council) Professional Services Contract with Tetra Tech, Inc. for Water Master Plan Update/Security Plan; CC-1221 (Refer to 5:00 p.m. Study Session Agenda Item)

Consent Calendar – Items Approved

On motion by Boardman, second Hardy Council approved the following Consent Calendar items, as recommended. The motion carried by the following roll call vote:

AYES: Sullivan, Coerper, Hardy, Green, Boardman, Cook, Houchen

NOES: None

ABSENT: None

(City Council) Approved Renewal of License (Lease) Agreement Between the City and County of Orange for the Luis M. Ochoa Job Center Site- Transfer Station

No. 2 at 18131 Gothard Street (.) – Approved and authorized the Mayor and City Clerk to execute the License Agreement between the City of Huntington Beach and the County of Orange for a portion of Transfer Station No. 2, located at 18131 Gothard Street in Huntington Beach. Submitted by the Economic Development Director. Funding Source: The \$600.00 in annual license fees for use of this site is budgeted in the Business Development Division Account.

(City Council) Accepted 2003/2004 Department of Justice-Local Law Enforcement Block Grant (LLEBG) Awarded and Authorized Expenditures for Various Types of Police Safety Equipment (.)

1. Accepted the total grant award of \$84,070 from the Department of Justice for funding cycle 2003-2004 and appropriate funds; and **2.** Established a separate business unit for this funding; and **3.** Authorized the Chief of Police to expend \$84,070.00 plus any accrued interest on Police Department Officer Safety Equipment as described. (Types of equipment include tasers, patrol rifles, SWAT tactical vests, pepper ball rifles, ballistic helmets, crowd control shields, and 40 mm specialty impact launchers.) Submitted by the Chief of Police. Funding Source: A 10% City match of \$8,407.00 is required and is within the Police Department's 2003-2004 budget.

(City Council) Approved Selection of the Executive Search Firm of Maximus, Inc. for the Recruitment of the Next City Administrator (Ray Silver's Replacement Upon his Intended Retirement) (.)

– Authorized the City Administrator to enter into an agreement with Maximus, Inc. titled *Professional Services Contract Between the City of Huntington Beach and Maximus, Inc. for Executive Recruitment Services* for the recruitment of the next City Administrator. Submitted by the City Administrator. Funding Source: Sufficient funds of \$30,000.00 exist in the City Administrator's budget.

(City Council) Removed from Agenda to Return at a Date Uncertain - Locals Night Downtown Free Parking Trial Promotion for Tuesday Nights in February or March in the Main Promenade Parking Structure (.)

Councilmember Cook requested that this agenda item be removed from the Consent Calendar to receive clarification concerning the Downtown free parking trial promotion.

Councilmember Boardman requested that staff advise Council concerning the amount of lost revenue if the proposed program is approved.

A motion was made by Cook, second Sullivan to:

Remove from the agenda the Downtown free parking trial promotion for Tuesday nights to return at a date uncertain.

The motion carried by the following roll call vote:

AYES: Sullivan, Coerper, Hardy, Green, Boardman, Cook, Houchen

NOES: None

ABSENT: None

(City Council) Approved Professional Services Contract with Tetra Tech, Inc. for Water Master Plan Update/Security Plan; CC-1221 (Refer to 5:00 p.m. Study Session Agenda Item) (.)

Councilmember Sullivan requested that this agenda item be removed from the Consent Calendar to discuss the Water Master Plan.

Director of Public Works Robert F. Beardsley clarified the change in the structure in response to Councilmember Sullivan's inquiry.

A motion was made by Sullivan, second Coerper to:

Approve and authorize the Mayor and City Clerk to execute a *Professional Services Contract between the City of Huntington Beach and Tetra Tech, Inc. for Water Master Plan Update/Security Plan (CC-1221)* for an amount not to exceed \$375,000.00.

The motion carried by the following roll call vote:

AYES: Sullivan, Coerper, Hardy, Green, Boardman, Cook

NOES: None

ABSENT: None (Houchen out of room)

(City Council) Approved Community Facilities District (CFD) 2003-1 Issuance of up to \$25 Million in Bonds Relative to Huntington Center Associates' Owner Participation Agreement (Bella Terra) – Approved for Introduction Ordinance No. 3631 – Adopted Resolution No. 2004-1 (.)

The City Council considered a communication from Economic Development Director and the Administrative Services Director transmitting the following **Statement of Issue**: On October 2, 2000, the Redevelopment Agency of the City of Huntington Beach entered into an Owner Participation Agreement (OPA) with Huntington Center Associates, LLC for the redevelopment of Huntington Center. A component of the financing for the project stipulates that the Developer and the Redevelopment Agency will cooperate in the issuance of Community Facilities District (CFD) bonds to pay for the costs associated with installing public improvements necessary for the project. The bonds are supported by a special property tax levy imposed on the owner of the property (Huntington Center Associates, LLC). On February 3, 2003, the City established Community Facilities District No. 2003-1 for that purpose. The actions recommended below are necessary to issue up to \$25 million in CFD bonds.

City Administrator Ray Silver introduced Economic Development Director David Biggs who gave background information and an overview of the project.

Director Biggs delivered a PowerPoint presentation submitted by the Economic Development Department dated January 5, 2004 titled *Huntington Center Community Facilities District No. 2003-1 (Bella Terra)* which was included in the agenda packet.

Discussion was held between Council and staff regarding the issuance of bonds.

After Assistant City Clerk Liz Ehring read by title, a motion was made by Boardman, second Coerper to approve and adopt the following two recommended actions:

Approve by roll call vote Introduction of **Ordinance No. 3631** *“An Ordinance of the City Council of the City of Huntington Beach Levying Special Taxes within the City of Huntington Beach Community Facilities District No. 2003-1 (Huntington Center);”*

and

Adopt **Resolution No. 2004-1** – *“Resolution of the City Council of the City of Huntington Beach Authorizing the Issuance of Special Tax Bonds for the City of Huntington Beach Community Facilities District No. 2003-1 (Huntington Center) in an Aggregate Principal Amount not to Exceed \$25,000,000 and Approving Certain Documents and Taking Certain Other Actions in Connection Therewith.”*

The motion carried carried by the following roll call vote:

AYES: Sullivan, Coerper, Hardy, Green, Boardman, Cook, Houchen
NOES: None
ABSENT: None

(City Council) Emergency Ordinance No. 3632 - *Not Adopted* - Directed Staff to Return to Council at the January 12, 2004 Meeting with a Revised Emergency Ordinance No. 3632 Amending the Huntington Beach Municipal Code Chapter 9.20 Relating to Prohibited Public Conduct Regarding Prohibited Equipment Re: Guidelines for Length and Size of Poles and Lumber for Signs Such as Demonstration or Picket Signs (.)

The City Council considered proposed Emergency Ordinance No. 3632 – *“An Ordinance of the City of Huntington Beach Amending Chapter 9.20 of the Huntington Beach Municipal Code Relating to Prohibited Public Conduct.”*

Police Chief Kenneth Small reported on poles and on balloons as they relate to this proposed ordinance. Chief Small spoke about whether a balloon is an inflatable device.

City Attorney Jennifer McGrath spoke in support of the proposed ordinance.

Considerable discussion was held between Council and staff whether modification of the ordinance is possible and whether the ordinance poses constitutional issues.

A motion was made by Sullivan, second Coerper to:

Direct City Attorney McGrath and Police Chief Small to revise the ordinance and return to Council at the January 12, 2004 City Council meeting.

The motion passed by the following roll call vote:

AYES: Sullivan, Coerper, Hardy, Green, Boardman, Cook, Houchen
NOES: None
ABSENT: None

(City Council) Adopted Ordinance No. 3628 Deleting Chapter 3.04 of the Huntington Beach Municipal Code Relating to Fund Regulations – Office of the City Treasurer (.)

After Assistant City Clerk Liz Ehring read by title, a motion was made by Boardman, second Hardy to adopt **Ordinance No. 3628** - *“An Ordinance of the City of Huntington Beach Deleting Chapter 3.04 of the Huntington Beach Municipal Code Relating to Fund Regulations.”* (Introduction approved December 15, 2003.) The motion carried by the following roll call vote:

AYES: Sullivan, Coerper, Hardy, Green, Boardman, Cook, Houchen
NOES: None
ABSENT: None

(City Council) Adopted Ordinance No. 3629 Amending Chapter 12.04 of the Huntington Beach Municipal Code Defining the Datum Plane – The Datum Plane is the Official Vertical Plane For Survey Measurements Which Was Updated to Meet Current Information (.)

After Assistant City Clerk Liz Ehring read by title a motion was made by Boardman, second Hardy to adopt **Ordinance No. 3629** - *“An Ordinance of the City of Huntington Beach Amending Chapter 12.04 of the Huntington Beach Municipal Code Defining the Datum Plane.”* (Introduction approved December 15, 2003.) The motion carried by the following roll call vote:

AYES: Sullivan, Coerper, Hardy, Green, Boardman, Cook, Houchen
NOES: None
ABSENT: None

(City Council) Adopted Ordinance No. 3630 Amending Chapter 1.18 of the Huntington Beach Municipal Code Relating to Administrative Citations (.)

After Assistant City Clerk Liz Ehring read by title, a motion was made by Hardy, second Coerper to adopt **Ordinance No. 3630** - *“An Ordinance of the City of Huntington Beach Amending Chapter 1.18 of the Huntington Beach Municipal Code Relating to Administrative Citations.”* (Introduction approved December 15, 2003.) The motion carried by the following roll call vote:

AYES: Sullivan, Coerper, Hardy, Green, Boardman, Cook, Houchen
NOES: None
ABSENT: None

(City Council) Adopted Ordinance No. 3626 Amending the Huntington Beach Zoning and Subdivision Code by Amending District Map 14 (Sectional District Map 13-6-11) – Rezoning Property Located on the w/s of Lochlea Lane at the Intersection with Lomond Drive (.)

After Assistant City Clerk Liz Ehring read by title, a motion was made by Hardy, second Coerper to adopt **Ordinance No. 3626** – *“An Ordinance of the City of Huntington Beach Amending the Huntington Beach Zoning and Subdivision Code by Amending District Map 14 (Sectional District Map 13-6-11) to Rezone the Real Property Generally Located on the West Side of Lochlea Lane, at the Intersection with Lomond Drive from RA-FP2 (Residential; Agriculture-Flood Plain 2) to RL-FP2 (Residential Low-Density-Flood Plain 2) (Zoning Map Amendment No. 02-03).”* (Introduction Approved December 15, 2003.) The motion carried by the following roll call vote:

AYES: Sullivan, Coerper, Hardy, Green, Boardman, Cook, Houchen
 NOES: None
 ABSENT: None

(City Council) Amended Formation of an Ad Hoc Committee to Revisit the City’s Code of Ethics to Develop Recommendations on Whether or not Councilmembers Serving On Other Governmental Bodies May Accept Stipends - Amended to Show That the Fourth Provision of the Code of Ethics Provide That Accepting Financial Consideration From Any Source Other Than the City of Huntington Beach for Performance of Official Duties, Except Stipends Received for Service on a Local, Regional or State Governmental Body (.)

The City Council considered a communication from Mayor Cathy Green transmitting the following **Statement of Issue:** Review of the Code of Ethics.

It has come to my attention that the current City Code of Ethics prevents Council members serving as representatives of the city on local, regional or state governmental bodies from receiving stipends from these bodies. (See City Attorney’s opinion included in the agenda packet).

These stipends are generally intended to reimburse the members for expenses incurred in serving on these bodies. Several members of the Council serve on bodies that provide stipends. It seems appropriate, therefore, that a committee of the Council revisit the Code of Ethics to develop recommendations on whether modifications should be made to allow such stipends.

Considerable discussion was held between Council and staff concerning revisiting the Code of Ethics.

City Attorney Jennifer McGrath clarified information regarding modification of the Code of Ethics.

A motion was made by Councilmember Sullivan to approve that an Ad Hoc Committee of the Council be convened to develop recommendations on whether there should be amendments to the City Code of Ethics relating to stipends received for serving on a local, regional or state governmental body.

Following discussion, Councilmember Sullivan withdrew his motion.

A motion was made by Hardy, second Coerper to amend the recommended action to show that the fourth provision of the Code of Ethics provide that accepting financial consideration from any source other than the City of Huntington Beach for performance of official duties, except stipends received for service on a local, regional or state governmental body. The motion carried by the following roll call vote:

AYES: Sullivan, Coerper, Hardy, Green, Boardman, Cook, Houchen
NOES: None
ABSENT: None

A motion was made by Mayor Cathy Green to bless any past improprieties concerning stipends.

Councilmember Boardman initiated discussion regarding the issue.

The motion died for lack of a second.

(City Council) Directed Staff to Meet with the Finance Board at Their January 2004 Meeting to Begin Its Process for Year 2004 Budget Recommendations (. .)

The City Council considered a communication from Councilmember Dave Sullivan transmitting the following **Statement of Issue**: The next year will involve a difficult budget process. The City Council will need all the advice that we can get. The Finance Board is willing to offer their assistance.

A motion was made by Sullivan, second Coerper to request the Finance Board to begin the process of making recommendations regarding next year's budget.

Prior to voting on the motion on the floor, discussion was held between Council and staff concerning a schedule for budget recommendations from the Finance Board.

City Administrator Ray Silver clarified the Finance Board's timetable concerning the budget process.

A motion was made by Sullivan, second Coerper to amend to show direction to staff **to meet with the Finance Board at their January 2004 meeting** in order to begin the process of making recommendations regarding next year's budget. The motion carried by the following roll call vote:

AYES: Sullivan, Coerper, Hardy, Green, Boardman, Cook, Houchen
NOES: None
ABSENT: None

(City Council) Announcement Made Regarding the Interfaith Council on the Procession of Lights

Mayor Cathy Green thanked the Interfaith Council for their "Oneness of Spirit" at the Procession of Lights.

Adjournment – City Council/Redevelopment Agency

Mayor Green adjourned the regular meetings of the City Council/Redevelopment Agency of the City of Huntington Beach to Monday, January 12, 2003, at 3:30 p.m., in Room B, Lower Level Central Library, 7111 Talbert Avenue, Huntington Beach, California, 92648.

City Clerk and ex-officio Clerk of the City Council of the City of Huntington Beach and Clerk of the Redevelopment Agency of the City of Huntington Beach, California

ATTEST:

City Clerk-Clerk

Mayor-Chairman