

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

Tuesday, January 21, 2003
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

Community Services Director Jim Engle commenced his presentation regarding the Central Park Sports Complex Concession at 5:00 p.m. with three Councilmembers present. Upon arriving at the Council meeting, Mayor Boardman was updated on the first five minutes of the presentation.

The Council meeting convened at 5:05 p.m. upon reaching a quorum of Council by Mayor Boardman who called the regular meetings of the City Council/Redevelopment Agency of the City of Huntington Beach to order at 5:05 p.m. in Room B8.

City Council/Redevelopment Agency Meeting Roll Call

Present: Coerper (arrived at 5:26 p.m.), Green (arrived at 5:25 p.m.), Boardman (arrived at 5:05 p.m.), Cook, Houchen, Hardy
Absent: Sullivan (Councilmember Sullivan has requested to be absent from the meeting pursuant to City Council Resolution No. 2001-54.)

(City Council) Study Session 1 of 2 Held – Presentation Made by the Community Services Director, Special Projects Manager and NUVIS Consultant Re: Community Services Department Update Including Proposed Phase II Installation by Community Parks Foundation Inc. (CPF) on the Huntington Central Park Sports Complex Concessions – To Return to Council in February/March 2003 with Proforma/Deal Points (600.10)

Community Services Director Jim Engle provided a progress update regarding the sports concessions currently planned for Phase II of the Central Park Sports Complex.

Community Services Director Engle acknowledged the following persons for their involvement with the Central Park Sports Complex: Special Projects Manager Ron Hagan; Administrative Services Director Clay Martin; Manager of Real Estate Amy Bodek; City Attorney Jennifer McGrath; Acting Manager Community Services Facility/Development & Concessions David Dominguez; Consultant Mike Hennessey; Joe O'Connor, Dave Collier, and Ignacio Baez of Community Parks Foundation; and Leslee Temple, NUVIS Consultant.

NUVIS Consultant Leslee Temple gave a PowerPoint presentation titled *Central Park Sports Complex Phase II*, which was included in the agenda packet from the Community Services Department.

Special Projects Manager Ron Hagan informed Council that staff solicited proposal requests for the installation and operation of Phase II. He informed Council that only one qualified proposal was received from Community Parks Foundation, Inc. (CPF) in Salem, Oregon which met all of the city's requirements.

Special Projects Manager Hagan reviewed CPF's proposal regarding the installation and operation of the outdoor roller hockey arenas, the outdoor artificial turf soccer arenas, a nine-station batting cage facility, and a modular clubhouse/pro shop with public restrooms. He stated that covered facilities are desirable but it is staff's opinion that covered facilities would come under Measure C and require a public vote.

Mr. Hagan informed Council that CPF would manage the Sports Complex on behalf of the city and will have no land or possessory interest in the property. In addition, Mr. Hagan informed Council that no General Fund collateral would be used for the lease/purchase of the equipment, stating that the sports systems equipment will be used as collateral through private financing.

Special Project Manager Hagan informed Council that staff anticipates completing the negotiations, finalizing the agreement, reviewing the proforma, and returning to Council within thirty days or so for final Council direction. Mr. Hagan informed Council the goal is to open Phase II on October 1 and to have the revenue from both Phase I and Phase II offset costs so that there is no impact on the General Fund.

Councilmember Cook received confirmation from Dave Collier, CPF representative, that the new synthetic turf has a twelve to fifteen year life expectancy and that the NFL (National Football League) and college programs are using this type of turf. Mr. Collier stated that this synthetic turf has a forty percent lower incident rate of injury than does real grass.

Special Project Manager Hagan responded to Councilmember Cook's question that the lease agreement would allow for other uses such as youth basketball, volleyball and daytime school use. He stated that the sports complex was designed for multipurpose use and for open field flexibility to accommodate functions such as an antique car show.

Councilmember Houchen received clarification from staff that this turf is easily fixed in the event of a tear, that no special athletic shoes are required, that there is no everyday maintenance and no watering which will permit daily use throughout the year.

Mayor Boardman confirmed with Special Project Manager Hagan that staff would return to Council the second meeting of February or the first meeting in March 2003 with the proforma/deal points.

(City Council) Study Session 2 of 2 Held - Presentation Made by the Director of Public Works and Transportation Manager Re: Public Works Department Update on the Santa Ana River Crossings (SARX) Study (600.25)

Assistant City Clerk Liz Ehring announced a Late Communication submitted by the Public Works Department titled *Santa Ana River Crossings Cooperative Study, City Council Study Session*.

City Administrator Ray Silver announced that he had submitted a Late Communication from the City of Costa Mesa titled *City of Fountain Valley CTFP Application for Gisler Avenue/Garfield Avenue Bridge Funding*.

City Administrator Ray Silver stated that the Director of Public Works Robert Beardsley, Transportation Manager Bob Stachelski and OCTA (Orange County Transit Authority) Senior Transportation Analyst Glen Campbell are present to provide a status update of the Santa Ana River Crossings Study.

Transportation Manager Bob Stachelski gave a PowerPoint presentation titled *Santa Ana River Crossings Cooperative Study, City Council Study Session* which had been announced earlier as a Late Communication by Assistant City Clerk Liz Ehring. Mr. Stachelski informed Council that a copy of Resolution No. 6544, which was adopted by the City in 1993, is attached to the PowerPoint and supports the "no bridge" scenario for the 19th/Banning Avenue and Gisler/Garfield Avenue bridges on the County Master Plan of Arterial Highways (MPAH). Transportation Manager Stachelski stated that the purpose of this study is to evaluate the environmental impacts in the event that the 19th/Banning Avenue and Gisler/Garfield Avenue bridge crossings are deleted from the Master Plan and the potential traffic impacts.

OCTA Senior Transportation Analyst Glen Campbell responded to Councilmember Cook regarding the mitigation measures in the EIR (Environmental Impact Report); and if a study has been done independent of the OCTA; the changes in the vicinity; and local street traffic that is influenced by the 405 freeway.

Councilmember Coerper received clarification from Transportation Manager Stachelski regarding the options that the city has which are: 1) to support bridge reserve status (cost \$19 million unfunded mitigation and does not guarantee deletion of crossings from MPAH); 2) reaffirm support to delete both bridges from MPAH (which will not achieve unanimous support required by OCTA); or 3) to support crossing retention on MPAH (retains bridges for future transportation forecasts).

Mayor Boardman informed Council that this study session is a result of the application of the City of Fountain Valley for Measure M funding to move forward with the environmental and design effort to construct the Gisler Avenue/Garfield Avenue Bridge.

Councilmember Cook received clarification from staff regarding the impact of the budget crisis, the availability of Measure M money, and GMA (Growth Management Area) funding.

Mayor Boardman expressed her opinion that it is important that Council maintain the position to support the reserve status.

Mayor Boardman thanked everyone for their presentations.

Motion to Recess to Closed Session – Approved

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

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

(City Council) Closed Session – Pursuant to Government Code Section 54957.6 to meet with its designated representatives, Agency Negotiators: William Workman, Assistant City Administrator; Clay Martin, Director of Administrative Services; and Jim Engle, Director of Community Services, regarding **labor relations matters – meet and confer** with the following employee organization: **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 agency is a party. The title of the litigation is **Citizens Against Redevelopment Excess v. City of Huntington Beach, et al. [CARE II]**, California Court of Appeal, Fourth Appellate District, Division Three, Case No. G030388; and **Citizens Against Redevelopment Excess v. City of Huntington Beach, et al. [CARE III]**, Orange County Superior Court Case No. 02CC00344. (120.80)

Reconvened City Council/Redevelopment Agency Meeting – 7:00 P.M. – Council Chambers.

City Council- Redevelopment Agency Roll Call

Present: Coerper, Green, Boardman, Cook, Houchen, Hardy
Absent: Sullivan (Councilmember Sullivan has requested to be absent from the meeting pursuant to City Council Resolution No. 2001-54.)

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

Mayor Boardman 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.

Flag Ceremony/Pledge of Allegiance – American Legion Huntington Beach Post 133, Michael Johnson, Commander.

Moment of Silence Observed

Mayor Boardman requested observation of a moment of silence to reflect on the issues before us this evening.

City Clerk Announced Late Communications

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

Communication from the City Administrator transmitting a communication titled *City of Fountain Valley CTFP Application for Gisler Avenue/Garfield Avenue Bridge Funding* regarding the second Study Session.

Slide show presentation submitted by the Public Works Department on January 21, 2003 titled *Santa Ana River Crossings Cooperative Study, City Council Study Session*.

Slide show presentation dated January 21, 2003 from Shari Freidenrich, City Treasurer, titled *November Treasurer's Report*.

Communication from the Police Chief titled *Drug Abuse Resistance Education (DARE) Program* dated January 21, 2003 relating to the agenda item requesting to accept donations for the DARE Program.

The Following Additional Late Communications Were Submitted During the Meeting:

Communication submitted by Julie Bixby dated January 14, 2003 titled *Your letter of December 17, 2002 (copy attached)* regarding alleged Brown Act violations by the Planning Commission.

Communication submitted by Lori Letcher titled *Petition to stop the proposal to build a fence to separate Hope View School and Hope View Park and to save the city from spending their money on this* signed by 43 residents.

Pictures submitted by Kathy Fuller regarding the overgrown trees on Nantucket Drive.

Presentation by Mayor Connie Boardman and Dan Moss, Principal, Hope View Elementary School, to D.A.R.E. (Drug Abuse Resistance Education) Police Officer Bruce Bradley, in recognition for his eleven years of service to Hope View School as a D.A.R.E. Officer. The Hope View School students presented a video presentation honoring Officer Bradley. Also recognized were D.A.R.E. Officers Dave Humphreys, Ed Kennedy and Bobby Frahm for their four years of service to schools in Huntington Beach. (160.40)

Presentation to Mayor Connie Boardman by Carmen Erber, President, Sister City Association, of the Certificate of Reaffirmation of Sister City Covenant between Anjo, Japan and Huntington Beach, United States of America. This Covenant was signed on July 5, 2002 by former Huntington Beach Mayor Debbie Cook and Masayuki Sugiura, Mayor of the City of Anjo. Ms. Erber announced Cherry trees were donated to the city by Anjo, Japan. (160.40)

Mayor's Award to Senior Claims Examiner Cathy Cosgrove – The Mayor's Award was presented by Mayor Connie Boardman and Administrative Services Director Clay Martin to Cathy Cosgrove, Claims Examiner, Senior, Administrative Services Department for her outstanding hard work in the Workers' Compensation Division. (160.40)

Public Comments

Ron Russell, PRIDE (Promoting Resources In Drug Education) Foundation Chair, spoke in support of continuing the D.A.R.E. Program and expressed his appreciation to everyone who has participated in keeping this program going. Mr. Russell commended Officer Bruce Bradley for his role at the Hope View Elementary School.

Jim Moreno spoke in favor of the repeal to uphold the intent of legislation regarding the agenda item on proposed Ordinance No. 3599 relating to Campaign Committees. Mr. Moreno asked Council to continue its decision stating various reasons why there is a need for further consideration.

Guy Fuller informed Council of what he found to be overgrown trees on Nantucket Drive. Mr. Fuller stated that the overgrown trees cause many health and safety problems due to cracked sidewalks, the streetlights not being visible, and water puddles on the street that the sweeper and trash trucks cannot get around. He stated that the tree roots have cost him over \$1000 in plumbing bills and that they need to be removed. He informed Council that a lot of the children on skateboards and bikes use the streets instead of the sidewalks because of the trees.

Mayor Boardman requested Mr. Fuller to submit a follow up card to the Sergeant-at-Arms and also informed him of the Beautification & Landscape Tree (BLT) Committee.

Public Comments Resumed

Lori Letcher informed Council of a petition listing persons in opposition to the fence that is proposed to be built in their neighborhood for soccer use at the Hope View School and the adjoining park area for reasons including the effect on the neighborhood and safety issues for children as children do not look where they are going; that she believes it would be a more dangerous route to school. She stated that she believes people could come up with better ways such as starting a Neighborhood Watch Program.. Ms. Letcher submitted the petition that had been signed by 43 residents in the Armada Street area.

Kathy Fuller submitted photographs to Council of trees on Nantucket Drive, and offered recommendations to trim trees as the first phase in mitigating the problem. Ms. Fuller stated that the city has confirmed that the funds are available for tree trimming and is waiting for the end of the rainy season. She stated that there are a few wheelchair-bound residents who are forced to use the street due to the condition of the sidewalks. Ms. Fuller suggested a first phase of tree-trimming, followed by second phase removal.

Mayor Boardman requested Ms. Fuller to submit a follow up card to the Sergeant-at-Arms.

Public Comments Resumed

Debbie Borden offered a prayer due to the absence of the Invocation from the agenda.

Peter Albini read from the constitution, the First Amendment regarding the freedom of speech and spoke in favor of invocations at the Council meetings. Mr. Albini requested a City Charter amendment to include an invocation at the Council meetings.

Janice Hughes requested tree removal on Nantucket Drive, stating the overgrown trees cause many health and safety problems due to cracked sidewalks, that she has slipped; and children using the streets to skateboard and bicycle instead of the sidewalks. Ms. Hughes informed Council of damages to her driveway caused by tree root problems.

Robert Bell informed Council that the sidewalks on Nantucket Drive are unsafe due to the overgrown trees as a severe problem and requested Council assistance in a first phase of trimming and eventual tree removal.

Mayor Boardman requested Mr. Bell to submit a follow up card to the Sergeant-at-Arms.

Randy Kokal, Chairman of the Planning Commission, spoke in opposition to Ordinance No. 3600 that was introduced January 6, 2003 reducing the number of Planning Commission regular meetings from twice to once a month. Mr. Kokal expressed his opinion this is a poorly drafted ordinance which he believes violates the Brown Act. He informed Council that there is a meeting schedule with staff to discuss this issue.

Mark Bixby, Neighbors for Wintersburg Wetlands Restoration representative, stated the need to comply with the Brown Act when adding items to the agenda without 72 hours notice. Mr. Bixby urged Council to deny adoption of proposed Ordinance No. 3600 in order to comply with the Brown Act by including the Planning Commission Chairman authority.

Julie Bixby referred to the Late Communication that she submitted to Council in opposition to proposed Ordinance No. 3600. Ms. Bixby stated that the existing code does not refer to special meetings and that this proposed ordinance would be in violation of the Brown Act.

Don Rice informed Council that he signed the petition in opposition to the wall proposed to be built in their neighborhood for soccer use at the Hope View School and the adjoining park area. Mr. Rice urged Council to withhold action on the fence to allow the community and the soccer organization to meet on said item to discuss the effect on the neighborhood, including issues relating to children's health and safety.

(City Council) Motion Failed to Reconsider Ordinance 3600 per Government Code 5.54954.2 (b) (2) (.)

A motion was made by Boardman, second Cook to reconsider Ordinance 3600 - "*An Ordinance of the City of Huntington Beach Amending the Huntington Beach Municipal Code by Amending Section 2.34.090 Relating to Planning Commission ByLaws.*" The motion carried by the following roll call vote:

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

Mayor Boardman expressed her opinion there is an immediate need to take action on a non-agendized item, Ordinance No. 3600 Planning Commission Bylaws per Government Code 5.54954.2 (b) (2). She stated that due to a great public interest, added staff time involved, and the Planning Commission's concerns said item should be brought forward at this evening's meeting.

Discussion was held among Council and staff regarding the necessity to act on this non-agendized item based on an immediate need to take action.

A motion was made by Boardman, second Coerper to add the proposed Ordinance No. 3600 Planning Commission Bylaws item to this agenda per Government Code Section 5.54954.2 (b) (2). The motion **failed** by the following roll call vote:

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

(City Council) Announcement Made by Councilmember Gil Coerper of Individual Appointment of Junior ("Joe") Domingo to the Finance Board (110.20)

The City Council considered a communication from Councilmember Gil Coerper who announced his individual appointment of Junior ("Joe") Domingo to the Finance Board.

A motion was made by Coerper, second Green to direct the City Clerk to record in the minutes the appointment by Councilmember Gil Coerper of Junior ("Joe") Domingo to the Finance Board. The motion carried by the following roll call vote:

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

NOES: None

ABSENT: Sullivan

(City Council) Announcement Made by Councilmember Jill Hardy of Individual Appointments of: 1.) Charles Falzon to the Finance Board and 2.) Richard Hart to the Public Works Commission (110.20)

The City Council considered a communication from Councilmember Jill Hardy announcing her individual Board and Commission appointments as follows: 1) Charles Falzon to the Finance Board and 2) Richard Hart to the Public Works Commission.

A motion was made by Hardy, second Green to direct the City Clerk to record in the minutes the appointment by Councilmember Jill Hardy of 1) Charles Falzon to the Finance Board and 2) Richard Hart to the Public Works Commission. The motion carried by the following roll call vote:

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

NOES: None

ABSENT: Sullivan

(City Council) Adopted Resolution No. 2003-8 and Letter Urging the California Legislature to Reject the Governor's Proposed Shift of Local Vehicle License Revenues and to Honor the 1998 Commitment to Restore the *Vehicle License Fee* (120.70)

The City Council considered a communication from Mayor Connie Boardman requesting Council approval of a resolution and letter urging the California Legislature to reject the Governor's proposed shift of local vehicle license revenues and to honor the 1998 commitment to restore the *Vehicle License Fee*.

Councilmember Coerper announced that he, Mayor Pro Tem Green, Police Chief Kenneth Small and the President of the Police Officers' Association, Russ Reinhart had just returned from Sacramento. Councilmember Coerper stated the purpose of the meeting was to hear the speaker regarding the bill to protect public safety and to meet with Senator Ross Johnson and State Assemblyman Tom Harman to discuss protecting the 911 number for emergency phone calls.

City Administrator Ray Silver informed Council that in 1998 a commitment was made to the cities in California to restore the Vehicle License Fee to the cities so that vital services would not be threatened. City Administrator Silver reviewed the financial impact to the city if the State legislation and Governor Gray Davis decide that the State will keep the Vehicle License Fee revenue.

A motion was made by Coerper, second Cook to:

1. Adopt **Resolution 2003-8** - "*A Resolution of the City of Huntington Beach Urging the California Legislature to Reject the Governor's Proposed Shift of Local Vehicle License Fee Revenues and to Honor the 1998 Commitment to Restore the Vehicle License Fee*";

and

2. Approve the draft letter to be sent from the Council to the State legislators urging them to restore the Vehicle License Fee and protect vital city and county public health and safety services.

The motion carried by the following roll call vote:

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

(City Administrator's Report) Announced the Opening of New Hyatt Regency Huntington Beach Resort & Spa (.)

City Administrator Ray Silver announced that the new Hyatt Regency Huntington Beach Resort & Spa is open and thanked the Director of Building and Safety Ross Cranmer and staff, Fire Division Chief Chuck Burney and staff and the developers for a successful project.

(City Administrator's Report) Approved Employment Contract Agreement between the City and Janis M. Ingels for Appointment to the Position of Information Services Director (600.10)

The City Council considered a communication from the City Administrator recommending City Council approval of Janis M. Ingels to the position of Director of Information Services as required by City Charter.

A motion was made by Cook, second Coerper to:

1. Approve the appointment of Janis Ingels to the position of Director of Information Services;

and

2. Approve and authorize execution by the City Administrator and City Clerk of the *Employment Agreement between the City of Huntington Beach and Janis M. Ingels* for the position of Director of Information Services.

The motion carried by the following roll call vote:

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

(City Council) Reviewed and Accepted Shari Freidenrich, City Treasurer's November 2002 Report Titled *City of Huntington Beach Summary of City Investment Portfolio, Bond Proceeds, and Deferred Compensation Activity* (310.20)

The City Council considered a communication from City Treasurer Shari Freidenrich transmitting the Monthly Investment Report for November 2002.

City Treasurer Freidenrich gave a PowerPoint presentation titled *November Treasurer's Report* which was announced as a Late Communication earlier in the meeting by Assistant City Clerk Liz Ehring.

A motion was made by Cook, second Hardy to review and accept the monthly report. Following review of the report, by motion of Council, accept the Monthly Investment Report *Summary of Investment Portfolio, Bond Proceeds, and Deferred Compensation Activity for November 2002*, pursuant to Section 17.0 of the Investment Policy of the City of Huntington Beach. The motion carried by the following roll call vote:

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

Consent Calendar – Items Removed for Separate Discussion

The following item was removed from the Consent Calendar for separate discussion:

(City Council) Resolution No. 2003-6 Approving Personnel Commission Rules and Regulations Relating to Disciplinary Grievance Appeal Hearings; Review of Hearing Officer Recommendations; and Procedures for Impasse Hearings (700.20)

Consent Calendar – Items Approved

Although no one made the first motion, Houchen made the second and Council approved the following Consent Calendar items, as recommended. The motion carried by the following roll call vote:

AYES: Coerper, Green, Boardman, Cook, Houchen, Hardy
NOES: None
ABSENT: Sullivan
ABSTAIN: (Coerper, Green, and Hardy abstained from the November 18, 2002 minutes)

(City Council/Redevelopment Agency) Minutes - Approved and adopted the minutes of the City Council/Redevelopment Agency regular meeting of November 18, 2002 as written and on file in the Office of the City Clerk. Submitted by the City Clerk.

(City Council) Adopted Resolution No. 2003-5 Regarding Access by Means of Fingerprinting Process to Summary Criminal History Information for Employment, Licensing, or Certification Purposes (700.20) – Adopted Resolution No. 2003-5 – “A Resolution of the City Council of the City of Huntington Beach Regarding Access to Summary Criminal History Information” for employment, licensing, or certification purposes. Submitted by the Administrative Services Director. Funding Source: Not applicable.

(City Council) Approved the Reappointments of Kristin Stilton and Joan Morris to the Design Review Board to for a Second Term to Expire December 21, 2006 (110.20) - Approved the reappointments of **Kristin Stilton** and **Joan Morris** to the Design Review Board for a second four-year term to expire on December 31, 2006. Submitted by Councilmembers Dave Sullivan and Pam Houchen, Council Liaisons to the Design Review Board. Funding Source: Not applicable.

(City Council) Approved the Services Contract between the City and Turbo Data Systems, Inc. for Parking Citation Processing by the Police Department (600.10) - **1.** Approved and authorized the Mayor and City Clerk to execute the *Services Contract between the City of Huntington Beach and Turbo Data Systems, Inc. for Citation Processing Services*; and **2.** Authorized the Chief of Police to expend up to \$78,500 for citation processing service. Submitted by the City Treasurer and the Police Chief. Funding Source: Parking Enforcement Unit - \$78,500.

(City Council) Accepted the Resignation of Linda Kelly and Approved the Appointment of Jan P. Garner to the Personnel Commission for the Remainder of the Term to Expire June 30, 2004 (110.20) – Accepted the resignation of **Linda Kelly** and approved the appointment of **Jan P. Garner** to fill the vacancy with a term to expire June 30, 2004. Submitted by Councilmembers Dave Sullivan and Jill Hardy, Council Liaisons to the Personnel Commission. Funding Source: Not applicable.

(City Council) Adopted Resolution No. 2003-7 Amending the City's Classification Plan - Added Principal Librarian, Senior Services Assistant and Senior Services Transportation Coordinator - Deleted Nutrition/Transit Coordinator - Modified Classifications (700.10) – Adopted **Resolution No. 2003-7** – “A Resolution of the City Council of the City of Huntington Beach to Amend the Classification Plan by Adding, Deleting, and Modifying Classifications and Modifying Compensation in the City Classification Plan.” Submitted by the Administrative Services Director. Funding Source: There is no fiscal impact associated with this item. Funds for these positions are budgeted for fiscal year 2002/03. (Adding Principal Librarian, Senior Services Assistant and Senior Services Transportation Coordinator and deleting Nutrition/Transit Coordinator.)

(City Council) Approved License Agreement between the City and Southern California Edison for Langenbeck Park (Magnolia Street s/o Garfield Avenue) (600.10) – Approved the *License Agreement* with Southern California Edison for the use of 8.19 acres of property commonly known as Langenbeck Park, and authorized the Mayor and the City Clerk to execute any and all documents necessary to conclude this transaction. Submitted by the Administrative Services Director and the Community Services Director. Funding Source: The annual payment of \$1,638 is budgeted in the Park Acquisition and Development Fund.

(City Council) Approved Reinstitution of the Huntington Central Park Reservation System (for Control of Park Activities) (920.10) – **1.** Approved the reinstatement of the reservation system in Huntington Central Park to provide better control of park activities for park users and adjacent residents; and **2.** Authorized the appropriation of \$18,900 from the General Fund Unappropriated Fund Balance into Parking/Camping Program, Temporary Salaries Account No. 0045202.52000. Submitted by the Community Services Director. Funding Source: \$18,900 from General Fund Unappropriated Fund Balance into Parking/Camping Program, Temporary Salaries Account. Expenditure offset by \$24,950 in revenue from reservation fees.

(City Council/Redevelopment Agency) Approved Listing Agreement between the City and Lee & Associates for Sale of 438 Main Street (Main-Pier Redevelopment Sub Area)

(600.30) – Authorized the Redevelopment Agency’s Executive Director to execute a listing agreement titled *Standard Owner-Agency Agreement for Sale or Lease of Real Property* with Lee & Associates for the marketing and sale of 438 Main Street, and authorized a broker commission of 6% upon successful completion of a sale. Submitted by the Deputy Executive Director and the Administrative Services Director. Funding Source: The sale of 438 Main Street would generate one-time revenues for the Redevelopment Agency, which would then facilitate debt repayment to the General Fund. Any sale commission due to Lee & Associates would be paid from net proceeds of the sale of 438 Main Street.

(City Council) Amended Planning Department Budget Appropriating Funds to Cover Professional Services Costs Associated with Processing Mills Land & Water Settlement Agreement for Zoning Entitlements, Engineering Documents, and Environmental Studies

(600.10) - Amended the Planning Department’s budget by appropriating \$300,000 from the Unreserved General Fund, account number 100.31.100.1999, to be distributed to the Professional Services account as prescribed in the Mills Land and Water Settlement Agreement. Submitted by the Planning Department. Funding Source: Unreserved General Fund in the amount of \$300,000.

(City Council) Accepted Fiscal Year 2002-2003 Department of Justice – Local Law Enforcement Block Grant (LLEBG) Award for the Police Department (340.80) - 1.

Accepted the grant award of \$113,324 from the Department of Justice for funding cycle 2002 – 2003 and appropriated funds; and **2.** Authorized the Chief of Police to expend \$125,916 plus any accrued interest on technology within the Police Department. Submitted by the Police Chief. Funding Source: A 10% City match of \$12,592 is required which has been included in the Police Department’s 2002-2003 budget, under the Jail Programs account. The grant account business unit will be established.

(City Council) Approved Final Tract Map No. 15549 of Tentative Tract Map No. 15549 (22.6 Acre Waterfront Residential Subdivision – Mayer Financial, L.P. and PLC/Lyon Waterfront Residential, LLC) w/s Beach Blvd., n/o of PCH (420.60) - 1.

Approved Final Tract Map No. 15549 and accepted the offer of dedication, improvements, and bonds pursuant to findings and requirements (ATTACHMENT NO. 1); AND **2.** Approved the *Subdivision Agreement By and Between the City of Huntington Beach and Mayer Financial, L. P. and PLC/Lyon Waterfront Residential, LLC for Tract No. 15549* and authorized execution by the Mayor and City Clerk. (ATTACHMENT NO. 6) **Attachment No. 1 – Findings for Acceptance of Final Map (1)** Final Tract Map No. 15549 is in conformance with the California Subdivision Map Act, the City of Huntington Beach Subdivision Ordinance and Tentative Tract Map No. 15549 Conditions of Approval, as approved by the City Council. **Requirements; (1.)** Acceptance of offer of dedication shall be subject to completion of improvements and requirements shown on the final map. **(2.)** The City Clerk shall file the following bonds with the City Treasurer: (a) Faithful Performance Bond No. B34224613 (Attachment No. 7); (b) Labor and Material Bond No. B34224613 (Attachment No. 7); (c) Monument Bond No. B34224614 (Attachment No. 7). **(3.)** The City Clerk shall affix her signature to the map and release it for recordation by the County of Orange. Submitted by the Planning Director. Funding Source: Not Applicable.

(City Council) Adopted Resolution No. 2003-6 Approving Personnel Commission Rules and Regulations Relating to Disciplinary Grievance Appeal Hearings; Review of Hearing Officer Recommendations; and Procedures for Impasse Hearings (700.20)

Council Member Coerper requested that this agenda item be removed from the Consent Calendar to inquire about the Personnel Commission procedures.

Administrative Services Director Clay Martin responded to Councilmember Coerper's inquiry stating that the procedures that the Personnel Commission follows relating to these issues has not been formally approved by Council and that the procedures have not changed since 1997.

A motion was made by Hardy, second Houchen to adopt **Resolution No. 2003-6** – “*A Resolution of the City Council of the City of Huntington Beach Approving the Rules and Regulations of the Personnel Commission Relating to Disciplinary Grievance Appeal Hearings; Review of Hearing Officer Recommendations on Disciplinary Appeals; and Procedures for Impasse Hearing.*” The motion carried by the following roll call vote:

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

(City Council) Adopted Ordinance No. 3599 Amending the Huntington Beach Municipal Code to Repeal Regulations of Independent Expenditure Campaign Committees (640.10)

Mayor Pro Tem Green received clarification from City Attorney McGrath that the city will not be able to enforce this provision of the Municipal Code.

After Assistant City Clerk Liz Ehring read by title, a motion was made by Houchen, second Cook to adopt **Ordinance No. 3599** - “*An Ordinance of the City of Huntington Beach Repealing Section 2.07.050(b) of the Huntington Beach Municipal Code Regarding the Contribution Limitation to Independent Expenditure Committees Contained in the City of Huntington Beach Campaign Reform Law.*” Submitted by the City Attorney. (Ordinance approved for introduction on 1/6/03.)

The motion carried by the following roll call vote:

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

(City Council) Approved Acceptance and Appropriation of Donations For D.A.R.E. Program (570.20)

The City Council considered a communication from Councilmember Pam Houchen transmitting the following **Statement of Issue**: At the December 16, 2002 meeting, the City Council voted to not extend funding of the City's D.A.R.E. (Drug Abuse Resistance Education) program for the 2nd semester of the 2002-03 school calendar year. Based on this decision, a group of citizens and City Council Members began a fundraising campaign to continue the D.A.R.E. program during the second semester. To date, I am happy to report that a total of \$21,500 has been raised, with pledges for more.

Based on the interest in this program by the community, I would like to recommend that the City accept these funds, appropriate the dollars accordingly, and design a DARE program based on these funds.

Councilmember Houchen and Mayor Pro Tem Green thanked all who contributed to this program.

A motion was made by Houchen, second Cook to:

- 1. Accept the \$21,500 in donations raised to date and any additional funds raised by the community for the D.A.R.E. program;

and

- 2. Appropriate all funds raised on behalf of the D.A.R.E. program to the Police Department, Patrol, Regular Overtime Account;

and

- 3. Authorize the Chief of Police to expend these funds in support of an abbreviated D.A.R.E. Program, consistent with the funds received, during the second semester.

The motion carried by the following roll call vote:

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

Mayor Boardman requested quiet reflection on Martin Luther King Holiday which was observed on January 20, 2003.

Adjournment – City Council/Redevelopment Agency

Mayor Boardman adjourned the regular meetings of the City Council/Redevelopment Agency of the City of Huntington Beach to Monday, February 3, 2003, at 5:00 p.m., in Room B-8 Civic Center, 2000 Main Street Huntington Beach, California.

/s/ Connie Brockway

 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

By: _____
 Assistant City Clerk

ATTEST:

 City Clerk-Clerk

 Mayor-Chairman