

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

Monday, May 20, 2002  
5:00 P.M. – Council Chambers  
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 Cook called the regular meetings of the City Council and the Redevelopment Agency of the City of Huntington Beach to order at 5:00 p.m. in the Council Chambers.

**City Council/Redevelopment Agency Meeting**

**Roll Call**

Present: Green, Dettloff, Boardman, Cook, Winchell (Houchen, Bauer arrived 5:05 p.m.)  
Absent: None

**(City Council/Redevelopment Agency) Joint Study Session Held between the City Council, Staff and Conference and Visitors Bureau Representatives Re: the Market Strategy for Transition of Huntington Beach from a Daytime to an Overnight Destination Resort (460.10)**

City Administrator Ray Silver, and representatives from the Conference and Visitors Bureau, the Hilton Hotel, and the Hyatt Regency discussed the transitioning of the city from a day time to an overnight destination resort.

A PowerPoint presentation titled *Huntington Beach's Rise from a Daytime to Overnight Destination* was included in the agenda packet.

City Administrator Silver introduced Mr. Steve Daniel, Chairman of the Huntington Beach Conference and Visitors Bureau who briefly addressed Council regarding the planned presentation.

Mr. Daniel turned over the presentation to Mr. John Gilbert, Hilton Hotel Manager, who reviewed the PowerPoint slide report. The topics encompassed in the PowerPoint were *Huntington Beach Rise from a Daytime to Overnight Destination Resort – What is a Day Time Destination – What Makes An Overnight Destination – Surf City Is Presently a Day Time Destination – Evolution to An Overnight Destination*.

Mr. Bob Wentworth, Director of Sales and Marketing for the Hyatt Regency, spoke regarding improvements along Beach Boulevard, stating how the new homes under construction and new landscaping all lend themselves to attracting visitors. Mr. Wentworth reviewed a section of the

report titled *A Day In the Life of a Leisure Traveler*, showing why dollars leave the city in contrast with the revenue derived from convention delegate visitors as outlined in the portion of the report titled *Convention Delegate Characteristics*.

Mr. Daniel introduced Mr. Doug Traub, President and Chief Executive Officer of the Huntington Beach Visitors and Convention Bureau. He spoke regarding the benefits of moving from a Downtown Destination to an Overnight Destination. Mr. Traub presented facts on the tourism industry including the role of small businesses.

Mr. Traub reviewed the slide titled *The Bottom Line*, which has the following bulleted items:

- Huntington Beach is in the midst of an evolution to an overnight destination;
- Overnight destinations rarely occur “by accident;” and
- To achieve the maximum benefits of tourism and minimize leakage, the city must continue its active role in product development and marketing support.

Mr. Traub stated that *The Bottom Line* clarified how one convention delegate has 10 times the economic impact of a day guest and in Huntington Beach perhaps 20 times the impact.

A chart titled *Orange County Travel Dollars* was reviewed which showed Huntington Beach in 10<sup>th</sup> place in the county and showing how Huntington Beach captures only 1.8% of all travel spending in Orange County. He reviewed *Travel Spending In Orange County*, which listed the areas in which visitors' money is spent.

The slide titled *Daily Spending by Visitor Type* was reviewed by Mr. Traub, who stated that it showed the difference in expenditures of visitors who stay in a Hotel - Motel, campground, private home or vacation home versus the expenditures of a day visitor only. These figures were compared with spending done by convention delegates.

Mr. Wentworth spoke regarding the *Transition to the Next Level* section of the PowerPoint report, which he stated included the need for the city to place greater focus on special events and activities and more venues for large groups with unique local programs and activities available for spouses and partners to minimize leakage to other cities. He spoke regarding the slide titled *How We Become An Overnight Destination*, stating that it shows a need for destination marketing, basic visitor information developed and dispersed, and participation by the residents as internal tourists.

Mr. Wentworth reviewed *Destination Development Ideas* informing Council that the Tourism Development Vision Plan could propose new venues such as Bolsa Chica and other eco-tourism attractions; also the World Surfing Museum, which he stated could be used as a meeting center. Mr. Wentworth stated that the area of eco-tourism should be pursued as a marketing angle due to his belief that it is becoming more and more popular and has great benefit from a tax standpoint.

The slide entitled *Next Steps – Short Term and Long Term*, was reviewed by Mr. Wentworth.

Mayor Cook spoke regarding the new Visitors' Guide which she stated is prepared by the firm which publicizes for the City of Santa Barbara and which does a top-notch job.

Mayor Cook recognized Mr. Traub's plans to expand the visibility of Huntington Beach.

Mayor Cook also thanked other board members of the Visitors' and Conference Bureau Board who were in attendance: Ms. Margie Buttons, Ms. Pat Rogers, and Mr. Dale Dunn.

Council Member Green spoke regarding the National Wildlife Conference, which he mentioned had been held in the city and initiated by Ms. Diane Baker, the previous CVB President. He stated that the center had been very successful. Council Member Green urged exploration of other city attractions such as the Golden West College Productions, which produces fine theatre such as the Pirates of Penzance, and the Huntington Central Library.

Council Member Dettloff asked how long Mr. Traub thinks the city can sustain if projects are delayed such as the 31-acre site project. Mr. Traub responded that their efforts will continue in that event, with all remaining resources committed to achieving the goals.

Council Member Winchell inquired as to whether environmental groups and historical groups are being tapped into as they would like to show off their resources and take visitors on tours such as the Bolsa Chica, Boeing, Huntington Beach wetlands and Meadowlark Golf Course. She asked if people have the opportunity to sign up through restaurants to sample different types of foods. Mr. Traub responded, informing Council that the Visitors and Conference Bureau is growing as a bureau itself and spoke regarding the Bolsa Chica Tours and expansion of the Visitor's Bureau website underway.

Mayor Cook thanked the speakers for their presentations.

#### **Motion to Recess to Closed Session – Approved**

On motion by Boardman, second Green Council unanimously consented to go into Closed Session on the following items.

**(City Council) Closed Session** – Pursuant to Government Code Section 54956.9(a) to confer with its attorney regarding pending litigation which has been initiated formally and to which the city is a party. The titled of the litigation is **Russell Reinhart v. City of Huntington Beach, et al.**; U.S. District Court Case No. SACV 01-0055. Subject: **Russell Reinhart v. City of Huntington Beach, et al.** (120.80)

**(City Council) Closed Session** – Pursuant to Government Code Section 54956.9(a) to confer with its attorney regarding pending litigation which has been initiated formally and to which the city is a party. The title of the litigation is **Opp v. City of Huntington Beach**, Court of Appeals, Fourth Appellate District, Division 3, Case No. G025947 (Opp I) and **Opp v. City of Huntington Beach, et al; al.**; Orange County Superior Court Case No. 748927 (Opp II). **Subject: Opp v. City of Huntington Beach, et al. (Opp I and Opp II).** (120.80)

**(City Council) Closed Session** – Pursuant to Government Code Section 54957.6 to meet with its designated representatives, Agency Negotiators: William Workman, Assistant City Administrator; and Clay Martin, Director of Administrative Services Director; regarding **labor relations matters – meet and confer** with the following employee organization: **HBPOA.** (120.80)

**Reconvened City Council/Redevelopment Agency Meeting - 7:00 P.M. - Council Chambers****City Council/Redevelopment Agency Roll Call**

Present: Green, Dettloff, Boardman, Cook, Houchen, Winchell, Bauer

Absent: None

**City Attorney Announced Action Taken by City Council In Closed Session on May 6, 2002 Pursuant To Government Code Section 54957.1 To Settle *Logan W. v. City of Huntington Beach and National Junior Basketball League*; OCSC Case No. 01CC05234 - (120.80)**

City Attorney Gail Hutton announced that pursuant to settlement authority granted in Closed Session on Monday, May 6, 2002, the City has settled the matter of ***Logan W., a minor, by and through his Guardian ad Litem, v. City of Huntington Beach; National Junior Basketball League, A California Non-Profit Corporation; Juan Guzman aka Juan Guzman-Adame***; Orange County Superior Court Case No. 01CC05234. The Council voted to extend settlement authority, as follows: 7 Ayes; 0 Noes; 0 Abstentions.

The suit was settled for a total amount of \$105,000 with the City's contribution being \$25,000. The settlement is subject to court approval because it involved a minor. The case concerned allegations that the defendants negligently hired and retained an individual who molested Plaintiff, a minor.

**Pledge of Allegiance** – by former Huntington Beach Mayor, Norma Brandel Gibbs.

**The Acting Assistant City Clerk Announced Late Communications**

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

Communication dated May 20, 2002 from Bob Polkow transmitting his opinion relative to the proposal submitted by the Public Works Department for the use of Proposition 40 funds for acquisition of the Bolsa Chica.

Communication dated May 20, 2002 from the City Attorney's Office transmitting a the above-mentioned communication from Bob Polkow. Communication titled *May 20, 2002, Agenda Item C-1a – Public Works Item 4*.

Communication dated May 20, 2002 from Jim Martin in opposition to the proposed use of Proposition 40 funds for the Police gun Range clean-up and the Bolsa Chica acquisition. Communication titled *Agenda Item C-a, Council Committee Report Recommendations for Prop 40 Funding & Request for Direction on request for funds*.

Communication dated May 17, 2002 from Tim Geddes transmitting his support of the Redevelopment Plan for Southeast Huntington Beach. Communication titled *Southeast Coast Redevelopment Plan Public Hearing on 5-20-02*.

Slide show presentation submitted by the Planning Department to the City Clerk's Office on May 20, 2002 titled *General Plan Amendment No. 02-01 (Growth Management Element Update)*.

Communication dated May 16, 2002 from Alan Dauger, President of Apartment Association of Orange County, transmitting his support of the recommended action as proposed regarding the Refuse Management Ordinance.

Slide show presentation submitted by the Public Works Department to the City Clerk's Office on May 20, 2002 titled *Ordinance No 3560 Repealing Chapters 5.40, 5.41 and 8.20 of the Municipal Code, and Adding Chapter 8.21*.

**Acting Assistant City Clerk Administered Oath of Office to Newly Appointed Mayor Pro Tempore (620.60)**

Acting Assistant City Clerk Liz Ehring administered the Oath of Office to newly appointed Mayor Pro Tem Connie Boardman who on motion by Bauer, second Green was elected by Council at the May 6, 2002 Council Meeting to serve as Mayor Pro Tem. Mayor Pro Tem Boardman extended her appreciation to Council Member Bauer for forfeiting the remainder of his term as Mayor Pro Tem, which is affording her an opportunity to serve.

**Presentation** – By Mayor Debbie Cook, to Robert F. Beardsley, Director of Public Works Department, presentation of a Proclamation, proclaiming May 19, through May 25, 2002 National Public Works Week. Mayor Debbie Cook and Mr. Robert F. Beardsley will invite the public to the Public Works Open House scheduled on June 1, 2002, 10:00 a.m. to 2:00 p.m. at the Don Kiser Corporation Yard at 17371 Gothard Street. Ms. Dina Gartland, Public Works Commissioner made a presentation regarding Public Works Week. (160.40)

**Presentation** – To Mayor Debbie Cook, Ron Hayden, Director, Library Services; and Norma Brandel Gibbs, President of the Library Patrons Foundation; from Ron Shenkman, Senior Vice President of Rainbow Disposal; a check in the amount of \$1,000 to the Library Patrons Foundation for the Oakview Branch Library. (160.40)

Ms. Gibbs extended the Library Patrons Foundation's appreciation to Mr. Shenkman and the Rainbow Disposal Company. Ms. Gibbs reminisced that 35 years ago, in this Council Chamber, was a very good Council and now there is even a better one. She stated her belief that the Council should stay at a membership of seven and not go to districts as she does not believe it would be good for the city.

**Presentation** – To Mayor Debbie Cook, Ron Hayden, Director, Library Services; and Dionne Cox, President of the Literacy Volunteers of America; from Ron Shenkman, Senior Vice President of Rainbow Disposal; a check in the amount of \$1,000 for the Literacy Volunteers of America. Ms. Cox presented a surprise gift of a book to Mr. Shankman for his first baby grandson. Ms. Rose Saylin, Literacy Project Specialist and Ms. Amy Crepeau, Family Literacy, were also present. (160.40)

**Presentation** – To Mayor Debbie Cook, Ron Hayden, Director, Library Services; and Lyn Scott, President of the Friends of the Children's Library; from Janelle Parsons, Brett Barnes and Ron McLin, representing the Huntington Beach Restaurant Association; a check in the amount of \$20,000 for the Children's Library Programs. (160.40)

**Presentation** – By Mayor Debbie Cook, Bill Fowler, Acting Community Services Director and Staff Liaison, Children’s Needs Task Force, and Shirley Carey, Chairperson, Children’s Needs Task Force; to the 2002 Youth Character Award Honorees. School District representative Dr. Gary Rutherford informed the Council and the audience of the characteristics that each child possesses who is recognized by this award as he introduced each honoree listed below:

No.	Name of Honoree	No.	Name of Honoree
1.	Jasmine Roque	13.	Chase J. Fedderson
2.	Benjamin Gonzalez	14.	Katie Johnson
3.	Alissa Hansen	15.	Lisa Larson
4.	Alissa Head	16.	Duy Nguyen
5.	Maren Sersanisie	17.	Gabriel Ornelas
6.	Natalie Buchoz	18.	Adam Heath
7.	Adam Huntley	19.	Tracy Coleman
8.	Caylie Krouse	20.	James Romero
9.	Jordan Knight	21.	Flavia Draganus
10.	Robyn Monroe	22.	Jodi Jones
11.	Ruby Pastrana	23.	Hiroki Terashima
12.	Chase Pastrana	24.	Kathleen O’Brien representing Huntington Beach Hospital (a Community Character Builder)

**Mayor’s Award** - Mayor Debbie Cook presented the Mayor’s Award to Joan Flynn, Public Works Department, Administrative Analyst, Senior. Robert F. Beardsley, Director of Public Works introduced Ms. Flynn, stating that in addition to her excellent work in the Public Works Department she is a 36 year resident of the city, a volunteer and mother of four, including two children who she adopted as teenagers. (160.40)

### Public Comments

**Gerald Chapman** informed Council that he is representing a member of the Bolsa Chica Land Trust in speaking regarding the agenda item relative to the Intergovernmental Relations Committee recommendation. He requested Council support for hiring a special lobbyist to go after these funds, stating that Chris Townsend and his firm worked hard to get Proposition 40 on the ballot. Dr. Chapman urged Council to consider Mayor Pro Tem Boardman’s request for the purchase of the Bolsa Chica.

**Art Jensen**, President of the Huntington Beach Municipal Employees Association, spoke in opposition to the agenda item relative to street sweeping and in opposition to diesel sweepers being used. He stated that the costs show that the city workers did a better job versus privatizing. Mr. Jensen stated that instead of city staff being congratulated, a long term contract is being negotiated with Nationwide, which he alleged wants to circumvent air quality regulations by not conforming to new equipment standards.

**Linda Moon**, member of Amigos de Bolsa Chica, informed Council that the window is closing on the opportunity to buy the wetlands. Ms. Moon urged the city to do what ever it can to support its purchase by a public entity.

**Debbie Borden** stated that while she was walking near the pier many people expressed their appreciation for her saying a prayer at the Council meeting.

**Orville Hanson**, an 81-year city resident, stated that it had been a pleasure to work on the committee that was rededicating Discovery Well No. 1 at Discovery Well Park. He informed Council and the audience of the panel discussion planned and the photo exhibit to be held at the Art Center. Mr. Hanson stated the main speaker will be former Mayor Norma Brandel Gibbs, PLC Company representative Bill Holman, and William Morris, ERA Company Manager. He extended an invitation to all present to attend the event. He announced for more information to contact the Art Center, 538 Main Street, at 536-3449 or 536-5258.

**Joey Racano** addressed Council relative to what he believes are the failings of the Orange County Sanitation District and its Manager Blake Anderson regarding pollution issues. He alleged that they were against Assemblyman Harman's proposed pollution remediation legislation and in favor of the establishment of Council districts. Mr. Racano asked why is the burden of proof on the people instead of on the toxic polluter. He spoke in opposition to the Federal Section 301-H waiver being granted to the Orange County Sanitation District.

**Pat Mullins**, city resident since 1937 representing the Feedback Foundation, introduced **Nancy Goetsch**, from the Talbert Medical Group who is also a member of the Feedback Foundation Board. Ms. Gates informed Council of the Foundation's Luncheon Service Program for seniors; that this year over 20,000 meals will be served at the Rodgers Senior Center and 103,553 meals will be delivered to homebound seniors. She stated in her role she goes to many cities, and that senior citizens in Huntington Beach are very well served, particularly in the area of transportation needs. Ms. Gates announced May is Older Americans' Month.

**Don McGee** stated his opinion that the Register newspaper articles do not accurately reflect what transpired at meetings regarding the subject of ocean outfall and the role of the AES Energy Facility. He spoke in opposition to the AES Huntington Beach power plant as being responsible for the plume causing ocean pollution. He stated that using the ocean as a toilet in one of the richest counties is unconscionable.

(Acting Assistant City Clerk Ehring informed Council that Mr. John F. Scott had completed a public speaker form to address Council regarding a public hearing item. She stated that if Mr. Scott spoke at this time his comments would not be recorded as a part of the public hearing, but would be recorded under general public comments. Mayor Cook addressed Mr. Scott, who stated that he preferred to speak at this time.)

**John F. Scott** stated what he believes is the public's consensus at the meetings held on the South East Coastal Redevelopment Plan Area. He spoke in opposition to AES Units 1 and 2 and regarding sewage outfall issues. Mr. Scott informed Council that the people in his neighborhood stated that they already bear the burden of the industry. He spoke regarding Poseidon, the proposed desalinization plant, which he stated would have adverse effects on the area.

**Joseph Jeffrey** read from a letter he had written to the Council following the last Council meeting of May 6, 2002 relative to Council Districts. He stated no mention had been made of the disposition of the resolution that was on the last agenda that would have authorized study of the issue. Mr. Jeffrey stated he had not received a reply to his letter. He requested clarification of the Mayor's statement at the meeting regarding the item on the last agenda, as he believed Mayor Cook had chastised staff.

Mayor Cook informed Mr. Jeffrey that her comments were related to the staff recommendation that \$50,000 be expended relative to a study of possible effects of Council districts; and that she had not been consulted, nor to her knowledge was any other council member relative to such a large expenditure.

**John De Witt** spoke in support of the ordinance scheduled on the Council agenda relative to refuse management, commending Public Works staff for its work. He requested that the signs be in Spanish and in English so that violators can be alerted that scavenging is against the law. Mr. De Witt also requested that the ordinance be enforced relative to downtown overnight parking.

**Jim Martin** spoke in opposition to Proposition 40 funding recommendations. He suggested that Council deny the request for grant funds to be used for cleanup of the former police gun range site; that it is the responsibility of the Police Association and that the Association should pay. Mr. Martin also requested that Council not apply for grant funds to acquire the Bolsa Chica.

**(City Council) Council Committee Report - Approved Recommendations of the Intergovernmental Relations Committee for Prop 40 Funding for Community Services Department Projects and Public Works Department - (640.90)**

The City Council considered a communication from the Intergovernmental Relations Committee Chair, Council Member Shirley Dettloff on behalf of Mayor Debbie Cook and Council Member Ralph Bauer informing Council that the Intergovernmental Relations Committee has met with staff to review potential funding requests under the Prop 40 Clean Water Act. Based on that input the committee is recommending the Council support the following:

**Priority Projects For Funding Under Proposition 40 – Community Services Department (Memorandum In Agenda Packet)**

The Community Services Department recommended use of Proposition 40 Per Capita Project funding as follows:

1. **Edison Youth Sports Complex** - \$963,000 – General Per Capita.
2. **Edison Youth Sports Complex** - \$580,290 – Roberti Z'Berg Per Capita.
3. They are recommending that the **Central Park Gun Range** be included as a alternate should that funding be needed. Estimated cost \$700,000 to \$1 Million.
4. They are also planning to apply for a competitive grant under the Urban Park Act of 2001 for \$1,350,000 to acquire the remaining **encyclopedia lots in Central Park**.

**Priority Projects For Funding Under Proposition 40 – Public Works Department – (Memorandum In Agenda Packet)**

1. **Natural Treatment System – East Garden Grove Wintersburg Channel**

2. **Huntington Marsh Aquatic Restoration and Natural Treatment** - To include shallow and vegetated filtered areas, mud flats and possibly ponds for animals, plants and other organisms. (Memorandum in Agenda Packet)
3. **Irby Park Expansion To include Permanent Lake – Meandering Paths - Waterfowl Area – Open Turf Area** - (Memorandum in Agenda Packet)
4. **Bolsa Chica** – The Committee would also recommend support for Mayor Pro Tem Boardman's suggestion of March 26<sup>th</sup> (memo attached) to include a request for funding for acquisition of the remaining privately held land at the Bolsa Chica which would qualify for these funds, provided there is a willing seller. (Memorandum in Agenda Packet)

Council Member Dettloff presented an overview of the deliberations of the Intergovernmental Relations Committee relative to its funding recommendations for Community Services Department projects. She then reviewed the Priority Projects for Proposition funding for Public Works Department projects. Council Member Dettloff reviewed the request of Mayor Pro Tem Boardman, stating that the Mayor Pro Tem knows that the request would have to be more definitive, but that this would hold its place in priority.

**(City Council) Intergovernmental Relations Committee Recommendation Approved Re: Development of a Strategy and Policies for Federal Funding Requests of the City and of the Orange County Council of Governments. (640.90)**

The City Council then commenced discussion relative to Council Member Bauer's communication recommending that a development policy be established relative to Requests for federal funding made by the Orange County Council of Governments (OCCOG) and City Communication from the Intergovernmental Relations Committee, (attached to this agenda item) submitting the following: **Statement of Issue:** Recently the Orange County Council of Governments, of which Huntington Beach is a member, hired a lobbying firm to seek federal funding in the area of urban run-off and transportation.

In conversation with the Huntington Beach lobbying firm, it was determined that the request for funding by Orange County Council of Governments (OCCOG) will be in direct competition with that of the City of Huntington Beach in seeking these funds. Preliminarily, it was felt that we might remedy this by combining the requests. However, both requests have already been submitted, thus, a formal joint effort is not possible at this time.

Our lobbyist recommended that the best strategy given the circumstances at this point would be for us (the City) and the OCCOG to write mutual letters of support for each other's funding requests including discussion that points out the specific distinctions between the two proposals and asking that our legislators support both requests.

As an aside, the OCCOG Board, in its lobbying endeavor, had agreed not to be in competition with their member agencies. As was mentioned, Huntington Beach is a member of the OCCOG, thus the OCCOG seems to be in violation of its own policy.

Council Member Bauer reported on how it evolved that requests for funding by the Orange County Council of Governments came to be in direct competition with the city's requests for federal funding. He explained the composition of the OCCOG that includes representatives from cities and special districts.

Mayor Pro Tem Boardman spoke again regarding the goal of acquiring wetlands and stated that there are private lands in the Bolsa Chica within the City. She presented details regarding her recommendation.

Council Member Green stated that he believes a portion of the money should go to the Shipley Nature Center. Deputy Community Services Director Jim Engle reported that there is a prospective funding grant for the Shipley Nature Center.

Council Member Green inquired as to the legal opinion of the City Attorney that Council had received. City Attorney Hutton reported that it is permissible to acquire land outside of the city.

On motion by Dettloff, second Houchen, Council approved the Priority Projects for funding under Proposition 40 for the Community Services Department, and the Department of Public Works as recommended by the Intergovernmental Relations Committee. The motion carried unanimously.

On motion by Bauer, second Houchen, Council directed that the Intergovernmental Relations Committee and staff be directed to develop a strategy and policies with regard to these federal funding requests especially if Huntington Beach is not funded and the Orange County Council of Governments is funded. The motion carried unanimously.

Discussion was held between Council Member Bauer and City Administrator Silver. Council Member Bauer state that whoever on Council is willing, should go to Sacramento to present the city's requests. Public Works Director Beardsley stated that a trip is planned in the next two weeks.

Council Member Winchell stressed that it should be made clear that Bolsa Chica funding is a City Council priority.

**(City Council) Opened and Continued Open from March 4, 2002 – Public Hearing Held - Approved Zoning Map Amendment No. 01-03 of Subareas A through D (General Plan Consistency) – Approved Introduction of Ordinance Nos. 3543, 3544, and 3545 – Approved Request to Table Ordinance No. 3547 to a Date Uncertain (450.20)**

Mayor Cook announced that this was the time scheduled for a public hearing opened and continued open from March 4, 2002 to consider the following:

**Applicant:** City of Huntington Beach, Planning Department

**Request:** To rezone three subareas of properties to make the zoning designations consistent with the current General Plan land use designations as follows:

**Subarea A (McCallen Park/Boy's and Girl's Club):** Rezone from RM-O (Residential Medium Density with Oil District Overlay) to OS-PR (Open Space-Park and Recreation). Location: 2309 Delaware Street (west side, south of Yorktown Avenue).

**Subarea B (Church of Jesus Christ of Latter Day Saints):** Rezone from RM (Residential Medium Density) to PS (Public-Semipublic). Location: 19191 17<sup>th</sup> Street (west side, north of Clay Avenue).

**Subarea C (Water Division Office/Yard):** Rezone from IL (Limited Industrial) to PS (Public-Semipublic). Location: 19001 Huntington Street (southwest corner of Huntington Street and Garfield Avenue).

**Subarea D (Seniors Center):** Rezone from OS-PR (Open Space-Park and Recreation) to PS (Public-Semipublic). Location: 1706 Orange Avenue (northwest corner of 17<sup>th</sup> Street and Orange Avenue). Request to Table – See Recommended Action.

**Environmental Status:** This item is covered under Final Environmental Impact Report No. 94-

A PowerPoint presentation titled *Joint Public Hearing – Proposed Southeast Coastal Redevelopment Project* is included in the agenda packet.

Legal notice as provided to the City Clerk's Office by staff had been mailed, published and posted.

Mayor Cook declared the public hearing open.

As there were no persons present to speak on the matter and there were no protests filed, either written or oral, the Mayor declared the public hearing closed.

Principal Planner Scott Hess presented the afore-mentioned PowerPoint presentation slide report, which was included in the agenda packet.

Council Member Boardman questioned how Subarea A, McCallen Park/Boy's and Girl's Club would affect Measure C Charter requirements should they wish to expand the facilities.

City Attorney Gail Hutton stated that the building was done prior to Measure C so it is a legal non-conforming use but that it would come under Measure C requirements if expansion were to be contemplated.

A motion was made by Bauer, second Winchell to approve the following actions following reading by titles of Ordinance Nos. 3543, 3544 and 3545:

1. Approve Zoning Map Amendment No. 01-03 for Subareas A, B, and C with Findings for Approval – **See Attachment 1 at the end of this item for Findings for Approval**)\*

**and**

2. Approve, by roll call vote, introduction of **Ordinance Nos. 3543, 3544, and 3545** after the City Clerk reads by titles:

**Ordinance No. 3543** – *“An Ordinance of the City of Huntington Beach Amending the Huntington Beach Zoning Code and Subdivision Ordinance by Changing the Zoning Designation from RM-O (Medium Density Residential-Oil Overlay) to OS-PR (Open Space-Parks and Recreation) on Real Property Located on the Northwest Corner of the Intersection of Huntington Street and Wichita Avenue (Zoning Map Amendment No. 01-03, Sub-Area A);”*

and

**Ordinance No. 3544** – *“An Ordinance of the City of Huntington Beach Amending the Huntington Beach Zoning Code and Subdivision Ordinance by Changing the Zoning Designation from RM (Medium Density Residential) to PS (Public-Semipublic) on Real Property Located on the Northeast Corner of the Intersection of Clay Avenue and Delaware Street (Zoning Map Amendment No. 01-03, Sub-Area B);”*

and

**Ordinance No. 3545** – *“An Ordinance of the City of Huntington Beach Amending the Huntington Beach Zoning Code and Subdivision Ordinance by Changing the Zoning Designation from IL (Limited Industrial) to PS (Public-Semipublic) on Real Property Located on the Southwest Corner of the Intersection of Garfield Avenue and Huntington Street (Zoning Map Amendment No. 01-03, Sub-Area C);”*

and

- 3. Request to Table Ordinance No. 3547 Re: Subarea D:** *“An Ordinance of the City of Huntington Beach Amending the Huntington Beach Zoning Code and Subdivision Ordinance by Changing the Zoning Designation from OS-PR (Open Space-Park and Recreation) to PS (Public-Semipublic) on Real Property Bounded by 17<sup>th</sup> and 18<sup>th</sup> Streets and Pecan and Orange Avenues (Zoning Map Amendment No. 01-03, Sub-Area D).”*

The motion carried by the following roll call vote:

AYES: Green, Dettloff, Boardman, Cook, Houchen, Winchell, Bauer  
 NOES: None  
 ABSENT: None

#### **Attachment 1\***

#### **Findings for Approval – Zoning Map Amendment No. 01-03: Subareas A, B, & C**

1. Zoning Map Amendment No. 01-03 to change the zoning on the following properties:
  - a. + 3.5 acre McCallen Park/Boy’s and Girl’s Club from RM-O to OS-PR (Open Space – Park and Recreation) to conform to the existing General Plan designation of OS-P (Open Space – Park);
  - b. + 4.3 acre Church of Jesus Christ of Latter Day Saints from RM to PS (Public-Semipublic) to conform to the existing General Plan designation of P (RM-15) (Public with underlying designation of Residential Medium Density); and
  - c. + 4.1 acre Water Division Office from IL to PS (Public-Semipublic) to conform to the existing General Plan designation of P (I-F2) (Public with underlying designation of Industrial).

It is consistent with the objectives, policies, general land uses and programs specified in the General Plan. The Zoning Map Amendment would bring the zoning into conformance with the General Plan. This action is consistent with goals,

policies, and objectives of the General Plan because it supports development in accordance with the land uses depicted in the Land Use Plan Map. It will also further goals, policies, and objectives that pertain to achievement and maintenance of a variety of land uses that support the recreational, religious, governmental, and human services needs of residents and businesses in Huntington Beach.

2. In the case of a general land use provision, the zoning map amendment is compatible with the uses authorized in, and the standards prescribed for, the zoning district for which it is proposed. This amendment would change the land use designation rather than a general land use provision. Future development will be compatible with the development standards.
3. A community need is demonstrated for the change proposed. With the adoption of the General Plan in 1996, the community as a whole determined a need to modify land use designations to accurately reflect the use on a property. The Zoning Map Amendment will allow the zoning designations on the subject properties to conform to the General Plan. It will also permit the existing uses on the subject site to continue to provide services which have been offered to residents and businesses in the community.
4. Its adoption will be in conformity with public convenience, general welfare and good zoning practice. The subject sites are presently designated on the General Plan; the proposed rezoning action will bring each site into conformity with the current General Plan designation.
5. The Planning Commission finds that Zoning Map Amendment No. 01-03 is covered within the scope of Environmental Impact Report No. 94-1 prepared for the 1996 General Plan update which was certified by the City Council on May 13, 1996 and that no further environmental review is required.

**(City Council/Redevelopment Agency) Joint Public Hearing Opened and Closed on the Proposed Redevelopment Plan for the Southeast Coastal Redevelopment Project – (Area Bounded by Hamilton Avenue/Newland Street/Magnolia Street/Pacific Coast Highway and Excluding Cabrillo Mobile Home Park) – Approved Continuance to the June 3, 2002 Council Meeting for Consideration of the Redevelopment Plan and Environmental Impact Report (410.05)**

Mayor/Agency Chair Cook announced that this was the time scheduled to consider a joint public hearing between the City Council and Redevelopment Agency to consider and act upon the proposed Redevelopment Plan (“Redevelopment Plan”) and Environmental Impact Report (“EIR”) for the Southeast Coastal Redevelopment Project (“Project”) and to consider all evidence and testimony for or against the approval and adoption of the proposed Redevelopment Plan.

The staff report further sets forth that at this time not later than the hour set forth above for the hearing of comments on or objections to the proposed Redevelopment Plan, any person may file in writing with the City Clerk of the City of Huntington Beach, a statement of objections to the proposed Redevelopment Plan. At the day, hour, and place of the hearing, persons having comments or objections to the proposed Project Area and/or question the regularity of any of the prior proceedings, may appear before the City Council and Agency, showing cause to why the proposed Redevelopment Plan should not be adopted.

A map of the proposed Project Area (Exhibit A) is available, as is a legal description of the Project Area upon request, free of charge, at the City of Huntington Beach Economic Development Department, 2000 Main Street, Fifth Floor, Huntington Beach, California.

Legal notice as provided to the City Clerk's Office by staff had been mailed, published and posted.

Housing/Redevelopment Manager Gus Duran presented a PowerPoint slide report that had been included in the agenda packet, which is titled *Joint Public Hearing – Proposed Southeast Coastal Redevelopment Project*. Mr. Jim Simon of Rosenow, Spevacek Group, Inc. (RSG) and Mr. Kevin Thomas, Environmental Services Manager, RBF Consulting also reported.

Mayor Pro Tem/Vice Chair Boardman stated that she believes it is a big assumption that development will occur on the wetlands.

Mr. Thomas responded to Mayor Pro Tem/Vice Chair Boardman's questions relative to the Environmental Impact Report.

Mayor Pro Tem/Vice Chair Boardman inquired which agency would have jurisdiction at the final level on what can be done on the Nesi Ascon site. Senior Planner Mary Beth Broeren replied that it would be the State of California.

Agency Special Counsel Murray Kane reported on matters of jurisdiction by involved agencies. Mr. Kane spoke relative to the CEQA (California Environmental Quality Act) statutes and California and local guidelines by which, he stated, development would abide.

Council/Agency Member Bauer requested a report in the future regarding the possibility of building a park like, meandering trail on the west side of Magnolia Street by Banning Avenue. He also inquired as to the matter of ensuring that the AES power company will build the improvements that they planned; whether entitlements are in place for the 550 homes on the site or have the entitlements expired; and the difference between building affordable housing on site or off site as less credit is given for offsite affordable housing.

Mayor/Agency Chair Cook declared the public hearing open.

Prior to announcing the speakers for the public testimony, Acting Assistant City/Agency Clerk Ehring restated for the record as pertaining to this public hearing, the Late Communication announced earlier in the meeting. The communication is dated May 17, 2002 from Tim Geddes transmitting his support of the Redevelopment Plan for Southeast Huntington Beach, and is titled *Southeast Coast Redevelopment Plan Public Hearing on 5-20-02*.

**Joey Racano** spoke regarding the types of toxins on the Ascon Nesi site. He stated that the site needs to be cleaned but not by paving the wetlands. He spoke relative to the proposed desalinization Plant (Poseidon), which he alleged causes brine to go in the outfall. Mr. Racano stated that he believes redevelopment tax from other areas could be used for this but that there is no money from these areas because they are failures. He stated that he sees a healthy ecosystem in this area and that he is opposed to paving in the coastal zone.

**Tim Geddes** expressed his support for the proposed Redevelopment Plan. He stated that he believes that because of past redevelopment history that some residents are skeptical about redevelopment but that this would not necessarily hold true on this project. Mr. Geddes stated that he had trust in the City Council and city officials.

**Morris P. O'Sullivan** stated that he opposes redevelopment, as he does not believe the issue of blight has been answered adequately. He stated that he believes the redevelopment presentation has been very vague. Mr. O'Sullivan expressed concern for the environment and pollution stating that the desalinization plant will increase pollution, as will the AES Power plant and construction of new homes. He informed Council that he would like some more positive information. He stated that after allocation of the tax money the city will not have sufficient funds.

**Don Hansen** stated his support for the proposed Redevelopment Plan. He expressed his belief that the Nesi site must be eliminated and the companies responsible are going to the table and it is possible they may pay for restoration of the land. Mr. Hansen spoke regarding the benefits of the tax increment district as opposed to not having one.

City Administrator/Executive Director Ray Silver requested a representative from Rosenow, Spevacek Group, Inc. to report on the monies the city will derive in that it will be 50 percent and currently without a redevelopment area the city obtains 15%.

At the request of City Administrator/Executive Director Silver, Agency Counsel Kane defined "blight".

**George Mason** stated that he very much favors the Redevelopment Plan. He cited the benefits he perceives such as parks and other improvements to the area. Mr. Mason stated that staff, through amendments to the Plan, has alleviated many of his neighbors' concerns.

**John F. Scott** spoke regarding his concern for the desalinization plant's potential for adverse effects on the already "sick" ocean. He stated that it is imperative to remember where the money comes from and listed the different agencies, which are the source of funding. Mr. Scott stated the possibility that only 16 % of the funds may be available.

Council/Agency Member Winchell stated that the city derives 70% rather than the current 15% derived.

City Treasurer Shari Freidenrich at the request of Council/Agency Member Boardman reported on the effect of State legislation that would provide for tax dollars from the AES Power plan. City Treasurer Freidenrich reported on the allocation process.

Council/Agency Member Dettloff stated that she believes the effect from industry referred to by Mr. Scott has been addressed.

Housing/Redevelopment Manager Gus Duran and City Administrator/Executive Director Silver responded as to land use issues.

There being no one further present to speak on the matter and there being no further objections either oral or written, the hearing was closed by the Mayor/Chair.

A motion was made by Dettloff, second Green to approve the following actions subsequent to closing the public hearing: Approved that the City Council/Redevelopment Agency **continue consideration of the Redevelopment Plan (Plan) and the Environmental Impact Report (EIR) to their meeting on June 3, 2002**, at which time both bodies will take additional actions (including certification of the Final EIR and adoption of any written responses to written objections to the Redevelopment Plan), prior to acting on an ordinance adopting the Redevelopment Plan. The motion carried by the following roll call vote:

AYES: Green, Dettloff, Boardman, Cook, Houchen, Winchell, Bauer

NOES: None

ABSENT: None

**(City Council) Public Hearing Held - Approved General Plan Amendment No. 02-01 (Growth Management Element Update) – Adopted Resolution No. 2002-44 (440.50)**

Mayor Cook announced that this was the time scheduled for a public hearing to consider the following:

General Plan Amendment No. 02-01 – Growth Management Update

**Applicant:** City of Huntington Beach

**Request:** Update of the General Plan Growth Management Element, which includes policies and programs that will promote growth and development based upon the City's ability to provide an adequate circulation system and public services and facilities. The programs and policies pertain to among others police, fire, parks, utilities, as well as traffic circulation improvements.

**Location:** Citywide

**Environmental Status:** General Plan Amendment No. 02-01 – Growth Management Element Update is covered under Environmental Impact Report No. 94-1.

Legal notice as provided to the City Clerk's Office by staff had been mailed, published and posted.

Senior Planner Scott Hess reported on the PowerPoint slide presentation that had been announced earlier as a Late Communication by Acting Assistant City Clerk Ehring. Associate Planner Ricky Ramos also provided a brief overview of the slide show, which is titled *General Plan Amendment No. 02-01 (Growth Management Element Update)*.

Mayor Cook declared the hearing open.

As there were no persons present to speak on the matter and there were no protests filed, either written or oral, the Mayor declared the public hearing closed.

Council Member Winchell questioned why Pacific Coast Highway, south of Brookhurst Street is eliminated from having to meet traffic standards, to which staff replied that it may be in connection with the Santa Ana River crossings.

Interim Water Operations Manager Dennis E. MacLain stated that he did not know the answer to Council Member Winchell's question regarding water pressure relative to 40psi, but ensured her the city is meeting acceptable state-wide standards. Council Member Winchell stated recalling that at one time the city had aspired to 50psi.

Council Member Winchell inquired as to meeting standards for a five-day period without water, to which Dennis MacLain responded.

Discussion was held regarding there being only one-day water supply storage without resorting to outside sources for water. City Administrator stated what the city goals were and Water Operations Manager MacLain concurred.

Council Member Winchell questioned elimination of ground water to irrigate, stating that she believes the water reclamation (Green Acres project) and other water programs should be made stronger to cover this need. Council Member Winchell expressed strong objections to standards being watered down. Dennis MacLain stated that the people who figured reclaimed water ability overestimated it. He reported further on the issue including the alternate plan to extending the Green Acres Project.

Public Works Director Beardsley referred to a section of the report, of which Council Member Winchell stated she was aware, however that she still believed the standards were weaker.

Council Member Boardman stated that she believes it is a strong statement that no development will occur if there is no adequate water supply.

A motion was made by Dettloff, second Green, to approve General Plan Amendment No. 02-01 and adopt **Resolution No. 2002-44** (Attachment No. 1) – *“A Resolution of the City Council of the City of Huntington Beach Adopting an Update of the Growth Management Element.”* The motion carried by the following roll call vote:

AYES: Green, Dettloff, Boardman, Cook, Houchen, Winchell, Bauer  
NOES: None  
ABSENT: None

**(City Council) Administrative Hearing Held - Adopted Resolution No. 2002-45 Certifying Special Assessments for Recovery of Costs of Abatement of Nuisance – (Salt Air Circle) (570.60)**

Council considered a communication from the City Attorney, and the Planning Director.

Mayor Cook announced that this was the day and hour set for a public hearing to consider adoption of Resolution No. 2002-45 certifying special assessments for recovery of costs and abatement of nuisance. The public hearing is held pursuant to Huntington Beach Municipal Code Section 17.08.010 adopting Uniform Housing Code Section 1602.

The staff report sets for that an administrative hearing is required by the Huntington Beach Municipal Code Section 17.08.010 adopting Uniform Housing Code Section 1602. Only property owners are entitled to speak at an administrative hearing. All other interested parties may speak at regular public comment at beginning of the meeting. Written communications to the City Council may also be mailed to the City Clerk.

Mayor Cook declared the public hearing open.

As there were no persons present to speak on the matter and there were no protests filed, either written or oral, the Mayor declared the public hearing closed.

City Attorney Hutton reported, stating that the city was granted a warrant to enter the subject property at Salt Air Circle.

A motion was made by Green, second Dettloff to adopt **Resolution No. 2002-45** entitled "A Resolution of the City Council of the City of Huntington Beach Certifying Special Assessments for Recovery of Costs of Abatement of Nuisance." The motion carried by the following roll call vote:

AYES: Green, Dettloff, Boardman, Cook, Houchen, Winchell, Bauer  
NOES: None  
ABSENT: None

Prior to convening to the Consent Calendar portion of the meeting, Council Member Winchell requested that a brief review be made of the Consent Calendar items regarding two health and safety agenda items: the Revised Fourth Amended Joint Exercise of Powers Agreement of the Orange County-City Hazardous Materials Emergency Response Authority and the Grant for the High Technology Crime Unit equipment. She stated that these were fine examples of city projects.

#### **Consent Calendar – Items Removed for Separate Discussion**

(City Council) Resolution No. 2002-33 for Local Coastal Program Amendment No. 02-01 and Requesting Its Certification by the California Coastal Commission (Zoning Text Amendment 97-01 – Residential District Standards – Ordinance 3410) (440.50)

(City Council) Intergovernmental Service Agreement with the City of Newport Beach for Contract Jail Services – Use of Huntington Beach Police Department Facilities for City of Newport Beach Detainees (600.10)

(City Council) Amendment to Street Sweeping with Nationwide Environmental Services (600.90)

#### **Consent Calendar – Items Approved**

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

AYES: Green, Dettloff, Boardman, Cook, Winchell, Houchen, Bauer  
NOES: None  
ABSENT: None

**(City Council/Redevelopment Agency) Minutes** – Approved and adopted the minutes of the City Council/Redevelopment Agency Meetings of May 6, 2002 as written and on file in the Office of the City Clerk. Submitted by the City Clerk.

**(City Council) Approved Project Plans and Specifications and Authorized Advertisement for Bids for the Urban Runoff Diversion Project – CC-1181** (600.60) – Approved the project plans and specifications and authorized the Director of Public Works to request bids for the Urban Runoff Diversion Project CC-1181. Submitted by the Public Works Director. Funding Source: Proposition 13 Funds in accordance with the Costa-Machado Water Act of 2000. Engineer's cost estimate of \$70,000 budgeted in the Low Flow Diversion, Drainage Improvement Account.

**(City Council) Adopted Resolution No. 2002-46 – Flood Control Improvements for Huntington Beach Channel Facility D01 and Adopted Resolution No. 2002-47 - Flood Control Improvements for Talbert Channel Facility D02 (Orange County Public Facilities and Resources Department – Orange County Flood Control District)** (550.20) – Adopted the following resolutions: **1.** Adopted **Resolution No. 2002-46** – “A Resolution of the City Council of the City of Huntington Beach Approving Plans and Specifications for the Construction of Improvements to the Huntington Beach Channel (Facility No. D01) from Magnolia Street to 1,825 Feet Upstream of Newland by the Orange County Public Facilities and Resources Department and funded by the Orange County Flood Control District;” and **2.** Adopted **Resolution No. 2002-47** – “A Resolution of the City Council of the City of Huntington Beach Approving Plans and Specifications for the Construction of Improvements to the Talbert Channel (Facility No. D-02) from Adams Avenue to Yorktown Avenue by the Orange County Public Facilities and Resources Department and funded by the Orange County Flood Control District.” Submitted by the Public Works Director. Funding Source: Funding is not required for this action.

**(City Council) Approved Revised Fourth Amended Joint Exercise of Powers Agreement of the Orange County-City Hazardous Materials Emergency Response Authority** (600.40) Approved and authorized the Mayor and City Clerk to execute the *Fourth Amended Joint Exercise of Powers Agreement of the Orange County-City Hazardous Materials Emergency Response Authority*. Submitted by the Fire Chief/Information Systems Director. Funding Source: No additional funding required. (Anaheim – Santa Ana & Orange County Fire Authority)

(At the request of Council Member Winchell, Fire Chief Michael P. Dolder reported on the purpose of the agreement and the benefits to the County and to the city.)

**(City Council) Approved the State of California Grant for California Law Enforcement Equipment Program (CLEEP) – High Technology Crime Unit, Police Department** (340.80)  
**1.** Accepted the grant between the State of California and the City of Huntington Beach; and  
**2.** Appropriated \$89,696, plus any accrued interest to be expended on equipment associated with the High Technology Crime Unit. Submitted by the Police Department. Funding Source: This fully funded grant of \$89,696. No matching or in-kind City funds are required for this grant.

(At the request of Council Member Winchell, Police Chief Ronald Lowenberg reported that this is one of a series of grants that the Police Department has been successful in obtaining. Chief Lowenberg credited Budget & Research Manager Shawna Krone-Schmidt with being so skillful in getting grants that the State of California makes calls to her relative to potential grant funding.)

**(City Council) Directed City Treasurer to Establish Escrow Account for Police Department Computer Aided Dispatch/Records Management System Grant Funds (CAD/RMS) – Authorized Encumbrance of Supplemental Law Enforcement Services Funds (SLESF) – Authorized Police Chief to Select Vendor and Execute a Contract**

(340.60) – **1.** Directed the City Treasurer to establish an escrow account for the purchase of a CAD/RMS and charge all CAD/RMS expenses against the escrow account; and **2.** Authorized the encumbrance of the five SLESF grants, plus all accumulated interest for a CAD/RMS and approve their transfer from their respective accounts into the escrow account; and **3.** Approved and authorize the Police Chief to select the CAD/RMS vendor that will meet the needs of the Police Department and execute a contract; and **4.** Directed the City Treasurer to execute progress payments directly through the escrow account to the CAD/RMS vendor. Submitted by the Police Chief, Administrative Services Director, and City Treasurer. Funding Source: Expenses are budgeted in five SLESF grants provided by the State of California. The grant funds are from the Fiscal Years: **97-98** \$260,397; **98-99** \$513,284; **99-00** \$490,943; **00-01** \$458,331; **01-02** \$393,487; Total funds \$2,116,442 plus interest.

**(City Council) Approved Student Appointment of Hillary LeBail to the Children’s Needs Task Force** (110.20) – Approved the appointment of **Hillary LeBail** to serve as the student member on the Children’s Needs Task Force for a one-year term to expire April 30, 2003 as recommended by Council Liaisons Shirley Dettloff and Grace Winchell. Submitted by the Community Services Director. Funding Source: Not Applicable.

**(City Council) Received and Filed City Clerk’s Quarterly Report Listing Professional Services Agreement Filed in the City Clerk’s Office Between February 1, 2002 through April 30, 2002** (600.05) – Received and filed the *Quarterly List of Professional Services Agreements* entered into by City Departments as submitted to the Office of the City Clerk for the period February 1, 2002 through April 30, 2002. Submitted by the City Clerk. Funding Source: Not Applicable. Report presented pursuant to City Council directed policy of November 19, 2001 is submitted as follows:

<b>Consultant Agreement</b>	<b>Purpose</b>	<b>Amount</b>
<b>Truesdail Laboratories, Inc.</b>	Water quality analysis sampling	\$45,000 Annually
<b>Bucknam &amp; Associates, Inc.</b>	Program Management Services – Water Resources	\$19,750
<b>Bucknam &amp; Associates, Inc.</b>	Program Management Services – HB Bluffs Erosion Project	\$19,500
<b>JDK Consulting</b>	Housing Rehabilitation Loan Program	\$20,000
<b>AON Consulting</b>	Actuarial Studies – Employee Benefit Consulting Group	\$20,000
<b>Nationwide Environmental Services</b>	Street Sweeping Services MSC–397 (Joe Samuelian)	\$294,821
<b>Tom Bay Speaks Up, Inc.</b>	Staff Training & Development Customer Service Training	\$12,500

(Matrix Continued on the Next Page)

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<b>EDAW Corporation</b>	Consultant Services-Edinger Corridor I-405 Fwy & Beach Boulevard -	\$34,000
<b>Franchise Tax Board (FTB)</b>	To purchase FTB data on businesses in Huntington Beach	Not To Exceed \$5,100
<b>InfoSys Business Solutions</b>	Building Department Computer Automation	\$40,000
<b>Gibbs, Giden, Locher, &amp; Turner</b>	Legal Services – Mesa Construction v. City	\$50,000
<b>Selectron Technologies, Inc.</b>	Develop & Install Interactive Voice Recognition System for Citywide Permitting System	\$120,000

**(City Council) Approved an Agreement between the City of Huntington Beach and the Adopt-A-Stormdrain Organization for Storm Water Pollution Prevention Projects (Urban Runoff)** (600.10) – Approved and authorized the Mayor and City Clerk to execute an *Agreement to Provide Corporations to Sponsor the Mitigation of Urban Runoff between the City of Huntington Beach and Adopt-A-Stormdrain*. Submitted by the Public Works Director.  
Funding Source: No funds are required at this time.

**(City Council) Continued from May 6, 2002 – Adopted Resolution No. 2002-33 for Local Coastal Program Amendment No. 02-01 and Requesting Its Certification by the California Coastal Commission (Zoning Text Amendment 97-01 – Residential District Standards – Ordinance 3410)** (440.50)

Mayor Pro Tem Boardman requested that this agenda item be removed from the Consent Calendar. Discussion was held regarding the Beautification Landscape and Tree (BLT) Committee and work on fences/yards and double frontage lots. Senior Planner Hess reported and responded to Councilmember Dettloff's questions regarding whether the proposed zoning amendments are major or minor changes.

A motion was made by Boardman, second Dettloff to adopt **Resolution No. 2002-33** – *“A Resolution of the City Council of the City of Huntington Beach Adopting Local Coastal Program Amendment No. 02-01 and Requesting its Certification by the California Coastal Commission.”* Submitted by the Planning Director. Funding Source: Not Applicable. The motion carried by the following roll call vote:

AYES: Green, Dettloff, Boardman, Cook, Houchen, Winchell, Bauer  
NOES: None  
ABSENT: None

**(City Council) Approved Continuance of Intergovernmental Service Agreement Contract Negotiations Re: the Amount of City Fees to be Charged to the City of Newport Beach for Contract Jail Service Costs Incurred in the Use of Huntington Beach Police Department Facilities for City of Newport Beach Detainees – Staff to Review Law Re: Fees to Renegotiate with the City of Newport Beach (600.10)**

The City Council considered a communication from Police Chief Lowenberg requesting approval of an Intergovernmental Service Agreement between the city and the City of Newport Beach for the use of Huntington Beach jail facilities for City of Newport Beach detainees.

Councilmember Houchen requested that the above-captioned agenda item be removed from the Consent Calendar. She stated that she did not believe that these individuals should be put in Huntington Beach, as they are not taken out of the area when they are released from jail.

The Police Chief reported on the fee schedule and on the issue Council Member Houchen raised regarding release of the detainees from jail.

Council Member Bauer inquired if the City of Newport Beach uses the Huntington Beach jail, once their facility is full; Police Chief Lowenberg reported.

Discussion was held regarding the fee schedule.

Further discussion was held as to whether the law will allow the city charging fees for more than the costs incurred.

A motion was made by Bauer, second Winchell to continue consideration of approving the *Intergovernmental Service Agreement between the City of Huntington Beach and the City of Newport Beach for the Detention at the Huntington Beach Police Department of Detainees Held in Custody by the Newport Beach Police Department*. Approved, **as amended**, to determine if the law allows charging a rate higher than the costs incurred and to go back to the City of Newport Beach and negotiate a higher rate. The motion carried by the following roll call vote:

AYES: Green, Dettloff, Boardman, Winchell, Bauer

NOES: Cook, Houchen

ABSENT: None

**(City Council) Denied Motion to Extend the Term for Contractual Street Sweeping with Nationwide Environmental Services – Directed Staff to Return to the Managed Competition Committee (to Include a Discussion of Street Sweeper Fuel Source Types) (600.90)**

The City Council considered a communication from the Director of Public Works recommending that the term for contractual street sweeping with Nationwide Environmental Services be approved by Council as well as direction to the City Administrator to negotiate an amendment to the contract.

Council Member Houchen requested the removal of this agenda item from the Consent Calendar for further discussion.

Discussion was held regarding the fact that the current type of fuel used for vehicles will not be allowed to be used after July 1, 2002.

A motion was made by Houchen, second Dettloff to continue consideration of the extension of the term for contractual street sweeping with Nationwide Environmental Services to a date not specific. (No votes were cast at this time for the above motion on the table.)

Considerable discussion was held between the Council and the City Administrator.

Deputy Public Works Director Paul Emery reported on aspects of the issue.

Council Member Bauer spoke regarding the alternative fuel vehicles not being powerful enough and that higher costs will be involved, including possible purchase of propane or LNG, the latter which is a cause of concern relative to certain fire hazards. He informed Council of Rainbow Disposal Company's plans to use alternative fuel vehicles.

Council Member Bauer expressed his belief that diesel power is the most cost-effective. The Public Works Director Beardsley reported that propane will be the city's fuel of choice and presented reasons why.

The motion made earlier was reiterated by Houchen, seconded by Winchell to continue consideration of the extension of the term for contractual street sweeping with Nationwide Environmental Services to a date not specific carried by the following roll call vote:

AYES: Green, Dettloff, Boardman, Cook, Houchen, Winchell

NOES: Bauer

ABSENT: None

**(City Council) Approved Introduction of Ordinance No. 3560 to Clarify Definitions – Address Refuse Issues – Successful Prosecution of Offenders – Aligns Ordinance with Existing Franchise Agreement with City's Refuse Hauler (640.10)**

The City Council considered a communication from the Public Works Director transmitting that the current Huntington Beach Municipal Code, Chapters 5.40, 5.41 and 8.20 relating to refuse requires revisions to clarify definitions, address refuse issues faced by the city, enable successful prosecution of offenders, and to bring the ordinance into alignment with the existing franchise agreement with the city's refuse hauler.

After Acting Assistant City Clerk Ehring read by title, a motion was made by Green, second Dettloff to approve introduction of **Ordinance No. 3560** - *"An Ordinance of the City of Huntington Beach Repealing Chapters 5.40, 5.41, and 8.20 of the Huntington Beach Municipal Code and Adding Chapter 8.21 Thereto Pertaining to Refuse Management."* Submitted by the Public Works Director. (Ordinance No. 3560 repeals Chapters 5.40 (Collection from Trash Drop Off Boxes and Trash Bins), 5.41 (Collection of Recyclable Materials) and 8.20 (Refuse) of the Huntington Beach Municipal Code and adds Chapter 8.21 (Refuse Management), thereto pertaining to refuse management. The motion carried by the following roll call vote:

AYES: Green, Dettloff, Boardman, Cook, Houchen, Winchell, Bauer

NOES: None

ABSENT: None

**(City Council) Approved Council Support for Per-Capita Revenue Sharing by All Orange County Cities of the Proceeds from El Toro’s “Great Park” Project (Second Supervisorial District) (920.30)**

The City Council considered a communication from Council member Bauer transmitting the following: **Statement of Issue:** It was recently noted in the newspapers that one of the county supervisors’ votes was obtained apparently because that supervisorial district would receive money for parks should the El Toro “Great Park” concept move forward. I do not believe this is fair. All people of Orange County should benefit equally if there is money generated from the “Great Park” project program. The “Great Park” is a regional activity; all should benefit. Council Member Bauer’s communication sets forth the following recommended action: I move that the Huntington Beach City Council send a letter to the Chairman of the County Board of Supervisors requesting that money generated by the El Toro “Great Park” project be shared equally on a per capita basis with all cities of Orange County.

A motion was made by Bauer, second Green to approve that the Huntington Beach City Council send a letter to the Chairman of the County Board of Supervisors requesting that money generated by the El Toro “Great Park” project be shared equally on a per capita basis with all cities of Orange County. The motion carried by the following roll call vote:

- AYES: Green, Dettloff, Boardman, Cook, Houchen, Winchell, Bauer
- NOES: None
- ABSENT: None

**Adjournment – City Council/Redevelopment Agency**

Mayor Cook adjourned the regular meetings of the City Council and the Redevelopment Agency of the City of Huntington Beach at 10:45 p.m. to Thursday, May 30, 2002, at 6:30 p.m., in Room E, Rodgers Senior Center, 1706 Orange Avenue, Huntington Beach, California.

\_\_\_\_\_  
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