

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

Monday, June 2, 2003
6:00 P.M. - Room B-8
7:00 P.M. - Council Chambers
Civic Center, 2000 Main Street
Huntington Beach, California 92648

An audiotape of the 6:00 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 Boardman called the regular meetings of the City Council/Redevelopment Agency of the City of Huntington Beach to order at 6:00 p.m. in Room B-8. The 5:00 p.m. portion of the meeting was recessed by Deputy City Clerk Rebecca Ross to 6:00 p.m. in Room B-8 due to an anticipated lack of quorum.

City Council/Redevelopment Agency Meeting Roll Call

Present: Sullivan, Coerper, Green, Boardman, Cook, Hardy, (Houchen arrived 6:04 p.m.)
Absent: None

(City Council) Study Session Held – Presentation Made by the Planning Department Re: Update by the Planning Department on the Neighborhood Preservation Program (.)

City Administrator Ray Silver introduced Planning Director Howard Zelefsky and Bill Zylla Principal Planner/Code Enforcement Officer – Neighborhood Preservation Program Manager. Mr. Zylla presented a PowerPoint slideshow titled *Neighborhood Preservation Program Update* which was included in the agenda packet. The presentation included an overview of the program, accomplishments to date, and outline of future program activities. The report included the progress of the Neighborhood Preservation Program since its inception in 1998.

Mr. Zylla described code violations and explained that the Neighborhood Preservation Program is a preventative measure against violations. He stated the purpose of the program is to build pride in neighborhoods by establishing relationships with residents, property owners and tenants.

Mr. Zylla distributed a copy of a set of photographs which reflected properties surveyed and discussed them during the Study Session Meeting. He stated a Neighborhood Community meeting is to be held at a future date uncertain after the survey has been completed in approximately three to four months.

Mayor Pro Tem Green expressed health and safety concerns relative to the elderly citizens. Mr. Zylla informed Council that most of the residents are unable to care for themselves or their property and they would be helped by the State Department of Social Services intervention.

Councilmember Coerper inquired about the cost factor and cost recovery involved in regard to the program and was informed by Mr. Zylla that the Planning Department was trying to utilize available funding programs.

Councilmember Sullivan spoke regarding the legality of Code Enforcement's actions. Mr. Zylla confirmed that the City Attorney is involved in enforcement of violations.

Mayor Boardman thanked staff for the report.

Motion to Recess to Closed Session – Approved

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

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

(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 **Epifania Huertero, et al., v. City of Huntington Beach, et al.**; United States District Court Case No. SA 01-1136. (120.80)

(City Council) Closed Session – Pursuant to Government Code Section 54956.9(c) to confer with its attorney regarding pending litigation. Based on existing facts and circumstances, the legislative body of the local agency has decided to initiate or is deciding whether to initiate litigation. Number of Potential Cases: five. Subject: **Potential Litigation re Property at 17201 Ash Street, Unit D, Huntington Beach.** (120.80)

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

City Council- Redevelopment Agency Roll Call

Present: Sullivan, Coerper, Green, Boardman, Cook, Houchen, Hardy
Absent: None

(City Council) City Attorney's Report of Action Taken by the City Council in Closed Session on Monday, June 2, 2003 Pursuant to Government Code §54957.1(a)(2) Re: Potential Litigation re Property at 17201 Ash Street, Unit D, Huntington Beach. (120.80)

City Attorney Jennifer McGrath announced that on Monday, June 2, 2003 the City Council convened in closed session to discuss potential litigation regarding **Property at 17201 Ash Street, Unit D, Huntington Beach.** City Attorney McGrath handed Assistant City Clerk Liz Ehring the related communication titled *(Initiate Litigation) Report of Action Taken Pursuant to Government Code Section 54957.1(a)(2); June 2, 2003, City Council Closed Session* which reflected her oral statement.

The communication dated June 2, 2003 reads as follows: On Monday, June 2, 2003 the City Council convened in closed session to discuss whether to initiate litigation regarding the matter of **17201 Ash Street, Unit D, HB, Ca.**

The City Council voted to initiate litigation against the property owner, Gary Davis. The Council voted as follows: 7 Ayes; 0 Noes; 0 Abstentions.

Pledge of Allegiance – Led by Sergeant-at-Arms Gary Meza.

Moment of Silence Observed

Mayor Boardman requested observation of a moment of silence to reflect upon issues before Council, public and staff.

Assistant City Clerk Announced the 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 Economic Development dated June 2, 2003 titled *Late Communication F-1* revising the recommended action on the agenda item regarding the Surf City Affinity Credit Card Program.

Communication from Department of Public Works titled *Refuse Rates 2003* revising page F-2.25 concerning slide numbers 7 and 8 of the PowerPoint presentation regarding commercial refuse service.

Communication from the Community Services Director dated June 2, 2003 titled *Item F-3, Approve Agreement with Community Parks Foundation for Installation of Equipment and Operation and Maintenance Services at HCP Sports Complex; Council Meeting of June 2, 2003* revised page two of the Request for Council Action (RCA) to include two alternative actions relating to the agenda item.

Communication revising the PowerPoint slide report titled *HCP Sports Complex Phase II* included in the agenda packet.

Communication from Judy Fleming dated June 2, 2003 titled *Re: Council Meeting* in opposition to the placing of parking meters at the Huntington Central Park Sports Complex.

The Following Additional Late Communications Were Submitted During the Meeting:

Communication from Chuck Scheid dated June 2, 2003 titled *Public Comments* stating his opposition to administrative costs for the refuse contract.

Communication from Councilmember Sullivan titled *City Rainbow Administrative Costs Using CPI*.

Photographs from Gregory Lee submitted during public comments regarding Huntington Harbour.

Presentation made by Mayor Connie Boardman, to Connie and Bob Mandic of Mandic Motors, Inc. of a commendation to Mandic Motors, Inc., for receiving the Automobile Association of America (AAA)'s national recognition for "Service Provider of Excellence." Mandic Motors was chosen as one of five "Highway Heroes" for 2003 by the AAA, the nation's largest organization for motorists. (160.40)

Presentation made by Mayor Connie Boardman and Community Services Director Jim Engle of a \$100 Savings Bond to the 18 winners of the Youth Character Awards: Austenn Akers, Cameron Bauer, Scott Bogle, Erin Burke, Amanda Draeger, Veronica Gomez, Karina Hubbard, Elizabeth Irving, Taylor Ann Kendzierski, Ravin Kuman, Ryan Marks, Kristen Mc Croy, Michelle Monroe, Amanda Morgan, Scott Newman, Andrea Ostrowski, Melissa Preston, and Christina Sanchez. (160.40)

Presentation made to Mayor Connie Boardman; Community Services Director Jim Engle, and Vice President, Friends of the Shipley Nature Center Louann Murray, by Steve Engel of the Boeing Company, of a check in the amount of \$ 2,000 for the restoration of Shipley Nature Center. (160.40)

Public Comments

Chuck Scheid spoke in opposition to the proposed increase in administrative fees for refuse collection. Mr. Scheid recommended approval of the alternative action in the staff report.

Gregory Lee, representing the Westchester Bay Seagate Homeowners Association, spoke in support of Councilmember Cook's agenda item regarding the request for proposal and award of contract process until the Huntington Harbour Waterways Sub-Committee has submitted their recommendations to the city. Mr. Lee submitted photographs of some of the problems in Huntington Harbour and urged Council to approve Councilmember Cook's recommended action.

Clement Aime spoke in support of Councilmember Cook's agenda item, urging Council not to support the proposed Huntington Harbour waterways maintenance service contract.

Dorothy Boesch, representing the Friends of the Library, spoke in opposition to the agenda item concerning the proposed Huntington Central Park (HCP) Sports Complex parking meters. Ms. Boesch stated that it would adversely impact Library patrons.

Bess Burke, volunteer for the Friends of the Library, spoke in opposition to the proposed installation of parking meters at the Huntington Central Park Sports Complex. Ms. Burke stated that it will adversely impact parking for the Library patrons, and Library theater and meeting rooms.

Joan Rambo, Orange County Genealogy Society representative, stated her opposition to the proposed installation of parking meters at the Huntington Central Park Sports Complex.

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

Keith Bohr rebutted alleged conflict of interest claims lodged against him and offered an explanation which he stated is also available at his website: Keithbohr@aol.com.

Leonard Crane spoke in favor of the D.A.R.E. (Drug Abuse Resistance Education) program for the benefit of children. Mr. Crane requested that Council reconsider the funding for this anti-drug abuse program.

Lou Baker stated that in his opinion a curb which is located on the corner of Gothard Avenue near the Central Library is hazardous. Mr. Baker also spoke regarding his concerns about the Rainbow Disposal fees. He spoke in favor of the Poseidon desalinization project.

Consent Calendar – Items Removed for Separate Discussion

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

(City Council/Redevelopment Agency) Minutes (120.65)

(City Council) Resolution No. 2003-38 - Side Letter to the Memorandum of Understanding (MOU) between the City and the Police Officers' Association to Reflect a Mutual Agreement on an Administrative Appeal Procedure (720.20)

Consent Calendar – Items Approved

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

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

(City Council) Adopted Resolution No. 2003-39 Approving the Application and Assurances for Grant Funds from the California State Coastal Conservancy for South Beach Improvements, Phase II (Standard Agreement No. 02-145) (600.20) – Adopted Resolution No. 2003-39 – “A Resolution of the City Council of the City of Huntington Beach Approving the Application and Assurances for Grant Funds from the California State Coastal Conservancy South Beach Improvements, Phase II.” Submitted by the Community Services Director. Funding Source: Not Applicable.

(City Council) Accepted Bid and Awarded Maintenance Service Contract to Elite Bobcat Service, Inc. for Repair/Replacement of Pedestrian Improvements on Nantucket Drive (s/o Yorktown Avenue, w/o Bushard Street); MSC 419 (600.70) – 1. Accepted the lowest responsible/responsive bid submitted by Elite Bobcat Service, Inc. in the amount of \$189,422.95; and **2.** Authorized the Mayor and City Clerk to execute a contract in substantially the same form as the attached sample construction contract. Submitted by the Public Works Director. Funding Source: Measure M Fund Account, Pedestrian Improvements, \$200,000.

(City Council/Redevelopment Agency) Approved as Amended the Minutes of March 17, 2003 to Remove the Inclusion of the Council Meeting Deadline Matrix – Approved the March 3, and March 14, 2003 Minutes (120.65)

Councilmember Sullivan and Councilmember Green requested that the minutes of March 17, 2003 be removed from the Consent Calendar to discuss the matter of the inclusion of the agenda packet timeline matrix received as a Late Communication from Administration and submitted for Councilmember Jill Hardy's agenda item.

Discussion was held between Council and staff regarding the inclusion of the matrix.

A motion was made by Sullivan, second Green to approve the March 17, 2003 minutes **as amended** to remove the Late Communication matrix and approve the March 3, 2003 and March 14, 2003 minutes.

The motion carried by the following roll call vote:

AYES: Sullivan, Coerper, Green, Boardman, Cook, Houchen, Hardy
 NOES: None
 ABSENT: None
 ABSTAIN: (Hardy abstained from the March 3, 2003 minutes due to absence; Houchen abstained from the March 3, 2003 and March 17, 2003 minutes due to absence)

(City Council) Adopted Resolution No. 2003-38 Approving Side Letter to the Memorandum of Understanding (MOU) between the City and the Police Officers' Association to Reflect a Mutual Agreement on an Administrative Appeal Procedure (720.20)

Councilmember Coerper requested that this agenda item be removed from the Consent Calendar to inquire about the Police Officers' Association Agreement.

Assistant City Administrator Workman responded to Councilmember Coerper's inquiry relative to the outcome of the negotiations.

A motion was made by Coerper, second Green to adopt **Resolution No. 2003-38** – *“A Resolution of the City Council of the City of Huntington Beach Amending the Memorandum of Understanding between the City of Huntington Beach and the Huntington Beach Police Officers' Association to Reflect an Agreed Upon Administrative Appeal Procedure.”* The motion carried by the following roll call vote:

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

(City Council) Approved as Amended by Late Communication the License Agreement between the City and U. S. Bank National Association ND for Implementation of the Surf City Huntington Beach Credit Card Affinity Program and Trademark (to Provide Fund Revenue for Parks and Recreation, Library, Cultural Activities and Other Community Services) (600.10)

The City Council considered a communication from the City Treasurer Shari Freidenrich; Special Projects Manager Ron Hagan, Administration; and David Biggs, Economic Development Director requesting Council approval of an agreement with U. S. Bank National Association to implement the Surf City Affinity Credit Card Program to provide revenue to fund city services for parks and recreation, libraries, cultural activities and other community programs.

City Administrator Ray Silver introduced Economic Development Director David Biggs, who presented a PowerPoint report titled *Financial Partnership With US Bank for the "Surf City Huntington Beach" Affinity Card Program June 2, 2003* that was included in the agenda packet.

Director Biggs presented an overview of the credit card program and stated there was a revision in the recommended action which had been announced by Assistant City Clerk Liz Ehring as a Late Communication.

Considerable discussion was held between Council and staff regarding 1) marketing plans; 2) promotional activities; 3) fees; and 4) potential revenue generated.

A motion was made by Sullivan second Green to **approve the Recommended Action, as amended by the Late Communication** language as follows: 1) The marketing program, as described in this RCA, will be designed and approved with the assistance of the City Attorney's Office and will be returned for City Council approval at a future date; and 2) Exhibit A of the Agreement with US Bank National Association should identify the term "**Surf City Huntington Beach,**" as the Licensed Mark;

and

To approve the recommended action to approve the *Credit Card Affinity Program and Trademark License Agreement* with U. S. Bank National Association ND for the implementation of the Surf City Huntington Beach Affinity Credit Card Program; authorize the Mayor and City Clerk to sign the agreement, and forward to U. S. Bank National Association ND for execution.

The motion carried by the following roll call vote:

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

(City Council) Adopted as Amended Resolution No. 2003-40 Establishing Residential Curbside Refuse Collection Rates and Approve Amendment (No. 1) to the Rainbow Disposal and Rainbow Transfer and Recycling Franchise Agreement (Increases Fees on Commercial Accounts) (600.45)

The City Council considered a communication from the Public Works Director informing Council that the Refuse Collection and Disposal Services Franchise Agreement with Rainbow Disposal Company, Inc. requires an annual review of residential rates. Minor modifications to the franchise agreement will be made to allow for timelier customer notification. A proposed increase to the franchise fee on commercial accounts is also included in the amendment.

Public Works Director Robert F. Beardsley presented a PowerPoint report titled *City of Huntington Beach Residential Refuse Rate and Franchise Agreement Amendment* which was included in the agenda packet; that was amended by a Late Communication titled *Refuse Rates 2003* as announced earlier as a Late Communication by Assistant City Clerk Liz Ehring.

Councilmember Sullivan submitted a Late Communication titled *City Rainbow Administrative Costs Using CPI* stating his opinion that the proposed city increase in the administration rate for the refuse contract is 37% above the rate of inflation.

Administrative Services Director Clay Martin reported in response.

Considerable discussion was held among Council and staff concerning the administrative fees and proposed rate increases.

Prior to voting on the recommended action, a motion was made by Sullivan second Cook to: amend the recommended action to require rates of \$17.44 and then again to \$17.22.

Councilmember Houchen received clarification from Public Works Director Robert F. Beardsley regarding the overhead cost recovery being the basis for the proposed administrative rate increase.

He informed Council of how the proposed increase was calculated. Mr. Beardsley stated that the Public Works Department is currently doing a cost allocation study which should be completed in August 2003.

Councilmember Sullivan withdrew his original amendments, as stated above.

Further discussion between Council and staff clarified that as part of the budget process this item can be reviewed again in August 2003.

A motion was made by Sullivan, second Cook to:

1. Adopt Resolution No. 2003-40 – “A Resolution of the City Council of the City of Huntington Beach Establishing Residential Curbside Refuse Collection Rates” as amended to revise figure of \$17.44, which also adjusts the daily rate (per the Public Works Director)

and

(Continued on the Next Page)

2. Approve and authorize the Mayor and City Clerk to execute the *Amendment to Refuse Collection and Disposal Services Franchise Agreement between the City of Huntington Beach and the Rainbow Disposal and Rainbow Transfer Recycling Companies.*

The motion carried by the following roll call vote:

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

(City Council) Approved Agreement with Community Parks Foundation, Inc. (CPF) for Installation of Equipment and Operation and Maintenance Services of Soccer, Hockey and Batting Facilities at HCP (Huntington Central Park) Sports Complex – Approved (After Review by the City Attorney) a Municipal Lease/Purchase Agreement with Prime Funding Source, Inc. for Phase II Sports Systems – Approved Amendment to Valley Crest Construction Company Contract to Complete Site Preparation (600.10, 600.65)

The City Council considered a communication from the Administrative Services Director, the Community Services Director, and Special Project Manager, Administration.

Community Services Director Jim Engle presented a PowerPoint report titled *HCP Sports Complex Phase II* that was included in the agenda packet, which had been supplemented by a Late Communication titled *Item F-3, Approve Agreement with Community Parks Foundation for Installation of Equipment and Operation and Maintenance Services at HCP Sports Complex; Council Meeting of June 2, 2003* which added two alternative actions, as announced by Assistant City Clerk Liz Ehring.

Considerable discussion was held among Council and staff regarding the Huntington Central Park (HCP) Sports Complex concerning: 1) potential impact on parking lot located at the main Library; 2) fencing alternatives; 3) impact on general fund to cover the deficit; 4) citizen safety issues; 5) revenue projections; 6) impact of artificial turf on the environment; and 7) various sports programs.

A motion was made by Houchen, second Boardman to:

1. Approve the *Agreement between the City of Huntington Beach and Community Parks Foundation, Inc. for Installation of Equipment and for Operation and Maintenance Services of Soccer and Hockey Facilities at the Huntington Central Park Complex*; and authorize execution by the Mayor and City Clerk upon receipt of the required insurance certificate approved as to form by the City Attorney;

and

2. Approve the allocation of \$129,198 (\$94,200 for NUVIS Landscape Architects and \$34,998 for six months consultant services of Community Parks Foundation) from the Park Acquisition & Development Fund, unappropriated fund balance into Central Park Sports Complex Construction Account #30187927.82200 for preparation of plans and specifications for Phase II improvements;

and

(Continued on the Next Page)

3. Authorize the Mayor and City Clerk to execute a lease/purchase agreement with Prime Funding Source, Inc. in substantially the same form as the attached sample municipal lease and option agreement for \$2,370,191 upon the review and approval of lease/purchase documents by the City Attorney for the acquisition and installation of the Phase II sports systems by Valley Crest Construction Company and Community Parks Foundation;

and

4. Approve an amendment to the Valley Crest Construction Company contract for \$1,213,353 from the lease/purchase financing agreement with Prime Funding Source, Inc. to complete Phase II site preparation and installation;

and

5. Approve appropriation of \$1,156,838 from the lease/purchase financing agreement with Prime Funding Source, Inc. for Community Parks Foundation to acquire and complete installation of Phase II sports systems.

The motion carried by the following roll call vote:

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

(City Council) Approved as Amended by Late Communication (1) Charge for Parking at Huntington Central Park (HCP) Sports Complex; (2) Fence and Emergency Access Gate Construction; (3) Authorize Expenditure of Funds (600.10, 600.65)

The Council considered the Late Communication titled *Item F-3, Approve Agreement with Community Parks Foundation for Installation of Equipment and Operation and Maintenance Services at HCP Sports Complex; Council Meeting of June 2, 2003* announced earlier by Assistant City Clerk Liz Ehring, which added two alternative actions for Council consideration.

A motion was made by Houchen, second Coerper to:

1. Approve charging \$1 per day for parking at the Huntington Central Park Sports Complex; and authorize a loan from the Park Acquisition & Development Fund (PA&D) of \$160,000 for a "pay and display" parking ticket machine to be paid back over a ten-year period;

and

2. Approve an allocation of \$45,000 from the PA&D Fund (Park Acquisition & Development Fund) for construction of a six-foot fence and emergency access gate between the sports complex and library; net operating proceeds to reimburse PA&D Fund.

The motion carried by the following roll call vote:

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

(City Council) Announcement Updating Phases I and II of Huntington Central Park (HCP) Sports Complex

Mayor Boardman received clarification from Community Services Director Jim Engle that Phase I of the Huntington Central Park Sports Complex has been completed and anticipates March 2004 for the completion of Phase II which will allow for the plant root system to establish.

(City Council) Adopted Ordinance No. 3609 Amending Chapter 2.56 of the Municipal Code Relating to Enforcement Duties of the Public Works Director (640.10)

After Assistant City Clerk Liz Ehring read by title, a motion was made by Green, second Hardy to adopt **Ordinance No. 3609** – *“An Ordinance of the City of Huntington Beach Amending Chapter 2.56 of the Huntington Beach Municipal Code Relating to the Public Works Department.”* (Ordinance No. 3609 was introduced May 19, 2003 to provide the Director of Public Works the authority to manage “administration and enforcement of appropriate sections of Title 8 (Health and Safety), Title 12 (Streets and Sidewalks), Title 13 (Public Property) and Title 14 (Water and Sewers) of the HBMC.”) The motion carried by the following roll call vote:

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

(City Council) Directed Staff to Suspend Request for Proposal and Award of Contract Process Pending Recommendations for Water Quality and Maintenance Services by the Huntington Harbour Waterways Committee (820.10)

The City Council considered a communication from Councilmember Debbie Cook transmitting the following **Statement of Issue**: The city is currently in the process of reviewing proposals received from private contractors to award a contract for maintenance services of the waterways in Huntington Harbour. Additionally, City Council established a Council Sub-Committee (Huntington Harbour Waterways Committee) that is currently meeting and will return to Council in July or August with recommendations on how to address a number of Harbour issues, including water quality. There has been a request by several participants at the committee meetings to review the scope of work, tasks and performance measures in the proposed Request for Proposal and Maintenance Contract for Huntington Harbour. They feel the level of maintenance and contract compliance is directly related to addressing the water quality issue in the Harbour. They would like the committee to have the opportunity to review the scope of services, tasks and performance measures in the contract to see if there should be any recommended changes prior to the city awarding the contract. Since the city has its current contractor in place, and until a new contract is awarded, there is no impact in delaying the award of bid until the committee has the opportunity to review and make recommendations.

Discussion was held between Council and staff concerning: 1) the Huntington Harbour Waterways Committee; 2) Huntington Harbour water quality issues; 3) refuse problem behind the docks; 4) the bid process procedure for a maintenance service provider.

A motion was made by Cook, second Coerper to:

Direct staff to suspend the Request for Proposal and Award of Contract process until the Huntington Harbour Waterways Sub-Committee has submitted its recommendations to the city. Staff will then have an opportunity to review the recommendations to determine if any changes should be made to the scope of services, tasks or performance measures in the Request for Proposal and contract for the Huntington Harbour waterway maintenance.

The motion carried by the following roll call vote:

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

(City Council) Discussed Alternative Actions Regarding the City's Code of Ethics/Gift Ban Ordinance/State Laws – Directed City Attorney to Draft a New Gift Ban Ordinance and Ethics Code Consistent with State Law (110.40)

Council considered a communication from Mayor Connie Boardman transmitting the following **Statement of Issue:** At a recent study session on our Code of Ethics, the City's Gift Ban Ordinance, and State Laws regulating the acceptance of gifts by elected and appointed officials, and some city employees, it was obvious that there are significant differences between these three types of regulations. I am placing this item on the agenda to allow for Council discussion as to how the council would like to reconcile the above three types of rules governing ethics and the acceptance of gifts.

Alternatives that have occurred to me are:

1. Request the City Attorney to draft an Ethics code that is consistent with the City's Gift Ban Ordinance.
2. Request the City Attorney to draft a new Gift Ban Ordinance and Ethics Code that is consistent with State Law.
3. Form a Council Committee to address this issue and make suggestions to the full council.

Considerable discussion was held among Council regarding the proposed alternatives concerning the Gift Ban Ordinance and Ethics Code.

City Attorney McGrath clarified to Council the options being considered.

A motion was made by Houchen, second Green to amend the Alternative Action No. 2 by limiting the acceptable gift value to \$200. This motion was subsequently withdrawn.

A motion was made by Houchen, second Green, to approve Alternative Action No. 2 to request the City Attorney to draft a new Gift Ban Ordinance and Ethics Code that is consistent with State Law.

The motion carried by the following roll call vote:

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

(City Council) Congratulations Extended to Youth Character Award Winners

Mayor Pro Tem Green congratulated all of the Youth Character Award recipients for their accomplishments.

(City Council) Budget Survey Reminder

Mayor Boardman reminded citizens that the budget survey was scheduled to go offline June 3, 2003.

(City Council) Presentation to Community Services Director Jim Engle

Mayor Boardman presented an Award of the Philharmonic "Golden Lyre" to Community Services Director Jim Engle.

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, June 9, 2003, at 1:00 p.m. in the Council Chambers, Civic Center, 2000 Main Street 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