

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

Monday, June 17, 2002  
7:00 P.M. - Council Chambers  
Civic Center, 2000 Main Street  
Huntington Beach, California 92648

A videotape of the 7:00 p.m. portion of this meeting  
is on file in the Office of the City Clerk.

At 5:00 p.m. there being no quorum present, Acting Assistant City Clerk Liz Ehring recessed the Council to 7:00 p.m. Notification of this anticipated lack of quorum was posted on the door of Room B-8, near the entrance to the Council Chambers.

**Call to Order**

Mayor Cook called the regular meetings of the City Council/Redevelopment Agency of the City of Huntington Beach to order at 7:00 p.m. in Council Chambers.

**City Council/Redevelopment Agency Meeting Roll Call**

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

Absent: Dettloff had requested to be absent pursuant to City Council Resolution No. 2001-54.

**(City Council) City Attorney's Report of Action Taken by the City Council in Closed Session on June 3, 2002 (Pursuant to Government Code §54957.1(a) (2) Re: Opp v. City of Huntington Beach - The City Attorney's Report Clarified Her Report Made at the June 3, 2002 Council Meeting (120.80)**

City Attorney Gail Hutton reported from her communication distributed to Council in the Late Communications packet – Re: Opp v. City of Huntington Beach. The City Attorney's report clarified her report made at the June 3, 2002 Council meeting.

City Attorney Hutton's verbatim report sets forth: On Monday, June 3, 2002, I reported at the City Council meeting that, during the earlier closed session, the City Council voted to direct me to report out that, in the matter of Opp v. City of Huntington Beach, et al., Orange County Superior Court Case No. 748927, the Council had, on August 20, 2001, and again on February 19, 2002, voted in closed session to indemnify the individual defendants against the punitive damages judgment; and in support of this decision, the City Council had made certain findings.

I further stated that the vote to direct me on June 3, 2002, to report out this matter was as follows: 6 Ayes; 1 No; 0 Abstentions. Ayes: Mayor Debbie Cook, Ralph Bauer, Pam Houchen, Peter Green, Shirley Dettloff, and Grace Winchell. No: Connie Boardman.

I should have clarified that the vote to indemnify made on August 20, 2001, was as follows: 7 Ayes; 0 Noes; 0 Abstentions. Ayes: Mayor Pam Houchen, Debbie Cook, Ralph Bauer, Shirley Dettloff, Connie Boardman, Peter Green, and Dave Garofalo.

Further, the vote on February 19, 2002, was as follows: 5 Ayes; 0 Noes; 0 Abstentions. Ayes: Mayor Debbie Cook, Ralph Bauer, Shirley Dettloff, Connie Boardman and Grace Winchell. Council Members Pam Houchen and Peter Green were absent at vote.

**Pledge of Allegiance** – The Pledge of Allegiance was led by the 4<sup>th</sup> of July Executive Board members.

### **The City Clerk Announced Late Communications**

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

Slide show presentation dated June 17, 2002 from Shari Freidenrich, City Treasurer, titled *April Treasurer's Report*.

Communication dated June 17, 2002 from David Guido, President of the Huntington Beach Coastal Communities Association transmitting his support for the Southeast Redevelopment Plan. Communication titled *Southeast Redevelopment*.

### **The Following Additional Late Communications Were Submitted at the Meeting:**

Communication from Bruce Winsatt dated June 17, 2002 in opposition to the proposed zoning of the Ellis-Goldenwest Specific Plan to add religious assembly permitted use/development standards.

Report of Action taken out of Closed Session (08/20/01). Communication from the City Attorney dated June 17, 2002 re: Report of Action in the matter of Opp v. City of Huntington Beach Orange County Superior Court case No. 748927 clarifying the vote made on August 20, 2001.

PowerPoint presentation from the Community Services Department titled *Huntington Beach Western States Disc Golf Championship*.

Communication from Shirley Carey dated June 14, 2002 titled *S.A.V.E. Substance Abuse and Violence Education Task Force* updating Council on the progress of this program.

Communication from Christopher Scheffing titled *The Oiler Times June 2002* drunk driving section with articles in support of the D.A.R.E. (Drug Abuse Resistance) program.

Communication received from Steve Purdue during Public Comments titled *Petition* requesting Council to deny ratification of Zoning Text Amendment 02-04 at this time and requesting Council to form a committee to establish a mutually acceptable interpretation and application of the RLUIPA (Religious Land Use and Institutionalized Persons Act) law. Number of petition signers: Nine.

Communication dated June 17, 2002 received from Finch Booker during Public Comments against the Zoning Text Amendment No. 02-04.

**Presentation** to Mayor Debbie Cook and the City Council, of T-shirts by the 4<sup>th</sup> of July Board members Diane Hayden, Pat Steirs, Carole Ann Wall, Margie Bunten, Kelly Rivers, and Karen Pedersen (160.40)

**Presentation** to Mayor Debbie Cook and 4<sup>th</sup> of July Board, a check for \$20,000 by 4<sup>th</sup> July Sponsor SHIITAKE-YA, Timothy Lin, General Manager, and Dan Rousseve, Sales Representative. (160.40)

**Presentation** by Mayor Debbie Cook and Nick Tomaino, Chair, Community Services Commission, checks to the recipients of the Youth Sports Grants (160.40)

The following presentations were made to:

<b>AYSO Region #143</b>	\$28,000	Jorggi Delaney
<b>Friends of Huntington Harbour</b>	\$12,000	Jerry Urner
<b>HB Girls Softball</b>	\$17,000	Rudy Sass
<b>HBHS Baseball Boosters/ Huntington Valley Little League</b>	\$5,000	Dan Hay
<b>HBHS Foundation</b>	\$20,000	Sylvia Garrett
<b>Huntington Valley Little League</b>	\$13,000	Renee Aumiller
<b>Marina Girls Outdoor Sports</b>	\$17,000	Angela Lockart
<b>Sea View Little League</b>	\$20,000	Joe Lavage
<b>South Coast Soccer Club</b>	\$15,000	Martin Bannan
<b>South Coast Soccer Club</b>	\$3,000	Martin Bannan

**Presentation** by Mayor Debbie Cook, of Certificates of Commendations for schools being named Blue Ribbon Schools by the U.S. Department of Education, to Liz Williams, Principal, Marine View Middle School; Dr. James Tarwater, Superintendent, Ocean View School District; Dr. Paul Morrow, Principal, Isaac Sowers Middle School; and Superintendent, Dr. Gary Rutherford, Huntington Beach Elementary School District. (160.40)

**Mayor's Award** by Mayor Debbie Cook and Library Services Manager Jan Halvorsen presented award to Marianne MacKenzie, Library Assistant, Main Street Branch Library. (160.40)

### Public Comments

**Christopher Scheffing** requested that the DARE (Drug Awareness Resistance Education) program remain in the City Budget. He informed Council he is a member of FNL (Friday Night Live) that promotes a drug free life style. Mr. Scheffing submitted a Late Communication highlighting two letters from *The Oiler Times June 2002* edition thanking organizations similar to DARE.

**Sarah DuVal** spoke on how the DARE program has helped her and read from various essays written by students on how the program works. Ms. DuVal stated that this program is invaluable to the community and should remain in the City Budget.

**Brit Masterson** stated he was a student of DARE in the 5<sup>th</sup> and 8<sup>th</sup> grades. Mr. Masterson presented a PowerPoint report on the DARE "Keep the Program Alive" survey and its impact on local schools.

**Jesse Kersey**, senior at Huntington Beach High School and a member of DARE, stated that the Officers of DARE treat the DARE youth with honesty and understanding and because of this program many are drug free today. Ms. Kersey requested that the city keep the DARE program in the budget.

**Rosie Gomez**, a junior at Huntington Beach High and a member of FNL (Friday Night Live), informed Council that to graduate from the DARE program is an honor. She requested the city to keep this program.

**Marilee Jackson** informed Council that without the DARE program she does not believe her son would have had the opportunity to recover from addiction. Ms. Jackson stated that the youth of today need DARE in their lives and urged the city to maintain the DARE program.

**Haley Battis**, DARE and Anti Drug Task Force member, asked the city to continue the DARE program which she stated teaches other lessons in addition to anti-drug and is needed for the youth of our city.

**Shirley Carey**, facilitator of the S.A.V.E. Task Force, submitted a Late Communication titled *S.A.V.E. (Substance Abuse and Violence Education Task Force)*. She updated the City Council and community on the progress of the S.A.V.E. Task Force board (formerly Huntington Beach Anti-Drug Task Force). Ms. Carey stated that programs such as DARE are vital to the children in our communities. Ms. Carey also thanked Council for honoring the Blue Ribbon Schools in our city.

**Chauncey Alexander**, member of the Democratic Club of Orange County, stated that he believes the parade committee has not cooperated in assisting the disabled to gain access to the parade route on the 4<sup>th</sup> of July. Mr. Alexander requested that the plan used in past years be continued.

**Sally Alexander**, member of the Democratic Club of Orange County, stated that she is regretful that Council changed the policy of cooperation with the Democratic Club regarding the 4<sup>th</sup> of July parade accommodations for the disabled handicap access.

**Eileen Ringerman** informed Council that she is the President of the Democratic Club of Orange County. She questioned why the disabled viewer could not have the same section that they have had in the past to view the parade.

#### **(City Council) Council Responses to Public Comments Re: Handicap Access for Fourth of July Parade (960.30)**

Mayor Cook stated that there may be a legal reason why the change occurred.

Director of Community Services Ron Hagan informed Council that he sent a letter to the Democratic Club stating that the city cannot provide city resources for handicap access to the Fourth of July parade as have been provided in the past.

#### **Public Comments Resumed**

**Steve Bolinger** informed Council that he is a lawyer and to his knowledge there is no legal reason why the city should not provide the handicap access to the area they have used in the past years. He stated the city has to allow access to the disabled if the event is open to the general public.

**(City Council) Council Responses to Public Comments Re: Handicap Access for Viewing of Fourth of July Parade – Directed Staff to Review Change of Seating Arrangements (960.30)**

Mayor Cook requested that Mr. Bolinger meet with the City Attorney and Director of Community Services Hagan to review the reasons for the seating change of location for the disabled for the 4<sup>th</sup> of July parade.

**Public Comments Resumed**

**Karen Chepeka**, President of Save Our Strays, spoke in favor of a draft ordinance restricting the display of animals for entertainment or amusement purposes. Ms. Chepeka cited statistics on deaths and injuries caused by the mistreatment of animals.

**Alison Stanley** requested Council to place the proposed ordinance “Restricting the Display of Animals for Entertainment or Amusement Purposes” on a future agenda. Ms. Stanley stated that adults as well as children have been killed or injured by abused animals and that it poses a risk to the public’s safety.

**Gerald Chapman** spoke in opposition to the agreement on the Disc Golf Course citing use of the 15 acres takes away from general public use as a picnic area. Dr. Chapman also voiced concerns regarding the maintenance costs. He questioned the method of cash transactions, the bid process, and how the dollar fee was determined, and stated that the monthly minimum rent does not appear in the contract.

**Debbie Borden** protested the absence of the Invocation at the Council meetings and offered a prayer.

**Tim Geddes** thanked Council for their support of the South East Coastal Redevelopment Project. Mr. Geddes urged Council to take a leadership role in ensuring that the allocation of funds to the developers of the project is handled properly.

**Joseph Jeffrey** informed Council that the Charter Amendment petition had been filed in the City Clerk’s office earlier in the day and requested that Council not oppose it. Mr. Jeffrey stated his belief that this Council does not serve the interest of the whole city and that the voters now have the opportunity to decide at the ballot box during the November 2002 General Election.

(Council Member Bauer commented on the statements made by the speaker stating that the Council Members currently live in various parts of the city and having five members instead of seven members would mean less representation.)

**Steve Stanford** expressed his dissatisfaction with the treatment he is receiving from the Police Department.

**Dave Sullivan** recognized the city employees who helped so much in the Memorial Day ceremonies and also on Flag Day. Dr. Sullivan informed Council that the agreement between the city and Disc Sports Management appears to be a lease, which would require a "Measure C" vote of the electorate. He also stated his opinion that the money from the Transient Occupancy Tax should go to the General Fund, not the Redevelopment Agency Fund.

**Norm Westwell** strongly opposed the escort service fee ordinance stating that this ordinance will have zero impact because the city does not have this problem.

**Joey Racano** informed Council that the 301-H waiver bill proposed by Assemblyman Tom Harman would go before the Governor for signature. Mr. Racano opposed the South East Coastal Redevelopment Project and the proposed City Charter Amendment. He also stated his concerns regarding the Ibiza Restaurant appeal to extend hours of operation and allow dancing. Mr. Racano stated he concurred with the proposed ordinance relating to the display of animals.

**(City Council) Announcement of Appointment made of John DeWitt to the Finance Board by City Council Member Pam Houchen (110.20)**

City Council Member Pam Houchen announced her appointment of John DeWitt to the Finance Board effective July 1, 2002.

**(City Administrator's Report) Announcement Made of the Invocation of Two-Years Service Credit at the July 1, 2002 Council Meeting Offered to all City Employees under CALPERS (California Public Employee Retirement System) (700.50)**

City Administrator Ray Silver presented a communication titled "*California Public Employee Retirement System – Invocation of Two-Years Service Credit Contract Amendment*" dated June 17, 2002 recommending establishment and implementation of a Workforce Reduction Incentive Program as part of the city's 2002-03 budget approval process. City Administrator Silver stated that the appearance of this item on the agenda meets legal requirements and that the item will be presented at the July 1, 2002 Council meeting, for submittal with the budget in August 2002.

This communication from the City Administrator dated June 17, 2002 is included in the agenda packet and allows those who qualify to accept this offer from July 1, 2002 to September 30, 2002 to make a decision.

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

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

A motion was made by Boardman, second Cook to review and accept the monthly report. Following review of the report, by motion of Council, accept the Monthly Investment Report *Summary of Investment Portfolio, Bond Proceeds, and Deferred Compensation Activity for April 2002*, pursuant to Section 17.0 of the Investment Policy of the City of Huntington Beach.

The motion carried by the following roll call vote:

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

**(City Council) Public Hearing Approved Formation of Holly-Seacliff Area (Ellis-Goldenwest) of Benefit District No. 1 for Financing of Certain Street Improvements and Related Facilities within the City – Approved First Amendment to Settlement Agreement Between City and PLC (the Developer) – Approved Introduction of Ordinance No. 3564 – Adopted Resolution No. 2002-59 (350.30)**

Mayor Cook announced that this was the time scheduled for a public hearing to consider establishment of the Holly-Seacliff Area of Benefit District No. 1, for the financing of certain street improvements and related facilities within the City.

The proposed boundaries of the District are more particularly described by the Holly-Seacliff Area of Benefit District Map, which is on file in the Office of the City Clerk.

The property located within the proposed boundaries of the District may be subject to a charge to pay a portion of the costs of providing street improvements which benefit the same property. If, after the date of formation of the District, the property owner either files a final map (subdivision, parcel or consolidation of property), or applies for a building permit, a charge and an inflation adjustment will become due and payable.

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

Deputy Public Works Director Paul Emery presented an oral report.

Council voiced concerns regarding 1.) the interest rate; 2.) construction cost limits; and 3.) the potential for reimbursement to the property owners for roadway improvements, ie., the relocation of driveways.

Deputy Public Works Director Emery reported, and City Engineer Dave Webb responded on driveway relocation stating that it is hard to anticipate future developments but the driveways are located on the property at the best location.

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.

A motion was made by Bauer, second Green to:

Approve the *First Amendment to Settlement Agreement and Mutual General Release* with PLC, and authorize the Mayor to sign and the City Clerk to attest to same;

**and**

After the City Clerk reads by title, approve introduction of **Ordinance No. 3564** –  
*“An Ordinance of the City of Huntington Beach Amending Chapter 17.68 of the Huntington Beach Municipal Code Regarding Area of Benefit Districts;”*

**and**

Conduct a public hearing to consider adopting the Holly-Seacliff Area of Benefit District;

**and**

Receive and consider the Holly-Seacliff Area of Benefit Report, dated March 20, 2002, prepared by MuniFinancial Corporation;

**and**

Receive and consider the Analysis contained in this Request for Council Action (Staff report included in the agenda packet);

**and**

Adopt **Resolution No. 2002-59** – *“A Resolution of the City Council of the City of Huntington Beach Establishing the Holly-Seacliff Area of Benefit District”* that would levy a charge on new development within the Holly-Seacliff Area of Benefit District intended to reimburse PLC and the City for the construction cost of widening Goldenwest Street, Garfield Avenue, Gothard Street and Main Street, plus the out-of-pocket costs of District formation.

The motion carried by the following roll call vote:

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

**(City Council) Public Hearing Held to Consider Zoning Text Amendment No. 02-04 (Religious Assembly in the Ellis-Goldenwest Specific Plan Area No. 7 – s/o Ellis and n/o Garfield Avenues; w/o Goldenwest and e/o Edward Streets) – Approved Introduction of Ordinance No. 3563 – Directed Staff to Furnish a List of Other Areas City Wide with Similar Permitted Uses/Development Standards for Public Assembly (450.30)**

Mayor Cook stated that she will abstain on this issue because she is a resident of the quarter section. Mayor Cook left the Council table.

Mayor Pro Tem Boardman announced that this is the time scheduled for a public hearing to consider approval to amend Specific Plan No. 7 (Ellis-Goldenwest Specific Plan) by adding religious assembly as a permitted use as well as development standards for said use. The development standards would also apply to public schools in the Specific Plan boundaries.

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

**Location:** Ellis-Goldenwest Specific Plan Area (south of Ellis and north of Garfield Avenues, and west of Goldenwest and east of Edwards Streets).

**Environmental Status:** This Item is categorically exempt from the provisions of the California Environmental Quality Act.

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

Senior Planner Mary Beth Broeren presented a PowerPoint presentation titled *Zoning Text Amendment No. 02-04 – Religious Assembly in the Ellis-Goldenwest Specific Plan* which is included in the agenda packet.

Mayor Pro Tem Boardman declared the public hearing open.

The City Clerk restated for the record, the following Late Communications that pertain to this public hearing:

Communication dated June 17, 2002 from Bruce Winsatt in opposition to the proposed zoning of the Ellis-Goldenwest specific plan to allow churches.

Communication received from Steve Purdue during Public Comments titled *Petition* requesting Council to deny ratification of amendment 02-04 at this time and requesting Council to form a committee to establish a mutually acceptable interpretation and application of the RLUIPA (Religious Land Use and Institutionalized Persons Act) law.

Communication dated June 17, 2002 received from Finch Booker during Public Comments against the Zoning Text Amendment No. 02-04.

**Wendell Choy**, Pastor and Huntington Beach Pastoral Prayer Association member, informed Council that they would be filing a petition urging Council to vote to deny ratifying the Zoning Text Amendment No. 02-04 at this time. Pastor Choy stated that this amendment is in violation of RLUIPA (Religious Land Use and Institutionalized Persons Act). He requested the City Council to form a committee with city officials and representatives of the Prayer Association to reach a fair solution.

**Alan Armstrong**, attorney for Praise Church, stated that if Zoning Text Amendment No. 02-04 is approved that it should not apply citywide. Mr. Armstrong stated that he believes the church should be permitted to erect any sign that complies with city code.

**Steve Purdue**, spokesperson for Pastors Prayer Association of Huntington Beach, submitted a Late Communication titled *Petition* requesting Council to deny ratification of amendment 02-04 at this time and requesting Council to form a committee to establish a mutually acceptable interpretation and application of the RLUIPA (Religious Land Use and Institutionalized Persons Act) law. The petition contained nine signatures.

**Gerald Chapman** informed Council that he is a resident of the Ellis-Goldenwest quarter section and supports the churches' request to permit religious assembly in this Specific Plan. Dr. Chapman gave reasons why he believes that if the church is approved it should be considered as a new use and should conform to the new use standards.

**Reverend Derek Anunciacion**, Pastor, Praise Christian Church, addressed Council and explained the process he has been going through with various city departments to comply with the city's zoning codes. He informed Council that at this time his congregation is meeting under a canopy in the Ellis-Goldenwest location and requested Council to approve Zoning Text Amendment No. 02-04. Reverend Anunciacion stated that if proposed Zoning Text Amendment No. 02-04 is approved; he will be able to proceed with his request for a Conditional Use Permit.

**Carol Townson** stated that in her opinion the Ellis-Goldenwest Specific Plan complies with RLUIPA law so there should not be a problem approving Zoning Text Amendment No. 02-04.

**Finch Booker** referred to his communication against the Zoning Text Amendment No. 02-04 (listed under Late Communications received during the meeting). Mr. Booker stated that the RLUIPA law is a new law and that he believes it necessary to state for the record his concerns; also to help the Council understand the seriousness of the overall issues regarding fairness, significant burden, and effective use.

**Norm Westwell** opposed the proposed Zoning Text Amendment No. 02-04 stating that it appears to be in violation of RLUIPA. Mr. Westwell stated his belief that the city is in need of more churches and that the city should help these organizations by making it easier to comply with the city's zoning requirements.

There being no one further present to speak on the matter and there being no further protests, either oral or written, the Mayor Pro Tem declared the public hearing closed.

Council discussed issues brought forward during the public testimony.

City Attorney Hutton furnished a legal opinion that the new law is in compliance with RLUIPA.

Council Member Green received clarification that Zoning Text Amendment No. 02-04 does not affect the zoning ordinances in the entire city, only the Ellis-Goldenwest Specific Plan.

Mayor Pro Tem Boardman was informed by staff that the set back requirements, although problematic, conform to the Ellis-Goldenwest Specific Plan.

A motion was made by Green, second Houchen to: Approve Zoning Text Amendment No. 02-04 with Findings for Approval (**Attachment No. 1 below \***)

**and**

After the City Clerk reads by title, approve introduction of **Ordinance No. 3563** – *“An Ordinance of the City of Huntington Beach Amending SP 7 (Ellis Goldenwest Specific Plan) by Adding Religious Assembly as a Permitted Use as well as Development Standards for Religious Assembly and Public School Uses”*.

The motion carried by the following roll call vote:

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

**\*ATTACHMENT NO. 1  
SUGGESTED FINDINGS OF APPROVAL  
ZONING TEXT AMENDMENT NO. 02-04:**

**SUGGESTED FINDINGS OF APPROVAL - ZONING TEXT AMENDMENT NO. 02-04:**

1. Zoning Text Amendment No. 02-04 which amends SP 7 (Ellis-Goldenwest Specific Plan) to add religious assembly to the list of permitted uses, add development standards specific to religious assembly and public school uses, and provide clean-up language to update a reference to use permit to read conditional use permit, is consistent with objectives, policies, general land uses and programs specified in the General Plan and any applicable specific plan. It conforms to the following goals, policies, and objectives in the General Plan:

*Policy LU 9.3.3:* Require that nonresidential structures incorporated in residential neighborhoods be designed to be compatible with and convey the visual and physical scale and character of residential structures.

*Objective LU 9.4:* Provide for the inclusion of recreational, institutional, religious, educational and service uses that support resident needs within residential neighborhoods.

*Policy LU 9.4.1:* Accommodate the development of parks, sports facilities, schools, libraries, community meeting facilities, religious facilities, and similar community-serving uses in all residential areas, provided that they are compatible with adjacent residential uses and subject to review and approval by the City and other appropriate agencies.

*Policy LU 9.4.2:* Require that institutional structures incorporated in residential neighborhoods be designed to be compatible with and convey the visual and physical scale and character of residential structures.

*Goal LU 13:* Achieve the development of a mix of governmental service, institutional, educational, and religious uses that support the needs of Huntington Beach's residents.

*Objective LU 13.1:* Provide for the continuation of existing and development of new uses, such as governmental administrative, public safety, human service, cultural, educational infrastructure, religious and other uses that support the needs of existing and future residents and businesses.

*Policy LU 13.1.2:* Allow for the continuation of existing and development of new religious facilities in any land use zone where they are compatible with adjacent uses and subject to the City review and approval.

2. The proposed zoning text amendment is compatible with the uses authorized in, and the standards prescribed for, SP 7. The amendments will apply to religious assembly and public school uses in the SP 7 area. The amendment will not create any inconsistencies with other provisions in SP 7 because it will only apply to religious assembly and public school uses.
3. A community need is demonstrated for the proposed zoning text amendment. The proposed changes will ensure that the City is in compliance with the standards of the federally mandated Religious Land Use and Institutionalized Persons Act (RLUIPA). Further, Zoning Text Amendment No. 02-04 will apply specific development standards to

religious assembly and public school uses to ensure their compatibility with surrounding land uses.

4. Adoption of ZTA 02-04 will be in conformity with public convenience, general welfare and good zoning practice. The amendment will result in the City's ability to provide for freedom of religion and religious assembly in accordance with Federal law and consistent with the goals and policies of the General Plan.

**(City Council) Public Hearing Held – Motion Failed To Consider Appeal Filed by Eugene Gallagher of Two Conditions of Entertainment Permit for Ibiza Restaurant (209 Main Street) – Referred Appellant/Applicant to Planning Commission for Conditional Use Permit Application and to Extend the Hours of Operation as Requested - Continued Decision to July 1, 2002 Council Meeting (420.40)**

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

**Appellant/Applicant:** Eugene Gallagher

**Request:** To appeal two conditions to the entertainment permit issued April 17, 2002 to Ibiza Restaurant, 209 Main Street, Huntington Beach. The Appellant/ Applicant is requesting: **(1)** An extension of the hours of indoor entertainment to 1:30 a.m. and **(2)** Deletion of the prohibition of dancing at the location.

**Location:** 209 Main Street, Huntington Beach, CA 92648

Police Lieutenant Preston Linker presented a PowerPoint presentation titled *Entertainment Permit* which was included in the agenda packet.

Mayor Cook declared the public hearing open.

**John Gallagher** informed Council that he is one of the owners of Ibiza Restaurant. He asked Council to extend the hours of operation and allow dancing at this location in order to be competitive with those establishments that currently have these provisions. Mr. Gallagher stated that if the city's focus is to become a tourist destination, tourists must be offered a pleasant nightlife, which includes dancing.

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

Council was informed by Council Member Houchen that the source of the residential complaints is no longer an issue because the adjacent property is currently in escrow and the intended use will be commercial.

Council Member Bauer expressed concern with extended hours as he believes there would be a need for additional funding to the Police Department. Police Captain William Mamelli reported.

Planning Director Howard Zelefsky informed Council that the Planning Commission is the appeal level to address the Conditional Use Permit Application.

A motion was made by Houchen, second Cook to refer Appellant/Applicant to the Planning Commission for Conditional Use Permit Application and to extend the hours of operation as requested.

The motion **failed** by the following roll call vote:

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

A motion was made by Green, second Bauer to continue decision on the appeal filed by Eugene Gallagher of two conditions of Entertainment Permit for Ibiza Restaurant to the July, 1, 2002 Council Meeting.

The motion carried by the following roll call vote:

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

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

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

(City Council) The Huntington Beach Tree Society Grant Funds for Street Tree Planting (Purchase of Replacement Trees) (320.45)

(City Council) Huntington Beach Police Department Business Unit to Fund Department of Justice Fingerprint Charges (320.10)

(City Council) A Communications Systems Agreement with Motorola for a New MHz Radio Transmitter Site for Police Dispatch (600.10)

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

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

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

**(City Council/Redevelopment Agency) Minutes** - Approved and adopted the minutes of the City Council/Redevelopment Agency Adjourned meetings of Thursday, May 30, 2002 and regular meetings of Monday, June 3, 2002 as written and on file in the Office of the City Clerk. Submitted by the City Clerk.

**(City Council) Approved Reappointment of Nick Tomaino to the Community Services Commission for a Term from July 1, 2002 to June 30, 2006** (110.20) – Reappointed Nick Tomaino to the Community Services Commission for the term of July 1, 2002 through June 30, 2006 as recommended by Council liaisons Mayor Debbie Cook and Council Member Grace Winchell. Submitted by the Community Services Director. Funding Source: Not Applicable.

**(City Council) Adopted Resolution No. 2002-58 – Establishing Residential Curbside Refuse Collection Rates (Rainbow Disposal Co., Inc. Franchise Agreement)** (600.45) – Adopted **Resolution No. 2002-58** – “*A Resolution of the City Council of the City of Huntington Beach Establishing Residential Curbside Refuse Collection Rates.*” Submitted by the Public Works Director. Funding Source: Refuse service fees.

**(City Council) Approved the Two Re-Appointments of Rick Taylor and Richard Zeleznikar to the Personnel Commission – Terms to Expire June 30, 2006** (110.20) – Approved the re-appointments of Rick Taylor and Richard Zeleznikar with terms to expire June 30, 2006 as recommended by Council Liaisons Mayor Debbie Cook and Council Member Peter Green. Submitted by the Administrative Service Director. Funding Source: None Required.

**(City Council) Approved Cooperative Agreement with the Orange County Transportation Authority (OCTA) for Establishing a Senior Mobility Program Fund** (600.25) – **1.** Approved the *Cooperative Agreement C-2-0656 between the Orange County Transportation Authority and the City for Senior Mobility Program*, and authorized the Mayor and City Clerk to execute same; and **2.** Directed staff to establish a new fund entitled, “Senior Mobility Program Fund,” and approved the expenditure of those funds to provide senior transportation services upon receipt from OCTA. Submitted by the Community Services Director. Funding Source: Orange County Transportation Authority (\$109,595), plus 20% in-kind match of \$27,399 funded in the current budget, General Fund, Senior Outreach Program Account.

**(City Council) Approved Amendment to Orange County Well Construction Program Agreement Between the City and the Orange County Water District (OCWD)** (600.25) – Authorized the Mayor and City Clerk to execute the *Amendment to the Orange County Well Construction Program Agreement between the Orange County Water District and the City of Huntington Beach.* Submitted by the Public Works Director. Funding Source: Not Applicable.

**(City Council) Approved Subdivision Agreement Between the City and Boeing Realty Corporation and Accepted Bonds for McDonnell Centre Specific Plan No. 11, Phase II – (Parcel Map No. 2001-226 – Located w/o Bolsa Chica Street, s/o Rancho Road)** (420.70) – **1.** Approved and authorized the Mayor and City Clerk to execute the *Subdivision Agreement by and between the City of Huntington Beach and Boeing Realty Corporation for Parcel Map No. 2001-226*; and **2.** Accepted bonds pursuant to Zoning Administrator’s action and instruct the City Clerk to file the following bonds with the City Treasurer: **a.** Faithful Performance Bond number 8183 64 88; **b.** Labor and Material Bond number 8183 64 88; and **c.** Monument Bond number 8183 64 89. Submitted by the Public Works Director. Funding Source: Not Applicable.

**City Council) Adopted Resolution No. 2002-63 – Authorizing Issuance of Special Tax Bonds and Approved Legal Documents for City of Huntington Beach Community Facilities District No. 2002-1 (McDonnell Centre Business Park – Improvement Area A) (350.30) – Adopted Resolution No. 2002-63 – “A Resolution of the City Council of the City of Huntington Beach Authorizing the Issuance of Special Tax Bonds of the City of Huntington Beach for Improvement Area A of the City of Huntington Beach Community Facilities District No. 2002-1 (McDonnell Centre Business Park), and Approving Other Related Documents and Actions.”** Submitted by the Economic Development Director. Funding Source: Costs associated with the issuance of the Community Facilities District (CFD) bonds will be funded from the bond proceeds. **(See Ordinance No.3557, which was approved for introduction on June 3, 2002.)**

**(City Council) Approved Amendment of the National Pollutant Discharge Elimination System (NPDES) Stormwater Permit Agreement Between the City and the Orange County Flood Control District (600.25) – 1.** Approved and authorized the Mayor and City Clerk to execute the *Amendment and Restatement of National Pollutant Discharge Elimination System Stormwater Permit Implementation Agreement*; and **2.** Appropriated \$350,892 from the General Fund balance to Account No. 10085102.79025. Submitted by the Public Works Director. Funding Source: No funding required for the agreement. Unappropriated General Fund balance in the amount of \$350,892 is necessary to ensure permit compliance.

**(City Council) Authorized the City Administrator to Execute a Professional Services Contract with Albert Grover & Associates (AGA) for Traffic Signal System Management Services – Authorized Appropriation of Funds (600.10) –** Appropriated funds in the amount of \$90,000 from the Air Quality Fund and authorized the City Administrator to enter into a professional services contract with Albert Grover & Associates (AGA) for Signal System Management Services. Submitted by the Public Works Director. Funding Source: Funds in the amount of \$90,000 will be appropriated from the Air Quality Fund, undesignated balance to Professionals Services Account.

**(City Council) Appropriation from the Huntington Beach Tree Society the Grant Funds for Street Tree Planting (Purchase of Replacement Trees) (320.45)**

Council Member Bauer requested that this agenda item be removed from the Consent Calendar to highlight the activities of the Tree Society.

A motion was made by Bauer, second Winchell to appropriate \$18,000 to fund the purchase of replacement trees. The motion carried by the following roll call vote:

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

**(City Council) Approved Appropriation and Create Huntington Beach Police Department Business Unit to Fund Department of Justice Fingerprint Charges (320.10)**

Mayor Pro Tem Boardman requested that the above agenda item be removed from the Consent Calendar.

Mayor Pro Tem Boardman inquired why the city could not charge to cover cost. Police Captain William Mamelli reported, and clarified that there is no additional cost, that the proposed request is to establish a business unit to deal with billings and payments.

City Administrator Silver referred to the Fiscal Impact Statement (FIS) in the staff report, and requested Shawna Krone-Schmidt, Manager, Police Budget and Research, to elaborate.

A motion was made by Boardman, second Houchen to establish a new business unit and approve the expenditure of those funds to pay for fingerprint fees associated with Department of Justice billings and appropriate \$90,000 annually from the unreserved, undesignated General Fund Balance to pay for Department of Justice Fingerprint fees billings. The motion carried by the following roll call vote:

AYES: Boardman, Cook, Houchen, Winchell, Bauer  
NOES: None  
ABSENT: Dettloff (Green out of room)

**(City Council) Authorized Police Chief to Execute a Communications Systems Agreement with Motorola to Approved Installation of a New MHz Radio Transmitter Site for Police Dispatch – Authorized Appropriation of Funds (600.10)**

Council Member Bauer requested that the above-captioned agenda item be removed from the Consent Calendar.

Council Member Bauer inquired if the proposed transmitter will take care of the existing “dead spots” and what areas are affected.

Police Captain Mamelli reported. He informed Council that the “dead spots” are primarily in the downtown area and the Bluffs, where the lifeguards have difficulties in transmitting.

Council Member Bauer requested that the Police Department prepare a progress report.

A motion was made by Bauer, second Winchell to approve the appropriation of \$424,964.16 from the Holly Seacliff Fund, Number 307; and **2.** Authorize the expenditure of \$424,964.16 for a radio transmitter site; and **3.** Authorize the Chief of Police to enter into a *Communications System Agreement* with Motorola for this project. The motion carried by the following roll call vote:

AYES: Boardman, Cook, Winchell, Bauer  
NOES: None  
ABSENT: Dettloff (Green and Houchen absent from room)

**(City Council) Adopted Resolution No. 2002-60 Calling General Municipal Election for November 5, 2002 – Election of Officers – Adopted Resolution No. 2002-61 Requesting the County of Orange to Consolidate the City’s General Municipal Election with the Statewide General Election – November 5, 2002 (620.20)**

The City Council considered a communication from the City Clerk transmitting two resolutions for the conduct of the November 5, 2002 General Municipal Election. (Election of four members of the City Council and a City Attorney.)

City Clerk Connie Brockway reported.

A motion was made by Winchell, second Bauer to:

1. Adopt **Resolution No. 2002-60** – “A Resolution of the City Council of the City of Huntington Beach, Calling and Giving Notice of the Holding of a General Municipal Election to be Held on Tuesday, November 5, 2002 for the Election of Certain Officers as Required by the Provisions of the Charter;”

and

2. Adopt **Resolution No. 2002-61** – “A Resolution of the City Council of the City of Huntington Beach Requesting the Board of Supervisors of the County of Orange to Consolidate a General Municipal Election to be Held on Tuesday, November 5, 2002, with the Statewide General Election to be Held on the Date Pursuant to §10403 of the Elections Code.”

The motion carried by the following roll call vote:

AYES: Boardman, Cook, Winchell, Bauer  
NOES: None  
ABSENT: Dettloff (Green and Houchen absent from room)

**(City Council) Approved Introduction as Amended of Ordinance No. 3565 Adding Huntington Beach Municipal Code Chapter 5.71 Pertaining to Escort Service Businesses – Adopted Resolution No. 2002-62 Setting Fee Schedule (640.10)**

The City Council considered a communication from the Chief of Police informing Council that there is a need to adopt a new ordinance and fee schedule relating to escort service businesses in order to assist the Police Department. Currently, there is no formalized process for monitoring the start-up or regulation of these businesses. At this time, if an escort service business were to establish itself in the City of Huntington Beach, it would only need a business license and would pay the standard license fee. However, the majority of these types of businesses do not have licenses as they operate out of residential dwellings as a outcall service. This new ordinance would formalize the process of obtaining a business license for all escort services and all individual escorts that conduct business within the City. Furthermore, the regulations and restrictions proposed in Chapter 5.71 will assist in discouraging escort service businesses from degenerating into houses of prostitution, and allow the Police Department the means of monitoring escort service businesses. If adopted, this ordinance would require that escort business owners and each individual employee obtain a permit and license.

Police Lieutenant Preston Linker reviewed the PowerPoint presentation titled *Escort Ordinance Chapter 5.71* which is included in the agenda packet.

Mayor Pro Tem Member Boardman recommended that the ordinance be amended to require that any conditions of compliance imposed by the Chief of Police, other than those conditions set forth in the ordinance, must be approved by the City Council.

The City Clerk read Ordinance No. 3565 as **amended** by title.

A motion was made by Boardman, second Bauer to:

1. Approve introduction of **Ordinance No. 3565** – *“An Ordinance of the City of Huntington Beach Adding Chapter 5.71 to the Huntington Beach Municipal Code Pertaining to Escort Services;”* as **amended** by the following: All employees of the escort services shall comply with the following conditions and any other conditions specified by the Chief of Police **and approved by City Council** on issuance of the employee permit.

**and**

2. Adopt **Resolution No. 2002-62** – *“A Resolution of the City Council of the City of Huntington Beach Amending Resolution No. 5159 Entitled, “A Resolution of the City Council of the City of Huntington Beach Establishing a City Fee Schedule” as to Fees Applicable to Escort Businesses and Escort Employee (Supplemental Fee Resolution No. 86).”*

The motion carried by the following roll call vote:

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

**(City Council) Approved Agreement as Amended (One Year) Between the City and Disc Sports Management for Operation and Maintenance Services of a Disc Golf Course in Huntington Central Park (n/o Equestrian Center on Goldenwest Street) - Approved Revenue Proceeds to be Placed in Park Acquisition Development Fund – Directed Staff to Return to Council to Review Fees Twice a Year – Council Member Winchell Requested Inclusion of Wording Relative to Measure C Clarifying This is Not a Lease Agreement (600.35)**

The City Council considered a communication from the Community Services Director informing Council that staff has completed the bid process and has prepared an agreement for Council approval for the operation of the disc golf course in Huntington Central Park. The disc golf course in Huntington Central Park was established by the city in 1976. It is located off Goldenwest Street north of the Huntington Central Park Equestrian Center. Up until 1997, the city operated the disc golf course and, for the past four years, the city has been in a trial arrangement with Disc Sports Management (DSM) for the operation of the facility.

**Charter Section 612 (Measure C):** The agreement between the city and DSM is for the maintenance and operation of the existing disc golf course in Central Park. There is no exclusive use of the area. Although there is a fee to use the Frisbee golf facilities, there is no fee to access the site for walking, picnicking, etc. There are no property rights being sold or leased to the concessionaire. The concessionaire is operating out of a modular bin that is less than 3,000 square feet and costs less than \$100,000. Since this is a management only agreement to operate an existing park facility, City Charter Section 612 does not apply. (See Attachment No. 3 of the staff report included in the agenda packet.)

Funding Source: Estimated annual revenue of \$20,000 proposed for the Park Acquisition & Development unappropriated fund balance.

Community Services Director Ron Hagan reported on several issues regarding the bid process and the research done by staff to validate staff's recommendation to approve the agreement between the City of Huntington Beach and Disc Sports Management.

Council Member Bauer inquired as to how the fee was determined and stated he would like to see the city cover costs involved in maintaining this area. Community Services Director Hagan responded.

Mike Balliet, DBA Disc Sports Management, reported on his business operation.

Discussion was held regarding aspects of the operation, including 1) public satisfaction; 2) revenue derived from the market rate; and 3) maintenance and onsite supervision.

Mayor Cook, Mayor Pro Tem Boardman, and Council Member Winchell stated that the agreement reads like a lease, which would be in violation of the City Charter, as the electorate had not approved the lease. Council Member Winchell stressed the need for inclusion in the agreement that this use, not the agreement, was in effect prior to Measure C and that this is not a lease.

A motion was made by Houchen, second Boardman to:

1. Approve the Agreement between the City of Huntington Beach and Disc Sports Management for Operation and Maintenance Services of a Disc Golf Course at Huntington Central Park, and authorize the Mayor and City Clerk to execute same **as amended to add in Section 5-Fees "with a minimum one year monthly payment of \$1,000 per month;"**

**and**

2. Direct that all revenue received from disc golf course operation be put into the Park Acquisition and Development Fund as recommended by the Community Services Commission as **amended, for one year instead of five, and directed staff to look at market rate and charge according to what market will bear and to review it with Council twice per year when all Community Services fees are presented to Council.**

The motion carried by the following roll call vote:

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

**(City Council) Adopted Ordinance No. 3557 Levying Special Taxes Within the Huntington Beach Community Facilities District No. 2002-1 (McDonnell Centre Business Park Improvement Areas A & B) (350.30)**

After the City Clerk read by title, a motion was made by Green, second Houchen to adopt **Ordinance No. 3557** - *“An Ordinance of the City of Huntington Beach Levying Special Taxes Within Improvement Area A and Improvement Area B of the City of Huntington Beach Community Facilities District No. 2002-1 (McDonnell Centre Business Park).”* The motion carried by the following roll call vote:

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

**(City Council) Adopted Ordinance No. 3562 – Amending Section 254 of the Huntington Beach Zoning And Subdivision Ordinance – Relating to the Dedication and Reservations of Land Parcels Parkland In-Lieu Fee – Zoning Text Amendment No. 01-02 (450.20)**

After the City Clerk read by title, a motion was made by Boardman, second Green to adopt **Ordinance No. 3562** – *“An Ordinance of the City of Huntington Beach Amending Chapter 254 of the Huntington Beach Zoning and Subdivision Ordinance Relating to the Dedication and Reservations of Land Parcels.”* The motion carried by the following roll call vote:

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

**(City Council/Redevelopment Agency) Adopted Ordinance No. 3561 – Approving and Adopting the Southeast Coastal Redevelopment Plan (410.05)**

After the City Clerk read by title, a motion was made by Green, second Houchen to Adopt **Ordinance No. 3561** – *“An Ordinance of the City Council of the City of Huntington Beach Approving and Adopting the Redevelopment Plan for the Southeast Coastal Redevelopment Project.”* The motion carried by the following roll call vote:

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

**(City Council/Redevelopment Agency) Continued from May 6, 2002 – Approved Introduction of Ordinance Nos. 3558 and 3559 and Agency Ordinance No. 2 to Amend City/Agency Transient Occupancy Tax Allocation (TOT) Split (Main Pier Redevelopment Subarea) (340.55)**

The City Council/Redevelopment Agency members considered a communication from the Administrative Services Director and the Economic Development Director/Deputy Executive Director of a request to amend the City and the Agency Transient Occupancy Tax Allocation:

In 1988, the City and Redevelopment Agency provided for a 40/60% split of the 10% Transient Occupancy Tax (TOT) in order to assist in the Agency’s financing of certain obligations related to the hotels to be developed on the Waterfront site in the Main Pier Redevelopment Subarea.

This allocation of TOT is proposed to be expanded to the entire Main Pier Redevelopment Subarea.

After the City Clerk read by titles, a motion was made by Green, second Houchen to:

1. Approve introduction of **Ordinance No. 3558** – *“An Ordinance of the City of Huntington Beach Amending Chapter 3.28 of the Huntington Beach Municipal Code Relating to Credit for Transient Occupancy Taxes.*

**and**

2. Approve introduction of **Ordinance No. 3559** – *“An Ordinance of the City of Huntington Beach Amending Ordinance No. 2974 to Provide a Credit for the Payment of Transient Occupancy Taxes to the Huntington Beach Redevelopment Agency.”*

The motion carried by the following roll call vote:

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

After the Agency Clerk read by title, a motion was made by Green, second Houchen to:

Approve introduction of Agency **Ordinance No. 2** – *“An Ordinance of the Redevelopment Agency of the City of Huntington Beach Amending Ordinance No. 1 and Levying a Tax on the Privilege of Occupying a Room or Rooms in a Hotel, Inn, Tourist Home or House, Motel, or Other Lodging Located Within the Main Pier Redevelopment Sub-Area of the Huntington Beach Redevelopment Project.”*

The motion carried by the following roll call vote:

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

**(City Council) Requested the Intergovernmental Relations Committee to Develop an Energy Policy for the City of Huntington Beach (640.90)**

The City Council considered a communication from Council Member Ralph Bauer transmitting the following **Statement of Issue**: We have all become more aware of the need for frugality in energy use. Attached is a column I wrote for the monthly newsletter published by the Orange County Division of the League of Cities.

Since Huntington Beach has historically been a leader in issues dealing with the environment, it would seem desirable to develop an energy policy for the city covering the kinds of items mentioned in the attached column. It is suggested that rather than forming a new Council committee that the Intergovernmental Relations Committee be assigned the task of developing an energy policy for Huntington Beach.

Communication titled *Don't Fool with Mother Nature by Ralph Bauer* was included in the agenda packet.

Council Member Bauer provided an oral report.

A motion was made by Bauer, second Winchell to request that the Intergovernmental Relations Committee be assigned the task of developing an energy policy for Huntington Beach. The policy would include direction for exploiting existing technology as well as monitoring evolving new technology for possible exploitation when it is determined to be cost effective.

The motion carried by the following roll call vote:

AYES: Green, Cook, Houchen, Winchell, Bauer  
 NOES: None  
 ABSENT: Dettloff (Boardman absent from room)

**(City Council) Requested Consideration of Whether or Not to Submit a Draft Ordinance to the City Attorney for Legal Review Re: "Restricting the Display of Animals for Entertainment or Amusement Purposes" (Save Our Strays) (640.10)**

The City Council considered a Communication from Council Members Pam Houchen and Grace Winchell transmitting the following **Statement of Issue**: Ms. Karen Chepeka, President of Save Our Strays, Huntington Beach (a non-profit organization dedicated to the support and promotion of animal welfare) and Dr. Alison Stanley, Director of the Orange County Division of the California Lobby for Animal Welfare, have presented information to us about public safety and animal cruelty issues related to the display of animals.

The intent of their recommended ordinance (see attachment included in agenda packet) is not only to protect animals from errant trainers and caretakers, but also to protect the public from dangers inherent in the public display of wild and/or domestic animals. The cities of Pasadena, Corona, and Encinitas have adopted ordinances on this issue. If the City Council is interested in considering such an ordinance, the draft ordinance needs legal review by the City Attorney's office prior to City Council action.

Council Member Houchen reported.

Council Members Green and Bauer spoke in opposition to the proposal as "anti-circus."

A motion was made by Houchen, second Winchell to forward the draft ordinance to the City Attorney's office for review. The motion carried by the following roll call vote:

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

**(City Council) Announcement Made by Council Member Green of the Resignation of Planning Commissioner Connie Mandic (440.90)**

Council Member Green announced the resignation of Connie Mandic from the Planning Commission. Council Member Green stated that he would announce his new appointee at the next Council Meeting.

**Adjournment – City Council/Redevelopment Agency**

Mayor Cook adjourned the regular meetings of the City Council/Redevelopment Agency of the City of Huntington Beach to Monday, July 1, 2002, at 5:00 p.m., in Room B-8 Civic Center, 2000 Main Street, Huntington Beach, California.

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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:

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City Clerk-Clerk

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Mayor-Chairman