

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

Monday, October 7, 2002
5:00 P.M. - Room B-8
7:00 P.M. - Council Chambers
Civic Center, 2000 Main Street
Huntington Beach, California 92648

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

Call to Order

Mayor Cook called the regular meetings of the City Council/Redevelopment Agency of the City of Huntington Beach to order at 5:00 p.m. in Room B8.

City Council/Redevelopment Agency Meeting Roll Call

Present: Green, Dettloff, Boardman, Cook, Houchen, Winchell, Bauer
Absent: None

City Clerk Announced Late Communications

Three Late Communications announced by City Clerk re: Parkside Estates Project:

Communication dated October 6, 2002 from Richard and Jan Farmer opposing the approval of the proposed Shea Homes Parkside Estates Development. Communication titled *Proposed Shea Homes Parkside Estates Development, Huntington Beach, California*.

Communication submitted by the Planning Department to the City Clerk's Office on October 7, 2002 entitled *Parkside Residential Entitlement List*.

Slide show presentation submitted by the Planning Department to the City Clerk's Office on October 7, 2002 titled *Shea Homes Parkside Estates*.

The Following Additional Late Communication was Submitted During the Study Session:

Communication received during the Study Session portion of the meeting from the City Attorney dated October 7, 2002 Subject: Motion to agendaize after the posting of the agenda City Council meeting pending litigation October 7, 2001. Pursuant to Government Code §54954.2 (b) (2) in the matter of dispute between the PCTA and Time Warner regarding the payment of franchise fees on cable internet services.

(City Council) Approved Placing Closed Session Re: PCTA (Public Cable Television Authority) v. Time Warner Dispute on Agenda Pursuant to Government Code Section 54954.2 (b) (2) (Subject Regarding the Payment of Franchise Fees on Cable Internet Services not Known Prior to Posting of Agenda) (120.80)

A motion was made by Houchen, second Green for the City Council to add emergency item on the agenda subsequent to posting pursuant to Government Code Section 54954.2 (b) (2) to confer with its Attorney whether to instigate litigation concerning dispute between Public Cable Television Authority (PCTA) and Time Warner regarding the payment of franchise fees on cable internet services. The motion carried unanimously with all present, none absent.

(City Council) Approved Recessing to Closed Session on PCTA Pending Litigation (120.80)

A motion was made by Houchen, second Green to recess to closed session on the approved emergency item on the PCTA – Time Warner internet services pending litigation. The motion carried unanimously with all present, none absent.

(City Council) Study Session Held – Overview by the Department of Planning and Shea Homes of the Proposed Parkside Estates Residential Project (171 Single Family Units Located at 17301 Graham Street on which a Public Hearing is Scheduled for October 21, 2002) (440.50)

Representatives of the Planning Department and Shea Homes presented an overview of the proposed Parkside Estates residential project located at 17301 Graham Street. The project consists of 171 detached, single family homes, associated infrastructure, and an 8.2 acre public park.

The slide report titled *Shea Homes Parkside Estates* was presented by Planning Department staff: Planning Director Howard Zelefsky, Project Manager Scott Hess, and Senior Planner Mary Beth Broeren. Ron Metzler, Vice President of Shea Homes also presented.

Late Communications announced by City Clerk are on file and available to the public.

Public Works Director Robert F. Beardsley informed Council that the location of the proposed project site is adjacent to the Wintersburg Channel.

Staff reported regarding the plan evolution and FEMA (Federal Emergency Management Act) determination.

Mayor Pro Tem Boardman inquired from where the soil would be imported. Mr. Metzler responded that it will be provided pursuant to an agreement by Hearthside Homes.

Senior Planner Broeren presented a report on the Environmental Impact Report (EIR). She provided timelines and the background with a PowerPoint slide titled *EIR 97-2*.

Councilmember Bauer expressed certain concerns, including what he believes to be the existence of an earthquake fault in the vicinity of the proposed project.

Ron Metzler, Vice President of Shea Homes, answered questions of Council regarding; 1) earth removal; 2) Alquist-Priolo Act (earthquakes); 3) possible formation of assessment district; and 4) possible litigation relative to the view it could be considered as taking of property.

Further discussion ensued regarding the California Coastal Commission's, as well as the roles of other governmental agencies.

Senior Planner Broeren responded to Mayor Pro Tem Boardman's inquiries regarding Coastal Wetlands delineation. Ms. Broeren reported at some length that it is not wetlands pursuant to findings by governmental entities such as the Department of Fish and Game, the EPA (Environmental Protection Agency) and the Army Corps of Engineers.

Council thanked the presenters for their reports.

Motion to Recess to Closed Session – Approved

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

AYES: Green, Dettloff, Boardman, Cook, Houchen, Winchell, Bauer
NOES: 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 **The Lincoln Club of Orange County, et al. v. City of Huntington Beach, et al**, United States District Court, Case No. SACV02-874 GLT (MLGx). Subject: **The Lincoln Club of Orange Co., et al 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 **City of Huntington Beach v. Orange County Water District**, Orange County Superior Court Case No. 815921. Subject: **City of Huntington Beach v. Orange County Water District.** (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; Clay Martin, Director of Administrative Services; Ronald Hagan, Director of Community Services; and Steven M. Berliner, Esq. of Liebert Cassidy Whitmore regarding **labor relations matters – meet and confer** with the following employee organizations: **PMA, POA, MSOA, FMA, FFA, HBMEA, HBMEO, and SCLEA.** Subject: **Labor Relations – Meet and Confer.** (120.80)

(City Council) Closed Session – Pursuant to Government Code Section 54956.9(a) to confer with its attorney regarding pending litigation which has been initiated formally and to which the city is a party. The title of the litigation is **Tierrasanta v. City of Huntington Beach, et al.**; Orange County Superior Court Case No. 775993. Subject: **Tierrasanta v. City of Huntington Beach.** (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 **Citizens Against Redevelopment Excess v. City of Huntington Beach [CARES II]**; Orange County Superior Court Case No. 00CC14550; California Court of Appeal, Fourth Appellate District, Division Three, Case No. G030388. Subject: **Citizens Against Redevelopment Excess v. City of Huntington Beach.** (120.80)

Added item - In the matter of Public Cable Television Authority pursuant to Government Code 54954.2(b)(2) to confer with its attorney whether to initiate litigation concerning dispute between the PCTA and Time Warner regarding the payment of franchise fees on cable Internet services. (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

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

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

Presentation to Mayor Debbie Cook and Ray Silver, City Administrator, by Susan Johnson, Regional Manger, Orange County Register Newspaper and Susan Luce, Orange County Register, presentation of “The Best of Orange County” awards for the Best City to Live in and the Best Parade 2002. City Administrator Silver informed Council that this is the fourth year in a row we have been selected as the Best City to Live in Orange County. (160.40)

Presentation by Mayor Debbie Cook and City Administrator Ray Silver to Shari Freidenrich, of the Certified Municipal Finance Administrator (CMFA) credential 2001/2002 award presented from the Association of Public Treasurers of the United States and Canada (APT US & C). (160.40)

Presentation by Mayor Debbie Cook and City Administrator Ray Silver to City Treasurer Shari Freidenrich, a proclamation proclaiming the week of October 7 through 11, 2002 as National Customer Service Week in the City of Huntington Beach. (160.40)

Presentation to Mayor Debbie Cook and Fire Chief Michael P. Dolder by U. S. Postmaster Jeanne Hannahs, of a Poster of the 9/11 postage stamp depicting three firefighters raising the U. S. Flag at Ground Zero. (160.40)

Presentation by Mayor Debbie Cook to Fire Chief Michael P. Dolder, of a Proclamation proclaiming the week of October 6 through 12, 2002 as Fire Prevention Week. (160.40)

Mayor Cook announced that Fire Department HazMat Program Manager Bill Hosband and his wife were in a car accident. Mrs. Hosband has been released from the hospital while Bill is still in a coma in critical condition. Mayor Cook stated our thoughts and prayers go out to the family.

Councilmember Dettloff announced that she is leaving early that evening and requested that Emergency Ordinance No. 3580 be brought forward and that the City Clerk's agenda items be continued.

A motion was made by Boardman, second Dettloff to move forward the Emergency Ordinance No. 3580 amending limitation on the City's campaign reform law regarding contributions. The motion carried by the following roll call vote:

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

(City Council) Approved and Adopted Emergency Ordinance No. 3580 Amending Limitation on the City's Campaign Reform Law Re: Contributions – Effective Immediately (640.10)

The City Council considered a communication from the City Attorney requesting Council consideration and approval to revise the City Campaign Reform Law regarding contribution to persons or committees making independent expenditures. The staff report sets forth a detailed analysis and recommends that Ordinance No. 3580 be approved on an emergency basis to take effect immediately. Absent immediate adoption of this ordinance, the effectiveness of the Campaign Reform Law during the November 2002 election is in doubt.

After the City Clerk read by title, a motion was made by Dettloff, second Green to adopt **Emergency Ordinance No. 3580** – *“An Emergency Ordinance of the City of Huntington Beach Amending Section 2.07.050 (b) of the Huntington Beach Municipal Code Regarding the Campaign Contribution Limitation of the City of Huntington Beach Campaign Reform Law.”* The motion carried by the following roll call vote:

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

(City Council) Approved Amended Motion to Continue City Clerk's Items Re: 1) the Personnel Commission and 2) the Grant Deeds – See Final Motions Approved Later at This Meeting on Page Nos. 15-& 16 of This Set of Minutes (700.10, 650.10)

A motion was made by Dettloff, second by Green **as amended to have a meeting in the interim with the City Clerk, Personnel Commissioner, City Administrator and City Attorney to discuss the subject matter** asking to defer consideration on two agenda items **(1)** (City Council) City Personnel Commission's Purpose and Functions Pursuant to City Council Resolution No. 3960 and Huntington Beach Municipal Code Chapter 2.72 Relative to the Amendment of the City Classification Plan to Create New Department Head Positions and Revisions to the Classification Plan (700.10); and **(2)** (City Council) Request for (1) City Council to Affirm That the Mayor and the City Clerk, Corporate Officers of the City of Huntington Beach, are the City Officers to Execute All Grant Deeds Conveying City Owned Property to Individuals or Entities; (2) Authorize the Mayor and City Clerk to Execute the Grant Deed Conveying Assessor's Parcel #949-130-019-4 Located in the City of Murrieta to the City of Murrieta (650.10)

Councilmember Winchell received confirmation from City Administrator Silver that a delay would not have an impact on the process already started for the recruitment of the Information Services Director.

Mayor Cook referred to a communication from Flint Morrison, Personnel Commission Chairman dated September 17, 2002 and requested this communication be included in the packet. The Mayor expressed concern regarding the proposed delay.

City Clerk Connie Brockway spoke regarding the placement of the two above referenced items on the agenda. She announced the Late Communication submitted by the City Administrator and distributed only to Council and the Clerk at the beginning of this meeting and that said communication is a matter of public record. The City Clerk read the portion of the City Administrator's Late Communication wherein the City Clerk is charged with violation of Huntington Beach Municipal Code 2.76.070 - *Use or Threat to Use Political Authority or Influence*.

City Clerk Brockway explained why the agenda items involve a record keeping issue, stating that the Classification Plan is archived in the City's vault.

After discussion, the motion carried by the following roll call vote:

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

Public Comments

Janice Jefferson accompanied by her mother **Joan Walker** requested removal of diseased Oleander trees at Indianapolis and Atlanta Avenues, stating they pose a fire hazard to her mother's mobile home park. Ms. Jefferson submitted copies of photographs regarding the diseased Oleander trees at her mother's mobile home park.

Clem Dominguez spoke in agreement on an appeal filed by Jim Lane, HBCARES (Huntington Beach Citizens Against Redevelopment Excess) on the Planning Commission's approval of the CIM Project, the Strand Blocks 104 and 105. Mr. Dominguez expressed general support after suggesting a delay for assessment of property.

Barbara Ralphs spoke in opposition to signs that are being displayed by anti-abortion activists due to the signs' alleged detrimental effects on impressionable young children. Ms. Ralphs urged Council to take action to protect the children.

Mayor Cook received confirmation from City Attorney Hutton that the city was served a law suit on October 3, 2002.

Public Comments resumed

Ed Kerins, acting President of Huntington Beach Tomorrow, spoke regarding Personnel Commission duties. He stated he is in favor of the recommended action proposing to temporarily suspend recruitment of an Information Services Director. He suggested that the Council and staff should meet to examine the City Charter, Municipal Codes and Resolutions to clarify the correct process.

Dave Sullivan expressed his opinion that the city should have appointed a Deputy City Attorney for the two-month interim period vacated by the City Attorney which would have saved the taxpayers money. He stated these funds could have been used for the Shipley Nature Center and the DARE program. Dr. Sullivan spoke in favor of the City Clerk's procedures to prevent bypassing of the Personnel Commission to review the Information Systems Director job description.

City Administrator Ray Silver clarified the agenda review process and stated he was not aware of this action until after 5:00 p.m. last Friday.

Public Comments resumed

Carole M. Garrett spoke in support of the agenda item relative to double frontage residential lot development standards in Huntington Harbour. Ms. Garrett stated double frontage lots have been a source of confusion for many years and solicited Council support.

Tina Javid, Public Affairs Director from The Gas Company, spoke in support of the street work ordinance being introduced for approval. Ms. Javid thanked the staff and the Public Works Commission for a great working experience on this project.

Lou Banas representative of Verizon Corporation, expressed appreciation for working with city staff as a great experience. Mr. Banas stated he supports the street work ordinance being introduced on the agenda for approval.

Robert Karm spoke in opposition to the agenda item regarding the hiring of a consultant to develop a Huntington Harbour Clean Water and Safe Navigation Boat Fee for code enforcement and dredging costs. He expressed his belief that the boat owners and homeowners are already paying taxes for the cost of dredging Huntington Harbour and that the City is responsible for the dredging.

Norm Westwell gave a PowerPoint presentation showing reasons why his campaign signs are environmentally friendly and not graffiti.

Brian Fallon stated he believes per Federal Law that the Army Corp of Engineers is responsible for dredging the Huntington Harbour waterways.

Debbie Borden spoke in opposition to the absence of the Invocation and offered a prayer.

Joey Racano informed Council he opposes a plan to build a desalinization plant. Mr. Racano urged implementation of secondary and tertiary treatment of waste prior to processing into the ocean.

John Briscoe spoke in opposition to incumbents in the municipal election for the Ocean View School District Superintendent of Schools and Board of Directors.

Carlos Ruiz asked for Council's assistance regarding late evening noise disturbance emanating from the Norm Reeves Honda delivery trucks in his neighborhood.

Bill Orton praised Governor Davis's veto of Assembly Bill 60 which would allow a process whereby illegal aliens would be able to obtain a California driver's license.

Steven Cervantes voiced his concern that Council may approve spending \$25,000 to hire a consultant to assist the city to develop a fee for boats in Huntington Harbour. He stated that the property owners already pay their fare share of taxes and in his opinion the problem is with the boats coming into the harbor.

Bill Borden spoke rebutting an earlier speaker's comments against the Ocean View Superintendent of Schools due to the reason that it is an election year. Mr. Borden spoke in praise of the Ocean View Gymnasium and of the school board as being fiscally responsible and solid.

The City Clerk Announced Late Communications

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

Communication dated October 6, 2002 from Richard and Jan Farmer opposing the approval of the proposed Shea Homes Parkside Estates Development. Communication titled *Proposed Shea Homes Parkside Estates Development, Huntington Beach, California*.

Communication submitted by the Planning Department to the City Clerk's Office on October 7, 2002 entitled *Parkside Residential Entitlement List*.

Slide show presentation submitted by the Planning Department to the City Clerk's Office on October 7, 2002 titled *Shea Homes Parkside Estates*.

Communication from the City Administrator to the City Council dated October 7, 2002 titled *Subject: Information Services Director Recruitment – 10/7/02 F-1 Alternative Recommendations*.

Communication from the City Attorney's Office transmitting a revised version of the ordinance creating the Department of Information Services (Ord. No. 3583). Communication titled *Late Communication; Item G(2)d; Department of Information Services*.

The Following Additional Late Communications Were Submitted During the Meeting:

Communication received during the Study Session portion of the meeting from the City Attorney dated October 7, 2002 Subject: Motion to agendaize after the posting of the agenda City Council meeting pending litigation October 7, 2001. Pursuant to Government Code §54954.2 (b) (2) in the matter of dispute between the PCTA and Time Warner regarding the payment of franchise fees on cable internet services.

Copies of photographs were submitted by Janice Jefferson during Public Comments regarding the diseased Oleander trees at Indianapolis and Atlanta Avenue as they pose a fire hazard to her mother's mobile home park.

PowerPoint presentation submitted by Norm Westwell during Public Comments regarding political signs.

Communication from Flint H. Morrison dated September 17, 2002 to Clay Martin, Director of Administrative Services Re: Personnel Commission Duties.

(City Council) Approved As Amended the Beautification/Landscape/Tree (BLT) Committee Recommendations and Directed Staff to Process Zoning Text Amendments Relative to Double Frontage Residential Lot Development Standards (Huntington Harbour) (100.10)

The City Council considered a communication from Mayor Debbie Cook, Chair, Beautification/Landscape/Tree Committee on behalf of Mayor Pro Tem Connie Boardman and City Councilmember Ralph Bauer setting forth the following:

Huntington Harbour is unique in the city in having double fronted lots. In the Harbour there are many residents who look out onto the back slope (secondary frontage) of the home across the street, rather than the front yard of their neighbor's home.

Over the years, fencing has been approved for the secondary frontage, which has resulted in walls replacing the back slope of the home. Homeowners have done this to increase the usage of their backyards, but the effect on the homeowner across the street has been to change their view from that of a nicely landscaped slope to one of a tall concrete block wall.

The Beautification/Landscape/Tree (BLT) Committee has spent several months working with homeowners in the Harbour to develop a recommendation for Council direction. These residents in the Harbour understand that a property owner can appeal any new development standard through the Conditional Use Permit (CUP) process.

A motion was made by Cook, second Bauer **as amended (1)** Term "Primary Frontage" and "Secondary Frontage" to be set forth in ordinance; and **(2)** Add that any Conditional Use Permit (CUP) notification should include property owners facing through-lots; to:

- A.** The BLT Committee recommends that the City Council make a motion to direct the Department of Planning to initiate and process a Zoning Text Amendment adopting additional development standards for double frontage lots. These standards include the following:
- 1) Require any fence built on the secondary frontage of a double-frontage lot be located at the top of the grade, including fencing on the exterior side yard (corner lot) of a double-frontage lot.
 - 2) The setback area noted in No. 1 above shall be 100% landscaped with plant material and/or vegetation with no hardscape.
 - 3) No structures including wall and fences of any height shall be permitted on the secondary frontage of a double-frontage lot.

In addition, staff should consider the seven points listed in the attached memo and as follows (from Councilmember Bauer dated April 24, 2002 which is included in the agenda packet):

- B.**
1. Recognition should be given in any ordinance to the fact that on a double lot there is a "front" and a "back."
 2. Landscaping should encompass 100% of a lot (at least the back part).
 3. Wall or fences along the back of the lot should require a permit (including those of 42 inches or less).
 4. Any Conditional Use Permit (CUP) dealing with the backside should be heard by the full Planning Commission.
 5. All relevant urban design guidelines should be a part of any ordinance.
 6. If a wall is granted under a CUP, it should include the following features:
 - a. Set back from the public right-of-way.
 - b. A height limit.
 - c. Landscaping between the public right-of-way and the wall including vines that will cover the wall.
 - d. Adhere to engineering specifications to make sure wall will not fail should dirt be piled against it.
 - e. Wall should adhere to urban design guidelines.

The motion carried by the following roll call vote:

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

NOES: None

ABSENT: Dettloff

(City Council) Approved the Escheatment of Unclaimed Funds to the General Fund per Government Code Section 50055 (340.10)

The City Council considered a communication from City Treasurer Shari Freidenrich informing Council that the city is holding \$36,237.47 of unclaimed funds. Per Government Code Section 50055, funds that are not the property of the city that remain unclaimed for over three years and have not been claimed after the publishing of a notice, and unclaimed funds less than \$15.00 which remain unclaimed for over one year become the property of the city. The City Treasurer published a notice on July 4, and July 11, 2002 in the Huntington Beach Independent Newspaper in compliance with Government Code Section 50055.

City Treasurer Shari Freidenrich explained to Council the procedure to recover unclaimed funds for the city, stating her procedure is in compliance with Government Code.

A discussion was held relative to an employee who has been reported to have waived claims for funds.

A motion was made by Winchell, second Boardman to review and approve the transfer of \$36,237.47 of unclaimed funds to the unappropriated General Fund in compliance with Government Code Section 50055. 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) Naming of the City's Community Job Center (18131 Gothard Street) for Luis M. Ochoa, Retired Lieutenant with the Huntington Beach Police Department (130.55)

(City Council) First Amendment to Professional Services Contract Between the City and U. S. Technical Services for Technical Support Personnel (600.10)

(City Council) Resolution 2002-92 Amending the City's Classification Plan – (One Modification and Three New Classifications) (1) Community Relations Officer (2) Recreation Human & Cultural Services Superintendent (3) Concessions Manager (4) Special Projects Manager (700.10)

(City Council) Hiring of Consultant to Develop a Huntington Harbour Clean Water and Safe Navigation Boat Fee (for Code Enforcement and Dredging Costs) (600.10)

Consent Calendar – Items Approved

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

AYES: Green, Boardman, Cook, Houchen (Green, Houchen Abstained form September 3, 2002 minutes), Winchell, Bauer
 NOES: None
 ABSENT: Dettloff

(City Council/Redevelopment Agency) Minutes - Approved and adopted the minutes of the City Council/Redevelopment Agency Regular meetings of September 3, 2002 as written and on file in the Office of the City Clerk. Submitted by the City Clerk.

(City Council) Approved the Reappointments of Two Members – Garcia and Moreno to the Citizens Participation Advisory Board (CPAB) for a Term to Expire on September 30, 2006 (110.20) – Approved the reappointments of C. Jim Moreno and Steve Garcia to the Citizens Participation Advisory Board (CPAB) for a four-year term to expire September 30, 2006. Submitted by Mayor Pro Tem Connie Boardman and City Councilmember Grace Winchell, Liaisons to the Citizens Participation Advisory Board. Funding Source: Not Applicable.

(City Council) Approved Additional Funds for the Brookhurst Street Rehabilitation Project, CC-1147 (Brookhurst Street from Adams Avenue to 1800 Feet South) (600.10) – Authorized an additional \$200,000 to cover the construction and any supplemental costs for the Brookhurst Street Rehabilitation Project; CC-1147. Submitted by the Public Works Director. Funding Source: \$200,000 – Gas Tax Fund, Arterial Rehabilitation Account.

(City Council) Approved Animal Care Services Contract between the City and the County of Orange – Fiscal Year 2002-03 (600.25) – Approved the *Agreement for Provision of Animal Care Services Between County of Orange and City of Huntington Beach Fiscal Year 2002-2003* and authorized the Mayor and City Clerk to execute same. Submitted by the City Administrator. Funding Source: 2002-03 budget \$420,559 in General Fund, Non-Departmental account.

(City Council) Adopted Resolution No. 2002-90 Authorizing Two Construction Agreements: (1) Newland Street Improvements: CC-1157 and (2) Warner Avenue Improvements; CC-1149 Supplement to Master Agreement 12-5181 State Department of Transportation (600.20) – Adopted **Resolution No. 2002-90 - A Resolution of the City Council of the City of Huntington Beach Authorizing the Mayor and City Clerk to Execute Program Supplement No. M018 and M019 to Agreement No. 12-5181 for Newland Street and Warner Avenue Construction Improvements.** Submitted by the Public Works Director. Funding Source: Not Applicable.

(City Council) Accepted the Resignation of Lee Yadrick and Approved Appointment of Jolene Miller to the Children's Needs Task Force for a Term to Expire August 2004 (110.20) – **1.** Accepted the resignation of Lee Yadrick and **2.** Approved the appointment of Jolene Miller to the Children's Needs Task Force for a term to expire August 2004. Submitted by City Councilmembers Shirley Dettloff and Grace Winchell, Liaisons to the Children's Needs Task Force. Funding Source: Not Applicable.

(City Council) Approved Proposed First Amendment to AES Huntington Beach Development, Inc. Option Agreement (600.10) – Authorized the Mayor and City Clerk to execute a First Amendment to the Option Agreement with AES Huntington Beach Development, Inc. titled *First Amendment to that Certain August 14, 2001, Option Agreement and Escrow Instructions Between the City of Huntington Beach and AES Huntington Beach Development, Inc.* and any other documentation as approved by the City Attorney necessary to effectuate the exercise of the option, and authorized the City Administrator and the City Clerk to execute two additional amendments to extend the option period in accordance with the terms and conditions presented herein upon approval of the City Attorney. Submitted by the Administrative Services Director and the Public Works Director. Funding Source: Not applicable to the action at hand. Funds are budgeted in the Water Master Plan Account for reservoir site acquisition. The fixed purchase price of \$350,000 is in accordance with the terms of the Option Agreement. Incidental costs will include escrow and title related expenses.

(City Council) Approved City Council Position on Legislation Pending Before the State Legislature and/or Congress as Recommended by the City Council Intergovernmental Relations Committee (640.90) – The City Council Intergovernmental Relations Committee has reviewed the legislation, and/or propositions below and recommended that the City Council take a position on the following items: **Motion to: Endorse the following letters sent to the Governor: Veto AB 2292 (Dutra)** – Authorizing lawsuits to be filed against a city if they approve downzoning of residential property in a community without concurrently upzoning another parcel

in the community. **Veto SB 1629 (Soto)** – Setting the framework for distribution of federal funds for training paramedics to local governments through a third party organization. **Veto AB 1243 (Wiggins)** – Which could prohibit payroll deductions by employees of public agencies for voluntary contributions such as those to banks, credit unions and deferred compensation programs. **Sign SB 1523 (Byron)** – Which would establish an advance disposal fee for cathode ray devices (CRT) which would be used to fund programs designed to encourage recycling of waste. **Support: California Proposition 50 – Water Quality, Supply & Safe Drinking Water Projects. Coastal Wetlands Purchase and Protections. Bond Initiative** – Which will allow the State to sell \$3.44 billion in general obligation bonds for various water-related programs with more than half of the funds to be allocated to coastal protection and the CALFED Bay Delta Program. Submitted by Councilmember Shirley Dettloff, Chair Person Intergovernmental Relations Committee for Mayor Debbie Cook and Councilmember Ralph Bauer. Funding Source: None Required.

(City Council) Adopted Resolution No. 2002-94 (Supplemental Fee Resolution No 1) Regarding Non-Technical Adjustments to Comprehensive Fee Study Amending Resolution 2002-85 (which was Approved at the 9/3/02 Council Meeting amending Resolution 5159 Supplemental Fee Resolution No. 89) (340.20) – Adopted **Resolution No. 2002-94** – “A Resolution of the City Council of the City of Huntington Beach Amending Resolution No. 2002-85, Relating to the City’s Comprehensive Fee Schedule (Supplemental Fee Resolution No. 91 amending Resolution 5159).” Submitted by the Administrative Services Director. Funding Source: Not Applicable.

(City Council) Adopted Resolution No. 2002-95 Amending Resolution No. 2002-86 (which was Approved at the 9/16/02 Council Meeting) to Modify Salary and Benefits for the City Attorney (700.90) – Adopted **Resolution No. 2002-95** – “A Resolution of the City Council of the City of Huntington Beach Amending Resolution No. 2002-86 Related to Benefits and Salary for the City Attorney.” Submitted by the City Administrator. Funding Source: Funding for the appointment is included in the FY 02-03 budget.

(City Council) Approved Naming of the City’s Community Job Center (18131 Gothard Street) for Luis M. Ochoa, Retired Lieutenant with the Huntington Beach Police Department (130.55)

Councilmember Bauer requested that this agenda item be removed from the Consent Calendar to give special recognition and to state that Luis M. Ochoa was instrumental in starting and nurturing the City’s Community Job Center and this is a fitting tribute. Councilmember Bauer informed Council that he has had occasion to be associated with Lieutenant Ochoa 25 years ago when the Police Officer had protected Mrs. Bauer from a crime which had been perpetrated against her.

A motion was made by Bauer, second Winchell to approve naming the City’s Community Job Center as the **Luis M. Ochoa Community Job Center**, in honor of Police Lieutenant Ochoa. 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) Approved First Amendment to Professional Services Contract Between the City and U. S. Technical Services for Technical Support Personnel (600.10)

Mayor Pro Tem Boardman requested that this agenda item be removed from the Consent Calendar to ask staff to clarify the reason for the proposed contingency amendment to the contract; why the amount exceeds the original funded level.

Fire Chief/Information Systems Director Michael Dolder confirmed that Council previously approved \$300,000 for the implementation of Internet web access for Ebill/Epay. A portion of those funds will be for the use of the U. S. Technical Services employees. Information Systems Director Dolder stated that this is an ongoing process and is necessary for the support of the City's technical infrastructure.

A motion was made by Boardman, second Houchen to approve and authorize the Mayor and City Clerk to execute *Amendment No. 1 to the Professional Services Contract Between the City of Huntington Beach and U. S. Technical Support Personnel*. 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) Continued to October 21, 2002 – to Consider Adoption of Resolution 2002-92 Amending the City's Classification Plan – One Modification and Three New Classifications: (1) Community Relations Officer (2) Recreation Human & Cultural Services Superintendent (3) Concessions Manager (4) Special Projects Manager (700.10)

Mayor Cook requested that this agenda item be removed from the Consent Calendar to ask staff if this item had been presented to the Personnel Commission for a public hearing and would it be possible to continue above captioned item to confer with the Personnel Commission.

Administrative Services Director Clay Martin expressed the belief that a public hearing was held September 18, 2002 but that he will confirm.

City Administrator Ray Silver requested to continue this item to October 21, 2002. Resolution No. 2002-92 was continued by Council consensus.

(City Council) Approved Hiring of a Consultant to Develop a Huntington Harbour Clean Water and Safe Navigation Boat Fee (for Code Enforcement and Dredging Costs) and Approved as Amended to Direct Staff to (1) Request Total Revenue Figures that the City Receives from Boat Fees and Property Tax; and (2) Confirm the Army Corps of Engineers' Role Relative to Responsibility for Dredging. (600.10)

Councilmember Bauer requested that this agenda item be removed from the Consent Calendar to address; 1) that environ "watchdogs" allege that out of the three harbors in Orange County Huntington Harbour is the most poorly managed; 2) the illegal live aboard situation; 3) the need for code enforcement of inoperable boats discharging waste, as the city is on probation regarding the sewer problem and the Clean Water Act is specific about what the city can and cannot do; and 4) the property taxes collected are not sufficient and a study should be done to evaluate any fees that should be charged for the use of Huntington Harbour to all users.

Mayor Pro Tem Boardman received clarification from staff that the Army Corp of Engineers indicated they will no longer dredge Huntington Harbour and the County currently has no money in their budget to dredge. She had been informed that the boat launches in the Harbour charge a fee for launching and the city receives no portion of that fee. Mayor Pro Tem Boardman requested confirmation of the responsibility of the Army Corps of Engineers relative to dredging.

A motion was made by Bauer, second Cook to authorize the expenditure of \$25,000 from General Fund Attorney Fees Professional Services Account #10015301.69375 for the purpose of contracting with a consultant to assist the city in the development of a fee for boats in Huntington Harbour to address code enforcement and dredging costs **and** approve as **amended** to direct staff to (1) Calculate total revenue figures that the city receives from boat fees and property tax; and (2) Confirm the Army Corps of Engineers' role relative to responsibility for dredging. The motion carried by the following roll call vote:

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

(City Council) Continued to a Meeting of Two Councilmembers, Personnel Commission Chair and Others to Future Date Prior to Returning to Council at the 10/21/02 Meeting - Consideration of the Personnel Commission's Purpose and Functions Pursuant to City Council Resolution No. 3960 and Huntington Beach Municipal Code Chapter 2.72 Relative to the Amendment of the City Classification Plan to Create New Department Head Positions and Revisions to the Classification Plan (700.10)

This item was moved forward and voted to continue to October 21, 2002 earlier in the meeting.

The City Council considered a communication from City Clerk Connie Brockway transmitting the following **Statement of Issue**: It is among the responsibilities of the City Clerk to maintain a complete record, through the years, of Resolutions adopted by the City Council which serve as the historical record of the City Classification Plan (Classification Plan of City Personnel as required by the City Charter.) The information that follows in this report is my official notification to the City Council that I will not be able to maintain an ongoing record of the history of the City's Classification Plan of City Personnel unless the process and procedure which I believe is currently being disregarded, is once again followed.

After discussion earlier in this meeting (**see page Nos. 5 & 6**), the motion to continue carried by the following roll call vote:

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

(City Council) Continued Request to a Date Uncertain for (1) City Council to Affirm That the Mayor and the City Clerk, Corporate Officers of the City of Huntington Beach, are the City Officers to Execute All Grant Deeds Conveying City Owned Property to Individuals or Entities; and (2) Approved Reconsideration, Authorizing the Mayor and City Clerk to Execute the Grant Deed Conveying Assessor's Parcel No. 949-130-019-4 Located in the City of Murrieta to the City of Murrieta (650.10)

The City Council considered a communication from City Clerk Connie Brockway, transmitting the following **Statement of Issue**: As City Clerk I am requesting that the City Council confirm that

only the Mayor and the City Clerk can execute a Grant Deed selling or otherwise conveying city owned property. This has been the procedure for the 33 years of my employment in the Huntington Beach City Clerk's Office, as a Deputy City Clerk and now as elected City Clerk. Deeds of city owned property, coming to the city, or being sold by the city require procedural action by the City Clerk. In the case of the city acquiring real property, a City Clerk's Certificate of Acceptance required by Resolution No. 3537 shall be affixed to the deed prior to ownership by the city and recordation. Deeds of city owned property to be sold or otherwise conveyed on direction of the City Council must be executed by the Mayor and City Clerk.

The City Clerk recommended that the City Council authorize execution by the Mayor and City Clerk of the grant deed.

At the request of the City Clerk, a motion was made by Winchell, second Green to reconsider Council's earlier action relative to only the portion of this item regarding the Murrieta Grant Deed. The motion carried by the following roll call vote:

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

A motion was made by Winchell, second Boardman to: Authorize the Mayor and City Clerk to execute a Grant Deed conveying real property from the City of Huntington Beach to the City of Murrieta – Assessor's Parcel No. 949-130-019-4. (Reference: City Deferred Compensation Plan, Real Estate Real Property Portfolio). The motion carried by the following roll call vote:

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

The remaining portion of this item was moved forward and voted to continue to a future date earlier in the meeting (**see page Nos. 5 & 6**). The motion carried by the following roll call vote:

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

(City Council) Approved Adoption of Emergency Ordinance No. 3580 Amending Limitation on the City's Campaign Reform Law Re: Contributions – Effective Immediately (640.10)

The above captioned item was brought forward in the meeting following the Presentations.

Communication from the City Attorney requesting Council consideration and approval to revise the City Campaign Reform Law regarding contribution to persons or committees making independent expenditures. The staff report sets forth a detailed analysis and recommends that Ordinance No. 3580 be approved on an emergency basis to take effect immediately. Absent immediate adoption of this ordinance, the effectiveness of the Campaign Reform Law during the November 2002 election is in doubt.

After the City Clerk read by title, a motion was made by Dettloff, second Green to adopt **Emergency Ordinance No. 3580** – *“An Emergency Ordinance of the City of Huntington Beach Amending Section 2.07.050 (b) of the Huntington Beach Municipal Code Regarding the Campaign Contribution Limitation of the City of Huntington Beach Campaign Reform Law.”* The motion carried by the following roll call vote:

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

(City Council) Approved Introduction of Ordinance No. 3581 Amending Chapter 8.21 of the Huntington Beach Municipal Code Relating to Residential Refuse Collection Charges, and Adopted Resolution No. 2002-91 Modifying Residential Curbside Refuse Collection Rates for Low Income Seniors 62 Years and Over (640.10, 340.10)

The City Council considered a communication from the Public Works Director informing Council that the current Huntington Beach Municipal Code, Chapter 8.21 relating to refuse requires an amendment by Ordinance No. 3581 to Section 8.21.030 to reflect the City Council’s direction to reduce by 50% the low-income senior subsidy for refuse service. The fee schedule for qualifying low-income seniors will also need to be modified by Resolution No. 2002-91.

After the City Clerk reads by title, a motion was made by Winchell, second Green to:

1. Approve introduction of **Ordinance No. 3581** – *“An Ordinance of the City of Huntington Beach Amending Chapter 8.21 of the Huntington Beach Municipal Code Relating to Residential Refuse Collection Charges;”*

and

2. Adopt **Resolution No. 2002-91** – *“A Resolution of the City Council of the City of Huntington Beach Modifying Residential Curbside Refuse Collection Rates for Low Income Seniors 62 Years and Older.”* (340.10)

The motion carried by the following roll call vote:

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

(City Council) Approved Introduction of Ordinance No. 3582 Amending the Huntington Beach Municipal Code Chapter 12 Relating to Street Work Relative to Affected Utility Companies - Adopted Revised Public Works Standard Plans, Nos. 100 and 109 (640.10)

The City Council considered a communication from the Public Works Director informing Council that city staff, together with the affected utility companies, have developed a new Street Work Ordinance and revised Public Works Standard Plans to better protect the City’s streets against unnecessary or unscheduled trenching by utility or other companies. Ordinance No. 3582 maintains the integrity of the pavement and establishes a three-year moratorium on cutting into newly paved streets.

Public Works City Engineer David Webb informed Council that the city staff, together with the affected utility companies, have develop a new Street Work Ordinance and revised Public Works Standard Plans to better protect the City's streets against unnecessary or unscheduled trenching by utility or other companies. This proposed ordinance maintains the integrity of the pavement and establishes a three-year moratorium on cutting into newly paved streets.

Mayor Pro Tem Boardman received confirmation from City Engineer Webb that the plan check and inspection fees have already been adopted. He stated that the trench cut fees were not included as it would not be appropriate because of prior litigation.

1. Adopt revised Public Works Standard Plans No. 100 and No. 109;

and

After the City Clerk read by title, a motion was made by Bauer, second Boardman to approve introduction of **Ordinance No. 3582** – “– *An Ordinance of the City of Huntington Beach Amending the Huntington Beach Municipal Code by Deleting Chapter 12.12 and Adding Chapter 12.13 Relating to Street Work.*”. The motion carried by the following roll call vote:

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

(City Council) Approved Introduction as Amended by Late Communication from City Attorney's Office Amending Chapter 2.12 of Ordinance No. 3583 Establishing the Department of Information Services (Administrative Services Department) (640.10)

The City Council considered a communication from the City Administrator transmitting that the Information Services function is presently under the Fire Department with the Fire Chief serving as the Department Head. The oversight of the function is scheduled to change from the Fire Chief to a Department Head who will be hired in the position Information Services Director and reporting to the Assistant City Administrator. Rather than transferring the function to Administration, it is recommended that a new Department of Information Services be established by Ordinance No. 3583 that details department objectives and the duties and responsibilities of the Director. A communication on this item from the Office of the City Clerk was attached for Council information and was included in the agenda packet.

City Administrator Ray Silver informed Council that with the expansion of the city's technological needs and services, a designated department needs to be established.

City Attorney Gail Hutton requested that the proposed Ordinance be approved as amended by a revised version transmitted by a Late Communication memo dated October 7, 2002 submitted by her office amending Chapter 2.12 of the Huntington Beach Municipal Code.

After the City Clerk read by title, a motion was made by Bauer, second Green to approve, **as amended by the City Attorney's Late Communication dated October 7, 2002**, introduction of **Ordinance No. 3583** by roll call vote – *An Ordinance of the City of Huntington Beach Amending the Huntington Beach Municipal Code by Adding Chapter 2.114 Relating to the Department of Information Services.*” The motion carried by the following roll call vote:

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

(City Council) Approved Request for Public Recognition and Honor to be Given at the October 21, 2002 Council Meeting to the League of Women Voters of 1975 (110.30)

The City Council considered a communication from Councilmember Ralph Bauer transmitting the following **Statement of Issue**: The League of Women Voters of 1975 were true pioneers in promoting environmental ideals in Huntington Beach. Without them, the Bolsa Chica wetland preservation would never have become a reality. Although the nomination was made, the Environmental Board did not see fit to honor these ladies. I think recognition of the League should take place before more of them are no longer available due to death or unknown whereabouts.

Included in the agenda packet are the nomination papers that were submitted to the Environmental Board.

Councilmember Boardman concurred that it is very appropriate to honor the League of Women Voters, as it formed the nucleus of what became one of the biggest citizenry movements in the city.

A motion was made by Bauer, second Green to honor the 1975 League of Women Voters, and that the City Council recognize them at the second meeting in October and to provide to each member who can be contacted, with a personal letter of thanks. In addition, that a plaque honoring the **League of 1975** be displayed permanently in City Hall. The motion carried by the following roll call vote:

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

(City Council) Approved as Amended to Return to Council November 6, 2002 with an Enforceable Live-Aboard Ordinance in Huntington Harbour (640.10)

The City Council considered a communication from Councilmember Ralph Bauer informing Council of the following **Statement of Issue**: cursory review by individuals, the Sheriff's Department, and CoastKeepers indicate that a number of activities are occurring in Huntington Harbour that are in violation of the Clean Water Act of the United States and thus contaminate the Harbour. To deal with these issues, a source of income is needed to fund code enforcement personnel. Should new funds not become available, General Fund monies may be necessary in the event the Santa Ana Regional Water Quality Control Board levies sanctions against the city for non-enforcement of the provisions of the Clean Water Act. As you may recollect, this was the case with our sewer problems.

The City Attorney's Office has been reviewing these issues for about 18 months. It is time to move.

Councilmember Bauer and City Attorney Hutton presented oral reports.

A motion was made by Bauer, second Green to **amend** Recommended Action 1 by deleting a request for a proposed boat fee ordinance and approve Recommended Action 2 - that an enforceable live-aboard ordinance be brought to the Council at their meeting with a date change of November 6, 2002 Council meeting as it is anticipated that the November 4, 2002 Council meeting will have a lack of quorum and be scheduled on November 6, 2002. The motion carried by the following roll call vote:

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

(City Council) Approved Request for a Council Position Relative to an Increase in Membership of City Representatives on the Orange County Transportation Authority (OCTA) Board of Directors from Six to Ten Members (120.70)

The City Council considered a communication from Councilmember Ralph Bauer informing Council of the following **Statement of Issue**: Attached is a draft letter (on the above captioned subject) received from Santa Ana which is included in the agenda packet. They have requested that our Mayor be a signatory.

Councilmember Bauer requested that Council support this request. He stated that the bigger cities account for a large percentage of the population that commutes via public transportation and on the freeways. Councilmember Bauer stated that this proposal would improve our cities representation on the Orange County Transportation Authority Board (OCTA)

Discussion was held that the need exists for the OCTA Board to deliberate and coordinate its decision.

A motion was made by Bauer, second Boardman to direct the Mayor to sign a letter of support. The motion carried by the following roll call vote:

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

(City Council) Directed the City Attorney to Determine the Process for Adjudication of the Orange County AQUAFIR to Ensure an Adequate and Potable Water Supply for Huntington Beach Residents (1000.80)

The City Council considered a communication from Councilmember Ralph Bauer transmitting the following **Statement of Issue**: As you know, the City of Huntington Beach has sued the Orange County Water District because they would not subject their master plan to an EIR process. Formalization of the Orange County Water District Master Plan would address the over drafting of the AQUAFIR and minimize salt-water intrusion, both of which could adversely affect water availability to Huntington Beach. The legal challenge by Huntington Beach has had minimum success and the Orange County Water District refuses to negotiate with Huntington Beach to guarantee reasonable amounts of potable water to Huntington Beach.

Recent newspaper articles indicate that the Orange County AQUAFIR is indeed being over-drafted, which in turn increases the chances of salt-water intrusion. The Water District denied these two eventualities four years ago when Huntington Beach brought them to their attention. Now they apparently agree but offer Huntington Beach no reasonable solution.

One of the ways of dealing with such an inequity is called "adjudication." This is a prolonged expensive legal process where a judge finally parcels out water quotas to the appropriate parties. It is not the preferred strategy that a pumping city might use, but the actions of the Orange County Water District leave us little choice.

Mayor Pro Tem Boardman concurred with Councilmember Bauer that the city needs to take steps to protect the valuable resource of pure well water.

A motion was made by Bauer, second Green to:

Have the City Attorney investigate the process of adjudicating the Orange County AQUAFIR so that the Council may take an overt action in this regard at some point in the near future to guarantee reasonable amounts of drinking water to the residents of Huntington Beach over the long term. The motion carried by the following roll call vote:

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

(City Council) Authorized Allocation of \$15,000 to Fund Animal Care Clinics and Directed Staff to Invite the Orange County Animal Care Services Department (ACS) and Save Our Strays (SOS) to Develop and Administer the City's Programs (Micro Chipping & Spay Neuter) (600.25)

The City Council considered a communication from Councilmember Pam Houchen transmitting the following **Statement of Issue**: Over the past three years, the city's net annual cost for its contract with the County of Orange for animal care services has decreased approximately \$15,000 (from \$436,000 to \$421,000). The Subcommittee comprised of Mayor Cook, Mayor Pro Tem Boardman, and Councilmember Houchen proposes that these savings be used to fund programs aimed at reducing Huntington Beach's utilization of County Animal Care Services (ACS) and the euthanasia rates attributed to animals picked-up in Huntington Beach. By reducing the city's utilization and euthanasia rates, these programs may be able to reduce the number of Huntington Beach animals in the County ACS system and, subsequently, further reduce the city's on-going contract costs.

The proposed programs are:

- Low/no cost micro-chip clinics. (Micro-chipping involves placing a chip containing animal-owner information that may be read by a special scanner under an animal's skin.)
- Low/no cost spay/neuter clinics.

Staff reports that there is sufficient funding set aside for the County ACS contract to provide \$15,000 for these programs. The extra funding exists because the city's budget was submitted before the city had received the contract from the county.

The Subcommittee would also propose that, in order to reduce the amount of city staff time required to implement these programs, the City Council invite the County ACS Department to work with Save Our Strays (SOS) to develop, promote, and administer these programs. City staff time and other resources spent administering and promoting the programs will be funded from the \$15,000 allocation.

Principal Analyst Peter Grant reported that if SOS opts not to participate, staff will return to Council.

A motion was made by Houchen, second Boardman to:

- 1. Allocate \$15,000 to provide low/no cost micro-chipping and spay/neuter clinics to Huntington Beach residents;

and

- 2. Direct staff to invite the Orange County Animal Care Services Department and Save Our Strays to develop, promote, and administer the programs.

The motion carried by the following roll call vote:

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

(City Council) Council Comments Regarding Treatment of Campaign Signs and Negative Campaign Practices (620.10)

Mayor Pro Tem Boardman spoke regarding the proper treatment of political signs. She urged the community not to vandalize them.

Mayor Cook announced that she attended an Ethics Campaign Meeting, and discouraged negative campaign practices.

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, October 14, 2002, at 4:00 p.m., in Rooms C & D, Central Library, 7111 Talbert 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