

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

Monday, December 2, 2002
6:00 P.M. - Council Chambers
Civic Center, 2000 Main Street
Huntington Beach, California 92648

A videotape of the 6:00 p.m. portion of this meeting
is on file in the Office of the City Clerk.

The 5:00 p.m. portion of the meeting was adjourned to 6:00 p.m. by City Clerk Connie Brockway due to an anticipated lack of quorum.

Call to Order

Mayor Cook called the regular meetings of the City Council/Redevelopment Agency of the City of Huntington Beach to order at 6:00 p.m. in the Council Chambers.

City Council/Redevelopment Agency Meeting Roll Call

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

Pledge of Allegiance – Led by the four outgoing Councilmembers: Green, Dettloff, Winchell and Bauer

(City Council/Redevelopment Agency) Approved and Adopted Minutes

A motion was made by Dettloff, second Houchen to approve and adopt the minutes of the Council/Agency regular meetings of October 7, 2002, Council adjourned regular meeting of October 14, 2002 and Council/Agency regular meetings of October 21, 2002. Submitted by the City Clerk. The motion carried by the following roll call vote:

AYES: Green, Dettloff, Boardman, Cook, Houchen, Winchell, Bauer
NOES: None
ABSENT: None
ABSTAIN: Boardman (from October 14, 2002)

(City Council) Certified Results of the November 5, 2002 General Municipal Election to the City Council (Canvass of Election by Registrar of Voters) - Adopted Resolution No. 2002-124 (620.20)

The City Council considered a communication from the City Clerk transmitting **Resolution No. 2002-124** for the Certification of Canvass of Election by the Registrar of Voters. The communication sets forth that Resolution No. 2002-124 recites the facts of the General Municipal Election held in the city on the 5th day of November 2002, declaring the results thereof and such other matters as provided by the City Charter and Elections Code of the State of California. There was a 50% turnout, of 109,450 registered voters.

City Clerk Connie Brockway informed Council of a Late Communication dated November 26, 2002 from the Orange County Registrar of Voters containing the abstract of votes cast, precinct by precinct for the Municipal Election held on November 5, 2002 (Statement of Votes).

A motion was made by Boardman, second Green to adopt **Resolution No. 2002-124** - “A *Resolution of the City Council of the City of Huntington Beach Reciting the Fact of the General Municipal Election Held on November 5, 2002 Consolidated with the County of Orange, and Declaring the Results Thereof and such other Matters as Provided by 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 Request for a Letter to be Sent to the League of California Cities Recommending the Appointment of Councilmember Bauer as a Citizen-at-Large to the Senior Citizens Advisory Council (.)

The City Council considered a communication from Councilmember Ralph Bauer transmitting the following **Statement of Issue:** On November 14, 2002, I applied for a League of Cities appointment to the Senior Citizens Advisory Council for the 2nd Supervisorial District. The League requires a letter of recommendation from the City Council in whose city the applicant lives.

Councilmember Bauer confirmed that the recommendation is as a citizen and not a council liaison appointment.

A motion was made by Green, second Bauer to write a letter of recommendation to the League of Cities recommending Councilmember Bauer for this position. The motion carried by the following roll call vote:

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

(City Council) State of the City Address Delivered by Outgoing Mayor Debbie Cook (160.40)

Outgoing Mayor Debbie Cook presented a slide show recapping community activities during her year as Mayor. She expressed her belief that the City of Huntington Beach has the community leadership to handle both business and environmental issues.

Mayor Cook stated that the Huntington Beach residents will defend their water, their wetlands and their way of life. She further stated that the businesses and community are working together regarding environmental issues and economic issues such as elimination of the Federal Section 301 (H) waiver; providing funding for the Shipley Nature Center and protecting the Bolsa Chica Wetlands by contributing funds for the passage of Proposition 50 which provides money to purchase the wetlands.

Mayor Cook stated that our city is losing four dedicated leaders – the outgoing Councilmembers - whose commitment to the community will be missed. Mayor Cook thanked the staff, businesses and the citizens of Huntington Beach for their support in making our city a great place to live, work and play.

(City Council) Outgoing Councilmembers Bauer, Dettloff, Green and Winchell Addressed Council, Staff and Citizens (160.40)

Outgoing Councilmember Peter Green addressed Council and the citizens, reviewing what has been accomplished during his terms serving on the City Council. He stated that all of the accomplishments during his past sixteen years are a result of being part of a team consisting of all the councilmembers.

Councilmember Green stated that he has been the council liaison to various boards such as the Environmental Review Board and Library Board as well as participating as a member of the Santa Ana Regional Water Quality Control Board (SARWQCB) and the Orange County Sanitation District, to name a few. He thanked the citizens, community and his wife, incoming Mayor Pro Tem Cathy Green, for the support he received during his years of service.

Outgoing Councilmember Ralph Bauer thanked incoming Councilmember Dave Sullivan for urging him to seek appointment to the City Council to fill former Mayor Jack Kelly's unexpired term. He stated he wanted to thank his wife, Charlene above all, for her support.

Outgoing Councilmember Bauer declared that one of his greatest achievements was to write the *Statement of Human Dignity* along with Councilmember Shirley Dettloff. He stated that in order to have a true democracy you must treat individuals with kindness and dignity and he is honored in having this statement displayed in the Council Chambers. Councilmember Bauer expressed his appreciation by thanking what he considers to be a great, hard working city staff and the citizens for their support and stated that he will miss working with them.

Outgoing Councilmember Shirley Dettloff stated that it has been her privilege to serve on the City Council. She declared that in her eight years of service, one of her greatest accomplishments was to have co-authored with Councilmember Bauer the *Statement of Human Dignity* placard displayed in the Council Chambers. She stated that her goals have been infrastructure and water quality improvements and to have been appointed a State of California Coastal Commissioner.

Outgoing Councilmember Winchell stated that throughout her years of service on the City Council her focus has been to promote the interests of the residents by advocating for needed city services. She stated that the City Council has enhanced the local economy and provided the services and amenities for the citizens in a very cost effective manner. Councilmember Winchell thanked her husband, Robert Winchell, Mayor Debbie Cook, the Councilmembers, City Administrator Ray Silver and the officers and city staff for their contributions. In closing, Councilmember Winchell expressed her belief that the electorate needs to stay informed and to vote wisely in every election.

Mayor Pro Tem Boardman and Councilmember Houchen both announced that it has been a pleasure working with the four outgoing members and that they will be missed.

Statement From City Attorney Gail Hutton

Retiring City Attorney Gail Hutton expressed her appreciation to the citizens of Huntington Beach for entrusting her with the tremendous responsibility for the past twenty-four years. She thanked her department staff, Council, and the city management and staff she has worked with and stated she will miss them and the challenge of the office.

(City Council) City Administrator Ray Silver and His Staff Addressed Outgoing Councilmembers (160.40)

City Administrator Ray Silver expressed that in his thirty-one years of service as a city manager/administrator - currently twelve years in Huntington Beach - this City Council focused on and has succeeded in achieving the best for the community.

The following staff members spoke regarding the outgoing councilmembers contributions to our city; 1) Public Works Director Robert F. Beardsley addressed Councilmember Bauer; 2) Acting Community Services Director Jim Engle addressed Councilmember Winchell; 3) Fire Chief Michael P. Dolder addressed Councilmember Green and 4) Economic Development Director David Biggs addressed Councilmember Dettloff.

City Treasurer Shari Freidenrich also thanked the outgoing councilmembers for their support.

(City Council) Presentations from Mayor Cook Made to Outgoing Councilmembers and Retiring City Attorney Gail Hutton (160.40)

Outgoing Mayor Debbie Cook presented a photo album reflecting her year as Mayor to the outgoing councilmembers, outgoing city attorney, the city administrator and the two remaining councilmembers. Mayor Cook presented City Attorney Hutton a framed representation of her twenty-four years of service.

(City Council) Presentations from the Community to Outgoing Councilmembers and Retiring City Attorney Gail Hutton (160.40)

The following members of the community made presentations to the outgoing Councilmembers and retiring City Attorney:

State Assemblyman Tom Harman;

Bob Biddle, Diane Klein, Ed Kerins and other HB Tomorrow Board members;

County Supervisor Jim Silva;

Linda Moon and other members of Amigos de Bolsa Chica;

Adrienne Morrison and Paul Luston of the Bolsa Chica Conservancy;

Juana Mueller and Gerald Chapman of the Bolsa Chica Land Trust;

Jane Gosliga, Huntington Beach Girls Scouts;

Planning Commissioners Connie Mandic and Don Stanton of the "Green Team";

retired Huntington Beach Police Chief Ronald Lowenberg;

Public Information Office Program Coordinator Kelly Shanley spoke on behalf of Pastor Bruce Patterson, Saint Bonaventure Church;

retired Acting Public Works Deputy Director Daryl Smith; and

Richard Harlow and Joyce Riddell of the Chamber of Commerce.

(City Council) Oath of Office Administered by City Clerk Connie Brockway to Newly Elected Councilmembers and City Attorney (. .)

Mayor Cook invited the newly elected Councilmembers and City Attorney to the dais. City Clerk Connie Brockway administered the Oath of Office to the newly elected officers as follows:

Members of the City Council

Cathy Green

Jill Hardy

Dave Sullivan

Gil Coerper

City Attorney

Jennifer McGrath

(City Council) City Clerk Connie Brockway Presided and Conducted the Election of a Mayor for Ensuing Year (. .)

City Clerk Connie Brockway presided and called for a motion to elect a Mayor for the City of Huntington Beach.

A motion was made by Cook, second Sullivan to elect Councilmember Connie Boardman as Mayor by acclamation!

(City Council) City Clerk Brockway Administered Oath of Office to Incoming Mayor Boardman (. .)

City Clerk Connie Brockway administered the Oath to incoming Mayor Connie Boardman.

(City Council) Election of Mayor Pro Tempore for Ensuing Year (. .)

Mayor Connie Boardman asked if there was a motion and second to elect a Mayor Pro Tempore.

A motion was made by Houchen, second Coerper to elect Councilmember Cathy Green as Mayor Pro Tempore by acclamation!

City Council/Redevelopment Agency Meeting Roll Call

Roll Call: Sullivan, Coerper, Green, Boardman, Cook, Houchen, Hardy

(City Council) Comments Made by Newly Elected Mayor Connie Boardman (. .)

Mayor Connie Boardman thanked her family for their ongoing support. She stated that she has been working with city administration to hold City Council workshops and to examine Council's goals and functions.

Mayor Boardman stated that her main concern is the state's budget shortfall and its impact on the city's revenue with cut-backs. She urged community involvement in the city budget process.

Mayor Boardman stated that on a positive note are: the passage of Proposition 50, which would allow the purchase of 100 acres of the Bolsa Chica Mesa and preserve the wetlands; the opening of the Hyatt Regency Conference Center, which will generate revenue, and the construction of Bella Terra (Huntington Center) and Kohl's Department Store. Mayor Boardman further stated that she is looking forward in working with the new City Council during the challenging year ahead.

(City Council) Comments Made by Newly Elected Councilmembers Sullivan, Coerper, Green and Hardy and Newly Elected City Attorney McGrath (.)

Councilmember Dave Sullivan thanked the voters and everyone who supported him during his campaign and is looking forward to working with his six colleagues. He stated that this campaign consisted of candidates of high integrity. Councilmember Sullivan concluded that the outgoing councilmembers have set an example of extreme dedication for the new Council to follow.

Councilmember Gil Coerper thanked his wife, Louann and the voters for their confidence in him. He further stated that he will represent the citizens of Huntington Beach as part of a team of councilmembers.

Mayor Pro Tem Cathy Green thanked her husband Peter and her family for their support, as well as the citizens and her campaign committee. Mayor Pro Tem Green stated that all of the candidates in this election were respectful and supportive of each other and it is her belief that the City Council will work together in dealing with the city budget.

Councilmember Jill Hardy thanked her campaign committee and the voters for their confidence. She stated her desire to be active in the community began with her appointment to the Youth Board, and now as Council Liaison to the Board. Councilmember Hardy thanked her family for their continuing support.

City Attorney Jennifer McGrath thanked the members of the community, her family and her campaign committee for their support. She stated that it has been an honor to serve as a Deputy City Attorney for the past seven years, and that she is looking forward to working with the new Council in achieving their goals and objectives.

(City Council) Incoming Mayor Connie Boardman Presented "Ultimate Challenge" Sculpture to Outgoing Mayor Debbie Cook (160.40)

Mayor Boardman presented the "Ultimate Challenge" sculpture to Councilmember Cook and thanked her for her superb job as Mayor and for her service to the community. Mayor Boardman also presented Councilmember Cook with a framed collection of photographs representing her term as Mayor.

(City Council) Outgoing Mayor Cook Presented a Gavel to Incoming Mayor Boardman (160.40)

In kind, Councilmember Cook presented a shirt and a gavel to incoming Mayor Connie Boardman and offered her best wishes in her Mayorship.

Recess – Reception in Room B-8

Mayor Boardman recessed to a reception in Room B-8.

Reconvened In Council Chambers

Roll Call: Sullivan, Coerper, Green, Boardman, Cook, Houchen, Hardy

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 November 26, 2002 from the Orange County Registrar of Voters containing the abstract of votes cast for the Municipal Election held on 11/5/02 - (Statement of Votes).

Communication dated December 1, 2002 from John Sisker expressing his concern regarding the mobile home ordinance and presenting his recommended revisions.

Public Comments

Tim Geddes welcomed the newly-installed elected officials and expressed the need for leadership and teamwork to pursue solutions. Mr. Geddes stated he is looking forward to new ideas and a fresh approach to issues. He expressed his belief that the greatest service Council can provide is listening and communicating with the citizens.

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

Karen Chepeka thanked Council for adopting at the November 18, 2002 Council meeting, Ordinance No. 3586 relating to wild and exotic animals.

Alison Stanley, California Lobby for Animal Welfare, expressed her gratitude to Council for adoption of Ordinance No. 3586 relating to wild and exotic animals.

Frank Pap spoke in opposition to the Worthy House, stating its condition as a code violation. Mr. Pap stated his belief that the Worthy property is a danger to the community and urged Council to assist in a solution.

Mayor Boardman requested Mr. Pap to fill out a blue contact card for Council to follow up with staff regarding the Worthy Property.

Public Comments Resumed

Jim Robins, incoming President of the Amigos de Bolsa Chica, presented the councilmembers, City Administrator and City Attorney each with a small token of appreciation.

(City Council) Announcement Made by Councilmember Debbie Cook of Appointment of Ronald Davis to the Planning Commission (110.20)

The City Council considered a communication from Councilmember Debbie Cook who announced her appointment of Ronald Davis to the Planning Commission.

A motion was made by Cook, second Houchen to direct the City Clerk to record in the official minutes the appointment of Ronald Davis to the Planning Commission effective December 2, 2002. The motion carried by the following roll call vote:

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

(City Council) City Administrator's Report – Announcement of Retirement of Fire Chief/Director of Information Systems Michael P. Dolder Effective the End of December 2002 (.)

City Administrator Ray Silver informed Council that he would not be attending the December 16, 2002 meeting as he will be out of town.

City Administrator Silver informed Council that he received an announcement from Fire Chief/Director of Information Systems Michael Dolder stating he would be retiring the end of December 2002. City Administrator Silver recognized Fire Chief Dolder's leadership including his handling of soil clean-up and remediation, which have resulted in high quality standards. City Administrator Silver stated further that the Chief's performance as Director of Information Systems has moved the city forward technologically. City Administrator Silver thanked Fire Chief/Director of Information Systems Michael Dolder for being a part of the team for the past twelve years.

(City Council) City Council Response to City Administrator's Announcement Regarding the Retirement of Fire Chief/Director of Information Systems Michael P. Dolder (.)

The Councilmembers stated that Fire Chief/Director of Information Systems Michael Dolder will be missed for his contributions throughout his years of service, and that they are saddened by his departure.

Mayor Boardman stated that she appreciates and respects Fire Chief Dolder's work for the city.

Consent Calendar – Items Approved

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

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

(City Council) Approved Complimentary Parking at the Business Zone Meters in Downtown Huntington Beach During the Holidays from December 12, 2002 through January 2, 2003.

(340.10) – Directed staff to implement free parking at the downtown business zone parking meters from December 13, 2002 through January 2, 2003. Submitted by the Community Services Director. Funding Source: Potential loss of approximately \$20,000 in revenue to the General Fund.

(City Council) Appropriated Grant Funds for Recycling/Educational Programs and Authorized a Services Contract between the City and the Orange County Conservation Corps for Litter Abatement, Park Recycling, Maintenance and Other Services at the Shipley Nature Center

(600.10) – **1.** Appropriated grant funds in the amount of \$109,920 from the Refuse Education Fund; and **2.** Authorized the Director of Public Works to enter into a *Services Contract between the City of Huntington Beach and Orange County Conservation Corps for Litter Abatement Park Recycling, Maintenance and Other Services at the Shipley Nature Center*. Submitted by the Public Works Director. Funding Source: Funds from the California Department of Conservation, Recycling Division, in the amount of \$109,920 will be appropriated from additional estimated revenue not anticipated in the original Refuse Education Fund budget. The new monies will be appropriated into Refuse Education Fund, Other Professional Services Account.

(City Council) Adopted Ordinance Nos. 3587, 3588, 3589 and 3590 Amending the Huntington Beach Zoning and Subdivision Ordinance (ZSO) by Changing Various Zoning Designations throughout the City - Subareas A, B, C and D (450.20)

Adopt **Ordinance Nos. 3587, 3588, 3589 and 3590** (public hearing held and ordinances approved for introduction on 11/18/02).

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

Ordinance No. 3587 - *“An Ordinance of the City of Huntington Beach Amending the Huntington Beach Zoning and Subdivision Ordinance by Changing the Zoning Designation from RL (Residential Low Density) and RL O (Residential Low Density -Oil Production Overlay) to PS (Public–Semipublic) on Real Property Located **South of Adams Avenue between 17th Street and Main Street** (Zoning Map Amendment No. 02-02, Subarea A);”*

and

Ordinance No. 3588 - *“An Ordinance of the City of Huntington Beach Amending the Huntington Beach Zoning and Subdivision Ordinance by Changing the Zoning Designation from RM (Residential Medium Density) to PS (Public–Semipublic) on Real Property Located on the **East Side of 17th Street, North of Palm Avenue** (Zoning Map Amendment No. 02-02, Subarea B);”*

and

Ordinance No. 3589 - *“An Ordinance of the City of Huntington Beach Amending the Huntington Beach Zoning and Subdivision Ordinance by Changing the Zoning Designation from IG-O-CZ-FP2 (General Industrial – Oil Production Overlay – Coastal Zone Overlay – Floodplain Overlay) to PS-O-CZ-FP2 (Public–Semipublic - Oil Production Overlay – Coastal Zone Overlay – Floodplain Overlay) on Real Property located on the **East Side of Newland Street, North of Pacific Coast Highway** (Zoning Map Amendment No. 02-02, Subarea C);”*

and

Ordinance No. 3590 - *“An Ordinance of the City of Huntington Beach Amending the Huntington Beach Zoning and Subdivision Ordinance by Changing the Zoning Designation from IG-O-CZ-FP2 (General Industrial – Oil Production Overlay – Coastal Zone Overlay - Floodplain Overlay) to PS-O-CZ-FP2 (Public–Semipublic – Oil Production Overlay – Coastal Zone Overlay – Floodplain Overlay) and from IL-CZ-FP2 ((Limited Industrial – Coastal Zone Overlay- Floodplain Overlay) to PS-O-CZ-FP2 (Public–Semipublic - Coastal Zone Overlay- Floodplain Overlay) on Real Property located on the Northwest Corner of Magnolia Street and Banning Avenue (Zoning Map Amendment No. 02-02, Subarea D);”*

The motion carried by the following roll call vote:

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

(City Council) Adopted Ordinance No. 3591 Amending Chapter 2.111 of the Huntington Beach Municipal Code Relating to the Duties of the Public Works Commission (640.10)
 Adopt **Ordinance No. 3591** – *“An Ordinance of the City of Huntington Beach Amending Chapter 2.111 of the Huntington Beach Municipal Code Relating to the Duties of the Public Works Commission.”* (Public hearing held and introduction approved November 18, 2002.)

After the City Clerk read by title, a motion was made by Coerper, second Houchen to adopt **Ordinance No. 3591** – *“An Ordinance of the City of Huntington Beach Amending Chapter 2.111 of the Huntington Beach Municipal Code Relating to the Duties of the Public Works Commission.”*
 The motion carried by the following roll call vote:

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

(City Council) Adopted Ordinance No. 3592 Amending Chapter 14.08010 of the Huntington Beach Municipal Code Relating to the Service Connections for Water (640.10) – Adopt Ordinance No. 3592 – *“An Ordinance of the City of Huntington Beach Amending Chapter 14.08 of the Huntington Beach Municipal Code Relating to Service Connections.”* (Public hearing held and introduction approved November 18, 2002.)

After the City Clerk read by title, a motion was made by Coerper, second Houchen to adopt **Ordinance No. 3592** – *“An Ordinance of the City of Huntington Beach Amending Chapter 14.08 of the Huntington Beach Municipal Code Relating to Service Connections.”* The motion carried by the following roll call vote:

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

(City Council) Adopted Ordinance No. 3595 Amending Chapter 234 of the Huntington Beach Zoning and Subdivision Ordinance Regarding Mobilehome Park Conversions (450.20) – Adopt Ordinance No. 3595 - “An Ordinance of the City of Huntington Beach Amending Chapter 234 of the Huntington Beach Zoning and Subdivision Ordinance Regarding Mobilehome Park Conversions.” (Public hearing held and introduction approved November 18, 2002.)

After the City Clerk read by title, a motion was made by Coerper, second Houchen to adopt **Ordinance No. 3595 – “An Ordinance of the City of Huntington Beach Amending Chapter 234 of the Huntington Beach Zoning and Subdivision Ordinance Regarding Mobilehome Park Conversions.”** The motion carried by the following roll call vote:

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

Adjournment – City Council/Redevelopment Agency

Mayor Boardman adjourned the regular meetings of the City Council/Redevelopment Agency of the City of Huntington Beach to Monday, December 16, 2002, at 5:00 p.m., in Room B-8 Civic Center, 2000 Main Street Huntington Beach, California.

City Clerk and ex-officio Clerk of the City Council of the City of Huntington Beach and Clerk of the Redevelopment Agency of the City of Huntington Beach, California

ATTEST:

City Clerk-Clerk

Mayor-Chairman