

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

Monday, December 16, 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 Boardman 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: Coerper, Green, Boardman, Cook, Houchen, Hardy
Absent: Sullivan (arrived during Closed Session)

Motion to Recess to Closed Session – Approved

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

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

City Council) Closed Session – Pursuant to Government Code Section 549527.6 to meet with its designated representatives, Agency Negotiators: William Workman, Assistant City Administrator; Clay Martin, Director of Administrative Services; Jim Engle, Acting 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.** (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 Mesa Construction Projects, Inc. v. City of Huntington Beach.** Orange County Superior Court Case No. 02CC02620. (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 Huntington Beach City Council v. Rosalyn Lever, Registrar of Voters, and Scott Baugh.** Orange County Superior Court Case No. 02CC14276. (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. Huntington Beach Police Officers' Association.** United States District Court, Case No. SA 01-1125 GLT. (120.80)

(City Council) Closed Session - Pursuant to Government Code Section 54956.9 (c) to confer with its attorney regarding pending litigation. Based on facts and circumstances, the legislative body of the local agency has decided to initiate or is deciding whether to initiate litigation. **Number of Potential Cases: One. Subject: Potential Litigation.** (120.80)

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

(City Council) Announcement Made of Free Sandbags Available at City Corporation Yard For Use Against Flooding – or For Nominal Charge at Home Depot (.)

Mayor Boardman announced to the public that sandbags are available at the City Yard free of charge or for a nominal charge at HOME DEPOT. For emergencies please call the Police Department non-emergency phone number 714-960-8811.

City Council- Redevelopment Agency Roll Call

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

(City Council) City Attorney's Report of Action Taken by the City Council in Closed Session on Monday December 16, 2002 (Pursuant to Government Code §54957.1(a) (2) Re: Number of Potential Cases: One. Subject: Potential Litigation. (120.80)

City Attorney Jennifer McGrath reported that on Monday, December 16, 2002, the City Council convened in closed session to discuss whether to initiate litigation regarding the matter of Julie Strickland.

The City Council voted to initiate litigation to recover overpayment of compensation in the amount of \$7,370.00.

The Council voted as follows: 7 Ayes; 0 Noes; 0 Abstentions.

The action, the defendants, and other particulars shall, once formally commenced, be disclosed to any person upon inquiry, unless to do so would jeopardize the City's ability to effectuate service of process on one or more unserved parties, or that to do so would jeopardize the City's ability to conclude existing settlement negotiations to its advantage.

Pledge of Allegiance – Led by newly elected Councilmembers Coerper, Hardy, Green, and Sullivan.

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 from Bob Polkow dated December 15, 2002 in opposition to Closed Session Item regarding Huntington Beach City Council v. Rosalyn Lever, Registrar of Voters, and Scott Baugh.

Slide show presentation dated December 16, 2002 from Shari Freidenrich, City Treasurer, titled *Treasurer's Report, Investment Policy 2002/2003*.

Slide show presentation dated December 16, 2002 from Shari Freidenrich, City Treasurer, titled *October Treasurer's Report*.

Slide show presentation received December 16, 2002 from the Planning Department relating to the Public Hearing item amending section 230.30 of the Huntington Beach Zoning and Subdivision Ordinance (HBZSO) titled *Statement of Issue*.

Communication from Norm "Firecracker" Westwell dated December 15, 2002 in opposition to the DARE Program.

Slide show presentation dated December 16, 2002 from the Administrative Services Department titled *Review of Proposed Memoranda-of-Understanding and Side Letter Agreements*.

Communication received from Bob Polkow dated December 15, 2002 in opposition to acquiring the Bolsa Chica Mesa.

Presentations were made by Mayor Connie Boardman and Director of Public Works Robert Beardsley, of Certificates to Huntington Beach businesses that received the WRAP award (Waste Reduction Award Program). This award is given through the State of California Integrated Waste Management Board. The following businesses were recognized:

Albertsons	Jim Osiecki and John Oborny, Store Managers, Albertsons and Savon
Ecology Tires	Mike Ramsey, President
Target	Michael Karrer, Sales Executive
Vons	Dave Kiernan, Store Manager

Unable to send a representative, the following businesses which also received the WRAP award were Planet Squared and Mervyn's. (160.40)

Mayor's Award by Mayor Connie Boardman and Assistant City Administrator William Workman to Elaine Kuhnke, Senior Department Analyst, for her valuable work in the City Administrator's Office and for the City Council.

Mayor Connie Boardman announced that there is a typographical error regarding her item requesting a letter to be sent to enter into negotiations with the Bolsa Chica Landowners. The word City should not be in the title and she stated that Proposition 50 money has nothing to do with the City buying the Mesa.

Public Comments

Norm Westwell encouraged Council to approve the recommended action set forth on the administrative item and discontinue the DARE (Drug Abuse Resistance Education) Program. He informed Council that he believes that the school districts do not fund DARE because it is not an effective program. Mr. Westwell stated that this program should not be funded with tax dollars.

Shaun Stanistreet spoke on behalf of an heir of a property owner who believes the City is allowing a senior residential complex to be built on property that is still pending in probate court in Orange County. Mr. Shaun stated that the City has not paid the estate for this property and requested Council review of this matter.

Barbara Atkinson requested Council to assist with a property issue litigation between her and the City. Ms. Atkinson informed Council regarding the history of the subject.

Hillary LeBail informed Council that she is an Edison High School student. She urged Council to continue the DARE Program for an additional semester of funding until private funding can be found.

Debbie Borden offered a prayer due to the absence of the Invocation from the Council Agenda.

Steve Ray announced that Councilmember Jill Hardy has appointed him to the Planning Commission. He expressed his appreciation to the four outgoing Councilmembers for their service and also congratulated the newly elected Councilmembers. Mr. Ray also extended his appreciation to those candidates who ran for City Council but did not get elected stating that it was a clean, well-run campaign and all of the candidates offered good ideas.

Ron Russell, PRIDE (Promoting Resources In Drug Education) Foundation Chair, informed Council of the PRIDE Foundation and its work to fight substance abuse. He requested that Council use the PRIDE Funds for the DARE Program.

Bill Todd spoke in opposition to funding the DARE Program stating his opinion that this is not a successful program.

(City Council) Participated in a Lot Drawing per Huntington Beach Municipal Code 2.111.060 for the Selection of Vacancies to the Public Works Commission to Change from a Majority to an Individual Appointment Basis – Chuck Scheid Appointed by Councilmember Dave Sullivan (120.10)

The City Council considered a communication from Mayor Connie Boardman informing Council that appointments to the Public Works Commission are currently in process of changing from appointments approved by the City Council to individual appointments. This change is based on City Council action of December 2000. The terms for Public Works Commissioners Hartge and Piechota have expired based on the expiring terms of past City Council Members Bauer and Dettloff. According to Municipal Code 2.111.060, selection for these vacancies shall be by lot drawn among the remaining Councilmembers.

The four new Councilmembers participated in a lottery conducted by Mayor Boardman. Councilmembers Sullivan and Hardy drew the first two numbers and became eligible to appoint to the Public Works Commission that evening or at the meeting of January 6, 2003.

Councilmember Coerper and Mayor Pro Tem Green will be eligible to appoint at the June 16, 2003 meeting for service to begin in July 2003.

Councilmember Hardy will announce her appointment at a later date.

A motion was made by Sullivan, second Houchen to direct the City Clerk to record in the minutes the appointment by Councilmember Sullivan of Chuck Scheid to 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) Approved City Council Liaison Appointments for Citizen Boards, Commissions, Committees, and Task Forces for the Year 2003 (120.20)

The City Council considered a communication from Mayor Connie Boardman transmitting the listing of Council Liaison and Council Committee Member assignments titled *City of Huntington Beach Citizen Boards, Commissions, Committees, and Task Forces (Citizen Members Appointed to Four Year Terms)*.

**CITY OF HUNTINGTON BEACH
CITIZEN BOARDS, COMMISSIONS, COMMITTEES, AND TASK FORCES
(Citizen Members Appointed to Four Year Terms)**

	Citizen Group	Council Liaisons	Meeting Date/Place
1.	Allied Arts Board	Houchen, Boardman	1 st Tues, Art Center, 5:45 pm
2.	Board of Appeals	Coerper, Sullivan	ONLY WHEN NEEDED
3.	Children's Needs Task Force	Coerper, Green	4 th Thur, B-8, 4 pm
4.	Citizen Participation Advisory Board	Coerper, Hardy	1 st Thurs, B-8, 7:00 pm
5.	Community Services Commission	Green, Sullivan	2 nd Wed, Chambers, 7:00 pm
6.	Design Review Board	Houchen, Sullivan	2 nd Thurs, B-8, 3:30 pm
7.	Environmental Board*	Boardman, Hardy	1 st Thurs, Central Library, 6:30 pm
8.	Finance Board	Individual Appointments	2 nd Wed, B-8, 6:45 pm
9.	Fourth of July Executive Board	Individual Appointments (Cook, Houchen – Liaisons)	1 st Wed, B-8, 6:00 pm
10.	Historic Resources Board	<u>Sullivan, Hardy</u>	As Needed, 6:00 pm, Art Center
11.	Human Relations Task Force	Coerper, Green	1 st Tues, B-8, 6:45 pm
12.	Investment Advisory Board	Individual Appointments	4 th Wed (Jan, Apr, July, Oct) Council Caucus, 6:00 pm
13.	Library Board	<u>Coerper, Sullivan</u>	3 rd Tues, Central Library, 7:00 pm
14.	Mobile Home Advisory Board	Boardman, Sullivan	4 th Mon, Central Library, 6:30 pm
15.	Personnel Commission	Hardy, Sullivan	3 rd Wed, B-8, 5:30 pm

16.	Planning Commission	Individual Appointments	2 nd & 4 th Tues; 5:15 pm (B-8) 7:00 pm (Chambers)
17.	Public Works Commission	Appointments to be staggered per 12/4/00	3 rd Wed, Council Chambers, 5:00 pm
18.	Youth Board	<u>Hardy, Green</u>	2 nd Mon, #2, 5:00 pm

* Includes Shipley Nature Center Subcommittee on 1st Wednesday, 1 pm, CR #2

**CITY OF HUNTINGTON BEACH
Other City and Citizen Committees
(Approved by City Council Action)**

	Citizen Group	Council Liaisons	Meeting Date/Place
1.	Ascon/Nesi Site Task Force	Hardy, Sullivan	As Needed
2.	Infrastructure Planning Committee	Coerper, Hardy	As Needed
3.	Oakview Task Force	Boardman, Houchen, Green	3 rd Thurs, Oak View Center, 6 pm
4.	Settlement Committee	Mayor & Mayor Pro Tem (Ex-Officio Members)	1 st Tues after 1 st Council Meeting of Month, 3:00 pm, City Attorney Conf. Room
5.	Specific Events Committee (governed by MC 5.68.060)	Cook, Houchen	Thurs, Senior Center, 2 pm (As Needed)

**COMMUNITY GROUPS
(Citizen Members Not Appointed by City Council)**

	Citizen Group	Council Liaisons	Meeting Date/Place
1.	Huntington Beach Collaborative	Boardman, Hardy	As Needed
2.	Huntington Beach Council on Aging	Green, Sullivan	1 st Thurs, Senior Outreach Center, 9 am
3.	Neighborhood Watch	Coerper, Houchen	2 nd Tues, Police Dept, 2 nd Flr. Investigation Conf. Room, 6:30 pm (No meeting July, Aug, Dec)
4.	Sister City Association	Boardman, Cook, Hardy	1 st Wed, Central Library Conference Room, 7 pm

**CITY OF HUNTINGTON BEACH
COUNCIL COMMITTEES**

	Council Committee	Council Committee Members	Meeting Date/Place
1.	Animal Care Services	Boardman, Hardy, Houchen	As Needed
2.	Beautification, Landscape, & Tree	<u>Coerper, Hardy,</u> <u>Sullivan</u>	4 th Mon, B-8, 2 pm
3.	Citywide Water Quality Management Plan*	Cook, Green, Sullivan	See Below

4.	Communications**	Boardman, Cook, Houchen	3 rd Friday, Rm #1, 10 am
5.	Competitive Services	Coerper, Houchen, Sullivan	As Needed
6.	Economic Development Committee	Mayor, Mayor Pro Tem, Past Mayor (prescribed) Houchen to sub for Boardman at Downtown Issues meeting	2 nd Mon, Rm. #2, 2:00 pm (EDC) 4 th Friday, B-8, 8:30 am (Downtown Issues)
7.	Intergovernmental Relations	Boardman, Cook, Hardy	4 th Wed, Rm. #2, 3:00 pm
8.	Legal Affairs	Cook, Coerper, Sullivan	Tues Prior to Council Meetings, Attorney's Conf. Rm, 2:30 pm
9.	School District/City Quarterly	Coerper, Houchen, Sullivan	4 th Fri, B-8, 12:00 pm (Jan, Mar, June, Sept)
10.	Southeast Area	<u>Green, Hardy, Sullivan</u>	As Needed

*Includes attendance at the following meetings:

- 1) Citywide Water Quality Management Plan Focus Group (through summer 2003 as required),
- 2) Huntington Harbour Water Quality Committee (3rd Thursday of alternate months, Talbert Rm, Central Library, 2-4 pm)
- 3) Huntington Harbour Subcommittee (beginning Feb. 4, 2003 through June 10, Talbert Rm, Central Library, 6-8 pm)

** **Two members also serve on the PCTA**

COMMUNITY & REGIONAL AGENCIES AND COMMITTEES (Appointed by Mayor)

	Name of Agency/Committee	Appointee	Meeting Times
1.	Anti-Crime Coalition	Coerper, Green, Houchen	As Needed
2.	California Coastal Coalition Board	Boardman, Coerper	2-3 meetings/year, various places
3.	HB Conference & Visitors Bureau	Mayor, Houchen (alternate)	2 ND Tues, 4:00 pm, HBCVB
4.	O.C. Coastal Coalition	Coerper, Houchen	4 th Thurs, Newport Beach Library, 9-11 am
5.	O.C. Council of Governments (OCCOG)– (SCAG District 64 Representative)	Cook - SCAG Dist. 64* (Coerper - Alternate)	4 th Thurs, 9 am, Sanitation District, FV (no meetings July/Dec)
6.	O.C. Sanitation District	Cook (Boardman, Alternate)	4 th Wed, 7 pm, Sanitation District, FV (Plus Committee assigned by Chair) 10844 Ellis Ave., FV
7.	O.C. Vector Control District	Peter Green – Secretary (Term expires 12/31/03)	3 rd Thurs, 3:30 pm 13001 Garden Grove Blvd.
8.	OCTA Measure M Growth Management Area 6 (GMA 6)	Houchen	Annually, typically in May/June
9.	OCTA West Orange Project Definition Study Policy Committee	Houchen, Sullivan	As Needed (OCTA Rm. 103/104)
10.	Public Cable Television Authority (PCTA)	Houchen – Primary (Cook – Alternate)	2 nd Wed, 8 am FV Com. Center – Rm A/B
11.	Santa Ana River Crossings Study (OCTA)	Boardman (Sullivan, Alternate)	As Needed Various locations
12.	Santa Ana River Flood Protection Agency (SARFPA)***	Green, (Sullivan, Alternate)	4 th Thurs, 4 pm (June & Nov) O.C. Water District Office
13.	Southern California Association of Governments (SCAG)	Cook - District 64 Delegate*	1 st Thurs, SCAG Offices, Downtown L.A., 9:00 am – 2:00 pm

14	West O.C. Cities Association (WOCCA)	Mayor (Hardy, Alternate)	3 rd Thurs, 4:30 pm (quarterly as designated)
15	West O.C. Water Board (WOCWB)	Green, Hardy	3 rd Wed, (Mar, June, Sept, Dec) Water Op. Conf. Rm., 4 pm

* Serves as SCAG District 64 Delegate and OCCOG Primary Representative

** Members also serve on Communications City Council Committee

*** May also attend Executive Committee meetings on 4th Thursdays at 4 pm (as desired)

**CITY OF HUNTINGTON BEACH
APPOINTMENTS BY STATE & REGIONAL AGENCIES
(FOR INFORMATIONAL PURPOSES ONLY)**

	Name of Agency/Committee	Appointments
CITY COUNCIL APPOINTMENTS		
1.	League of California Cities – O.C. City Selection Committee	Mayor (prescribed)
2.	Orange County Coast Association - Meets 8 times/year; Membership is comprised of 7 coastal cities (Seal Beach, HB, Costa Mesa, Laguna Beach, Dana Point, Newport Beach, San Clemente) Contact: Jim de Boom, Executive Vice President (949) 660-8665	Directors – vacant, vacant, Houchen (2-year terms)
3	Orange County Harbors, Beaches and Parks Commission (1 st Thursday, County Hall of Administration Planning Commission Hearing Rm., 7 pm)	Cook - Coastal Rep Appointed by City Selection Committee
4.	Orange County Water Task Force (Contact: Mike Wellborn, County of Orange, 834-2486) (As Needed)	Cook- Ad Hoc County Committee Appointed by League President
5.	SCAG – Energy & Environment Committee 1 st Thurs, 10 am, SCAG Offices, Downtown L.A.	Cook – Subregional Representative, Appointed by OCCOG
STAFF APPOINTMENTS		
1.	City Engineers' Flood Control Advisory Committee	Beardsley (2 nd District)
2.	League of California Cities - City Manager's Department	Silver – President
3.	OCTA Technical Advisory Committee	Beardsley – Member Webb – Designee

A motion was made by Coerper, second Hardy to approve the listing of Council Liaison and Committee assignments titled *City of Huntington Beach Citizen Boards, Commissions, Committees, and Task Forces (Citizen Members Appointed to Four Year Terms)*.

The motion carried by the following roll call vote:

AYES: Sullivan, Coerper, Green, Boardman, Cook, Houchen, Hardy

NOES: None

ABSENT: None

(City Council) Announcement Made by Mayor Connie Boardman of Individual Appointment of Mary-Ellen Cianciabella, Replacing Sally Alexander to the Fourth of July Board (110.20)

The City Council considered a communication from Mayor Connie Boardman who announced her appointment of Mary-Ellen Cianciabella, replacing Sally Alexander to the Fourth of July Board.

A motion was made by Boardman, second Sullivan to direct the City Clerk to record in the minutes the appointment by Mayor Connie Boardman of Mary-Ellen Cianciabella, replacing Sally Alexander to the Fourth of July Board. The motion carried by the following roll call vote:

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

(City Council) Announcement Made by Mayor Pro Tem Cathy Green of Individual Appointments of: 1.) Mike Ali to the Fourth of July Board; 2.) Don Stanton to the Planning Commission; 3.) Tom Livengood to the Finance Board; and 4.) Walt Bausman to the Investment Advisory Board (110.20)

The City Council considered a communication from Mayor Pro Tem Cathy Green who announced her individual Board and Commission appointments as follows: 1.) Mike Ali to the Fourth of July Board; 2.) Don Stanton to the Planning Commission; 3.) Tom Livengood to the Finance Board; and 4.) Walt Bausman to the Investment Advisory Board.

A motion was made by Green, second Coerper to direct the City Clerk to record in the minutes the appointment by Mayor Pro Tem Cathy Green of 1.) Mike Ali to the Fourth of July Board; 2.) Don Stanton to the Planning Commission; 3.) Tom Livengood to the Finance Board; and 4.) Walt Bausman to the Investment Advisory Board. The motion carried by the following roll call vote:

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

(City Council) Announcement Made by Councilmember Gil Coerper of Individual Appointments of: 1.) Margie Bunten to the Fourth of July Board; 2.) Keith Bohr to the Planning Commission; and 3.) Diann Shelton to the Investment Advisory Board (110.20)

The City Council considered a communication from Councilmember Gil Coerper who announced his individual Board and Commission appointments as follows: 1.) Margie Bunten to the Fourth of July Board; 2.) Keith Bohr to the Planning Commission; and 3.) Diann Shelton to the Investment Advisory Board.

Councilmember Coerper stated he will announce his appointment to the Finance Board at a later date.

A motion was made by Coerper, second Hardy to direct the City Clerk to record in the minutes the appointment by Councilmember Gil Coerper of 1.) Margie Bunten to the Fourth of July Board; 2.) Keith Bohr to the Planning Commission; and 3.) Diann Shelton to the Investment Advisory Board. The motion carried by the following roll call vote:

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

(City Council) Announcement Made by Councilmember Jill Hardy of Individual Appointments of: 1.) Karen Pederson to the Fourth of July Board and 2.) Steve Ray to the Planning Commission (110.20)

The City Council considered a communication from Councilmember Jill Hardy who announced her individual Board and Commission appointments as follows: 1.) Karen Pederson to the Fourth of July Board; 2.) Steve Ray (after resignation from the Citizen Participation Advisory Board) to the Planning Commission.

Councilmember Hardy announced she is looking for an appointee to the Investment Advisory Board and will announce her appointment to the Finance Board at a later date.

A motion was made by Hardy, second Coerper to direct the City Clerk to record in the minutes the appointment by Councilmember Jill Hardy of 1.) Karen Pederson to the Fourth of July Board; 2.) Steve Ray (after resignation from the Citizen Participation Advisory Board) to the Planning Commission. The motion carried by the following roll call vote:

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

(City Council) Announcement Made by Councilmember Pam Houchen of Individual Appointment of Pat Stier to the Fourth of July Board (110.20)

The City Council considered a communication from Councilmember Pam Houchen who announced her individual appointment of Pat Stier to the Fourth of July Board

A motion was made by Houchen, second Cook to direct the City Clerk to record in the minutes the appointment by Councilmember Pam Houchen of Pat Stier to the Fourth of July Board. The motion carried by the following roll call vote:

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

(City Council) Announcement Made by Councilmember Dave Sullivan of Individual Appointments of: 1.) Diane Heyden to the Fourth of July Board; 2.) Bob Dingwall to the Planning Commission; 3.) Gerald Chapman to the Finance Board; and 4.) Ed Kerins to the Investment Advisory Board (110.20)

The City Council considered a communication from Councilmember Dave Sullivan who announced his individual Board and Commission appointments as follows: 1.) Diane Heyden to

the Fourth of July Board; 2.) Bob Dingwall to the Planning Commission; 3.) Gerald Chapman to the Finance Board; and 4.) Ed Kerins to the Investment Advisory Board

A motion was made by Sullivan, second Cook to direct the City Clerk to record in the minutes the appointment by Councilmember Dave Sullivan of 1.) Diane Heyden to the Fourth of July Board; 2.) Bob Dingwall to the Planning Commission; 3.) Gerald Chapman to the Finance Board; and 4.) Ed Kerins to the Investment Advisory Board. The motion carried by the following roll call vote:

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

(City Administrator's Report) – Assistant City Administrator Workman Extended a Reminder to “Shop Huntington Beach” (.)

Assistant City Administer Workman extended a reminder to “Shop Huntington Beach” and wished Council a Happy Holiday.

(City Council/Redevelopment Agency) – Adopted Council Resolution No. 2002-128 and Agency Resolution No. 342 – Approved and Adopted the 2002/2003 Investment Policy – City Treasurer (310.20)

The City Council considered a communication from City Treasurer Shari Freidenrich informing Council/Agency that Agency shall render an Annual Statement of Investment Policy to the legislative body for acceptance. The City Treasurer, with the assistance of the Investment Advisory Board, has prepared an updated investment policy.

City Treasurer Shari Freidenrich delivered a PowerPoint presentation titled *Treasurer's Report, Investment Policy 2002/2003* which was announced as a Late Communication earlier by the City Clerk.

A motion was made by Green, second Hardy to:

Approve and adopt **Resolution No. 2000-128** of the City Council of the City of Huntington Beach, approving the 2002/2003 Investment Policy. – *“A Resolution of the City Council of the City of Huntington Beach Approving the Statement of Investment Policy for 2002/2003.”*

and

Approve and adopt **Resolution No. 342** of the Redevelopment Agency of the City of Huntington Beach, approving the 2002/2003 Investment Policy. – *“A Resolution of the Redevelopment Agency of the City of Huntington Beach Approving the Statement of Investment Policy for 2002/2003.”*

The motion carried by the following roll call vote:

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

(City Council) Reviewed and Accepted Shari Freidenrich, City Treasurer's October 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 October 2002.

City Treasurer Shari Freidenrich delivered a PowerPoint presentation titled *October Treasurer's Report* which was announced as a Late Communication earlier by the City Clerk.

A motion was made by Hardy, second Green 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 October 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: Sullivan, Coerper, Green, Boardman, Cook, Houchen, Hardy

NOES: None

ABSENT: None

Recessed City Council/Redevelopment Agency Regular Meeting

Annual Meeting of Huntington Beach Public Financing Authority to Order (125.35)

Roll Call of the Huntington Beach Public Financing Authority Directors

Present: Sullivan, Coerper, Green, Boardman, Cook, Houchen, Hardy

Absent: None

Election of Officers

A motion was made by Sullivan, second Coerper to: Elect Connie Boardman, Chair of the Huntington Beach Financing Authority; Cathy Green, Vice-Chair of the Huntington Beach Financing Authority and Connie Brockway, Secretary of the Huntington Beach Financing Authority. The motion carried by the following roll call vote:

AYES: Sullivan, Coerper, Green, Boardman, Cook, Houchen, Hardy

NOES: None

ABSENT: None

Public Financing Authority Minutes - Approved

A motion was made by Houchen, second Cook to approve and adopt minutes of the December 17, 2001 Annual Meeting; May 6, 2002 City Council/ Redevelopment Agency/Public Financing Authority Joint Meetings; and July 1, 2002 and October 21, 2002 Meetings of the Huntington Beach Public Financing Authority as written and on file in the Office of the Secretary. Submitted by the Secretary. The motion carried by the following roll call vote:

AYES: Boardman, Cook, Houchen

NOES: None

ABSENT: None

ABSTAIN: Sullivan, Coerper, Hardy, Green

Adjournment

Chair Boardman adjourned the annual meeting of the Huntington Beach Public Financing Authority.

Reconvened City Council/Redevelopment Agency Regular Meetings

(City Council) Public Hearing Held - Adopted Emergency Ordinance No. 3596 – Zoning Text Amendment No. 02-05 (Citywide Park and Recreation Fee) Amending Section 230.30 of the Huntington Beach Zoning and Subdivision Ordinance (ZSO) – Adopted Resolution No. 2002-129 Relating to Park Fees (640.10)

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

Applicant: City of Huntington Beach, Planning Department.

Request: **Adopt Emergency Ordinance No. 3596** - To amend Section 230.20 of the Huntington Beach Zoning and Subdivision Ordinance (ZSO) to establish a Park Fee to be imposed on the construction of new floor area for all commercial and industrial development, and all residential development not covered by Section 254.08 of the ZSO.

A SECOND PUBLIC HEARING NOTICE WAS MAILED RE: ORDINANCE NO. 3594 INTERIM EMERGENCY ORDINANCE ADOPTED AT THE 11/18/02 MEETING:

Request: **Extend Emergency Interim Ordinance No. 3594** - To extend for an additional thirty (30) days Emergency Interim Ordinance No. 3594 adopted on November 18, 2002 amending Section 230.20 of the Huntington Beach Zoning and Subdivision Ordinance (ZSO) to establish a Park Fee to be imposed on the construction of new floor area for all commercial and industrial development, and all residential development not covered by Section 254.08 of the ZSO.

Location: Citywide.

Environmental Status: Notice is hereby given this agenda 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 published and posted.

Planning Director Howard Zelefsky presented a PowerPoint slide report titled *Statement of Issue*, which had been announced earlier as a Late Communication by the City Clerk.

Mayor Boardman declared the public hearing open.

Prior to announcing the public speakers, the City Clerk restated for the record the following Late Communication which pertain to this public hearing:

Slide show presentation received December 16, 2002 from the Planning Department relating to the Public Hearing item amending section 230.30 of the Huntington Beach Zoning and Subdivision Ordinance (HBZSO) titled *Statement of Issue*.

Robert Corona spoke in favor of adopting the proposed ordinance.

Dick Harlow, Huntington Beach Chamber of Commerce representative, informed Council that the members have reviewed this ordinance and unanimously supports the proposed adoption. He stated his opinion that the commercial and industrial park fee is a reasonable fee. Mr. Harlow asked Council and staff to reconsider the existing fee on residential developments stating his belief that the fee is not established to result in a fair charge.

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

A motion was made by Houchen, second Cook to:

1. Approve Zoning Text Amendment No. 02-05 with Findings for Approval (ATTACHMENT NO. 1) and adopt **Emergency Ordinance No. 3596** – *“An Emergency Ordinance of the City of Huntington Beach Zoning and Subdivision Ordinance”* amending Chapter 230 of the Huntington Beach Zoning and Subdivision Ordinance (ATTACHMENT NO. 2);

and

2. Adopt **Resolution No. 2002-129** – *“A Resolution of the City Council of the City of Huntington Beach Relating to the Payment of a Park Fee Pursuant to Section 230.20 of the Huntington Beach Zoning and Subdivision Ordinance,”* (repeals Resolution No. 6226). (ATTACHMENT NO. 4)

The motion carried by the following roll call vote:

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

(Redevelopment Agency) Public Hearing Held as Required to Evaluate the Progress of the Five Year Implementation Plan (1999 to 2004) for the Huntington Beach Redevelopment Project Area (with Five Subareas of Main-Pier, Yorktown-Lake, Oakview, Huntington Center and Talbert-Beach (410.05)

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

Public hearing to evaluate the progress of the Five Year Implementation Plan of the Redevelopment Agency of the City of Huntington Beach (1999-2004) for the Huntington Beach Redevelopment Project, that has five sub-areas: **Main-Pier, Yorktown-Lake, Oakview, Huntington Center, and Talbert-Beach**. California Community Redevelopment law 33490(c) requires that the Agency hold such hearing no earlier than two years and no later than three years after the adoption of the Implementation Plan.

The Five Year Implementation Plan covering the years from 1999 to 2004 was adopted by the Agency on December 20, 1999. The purpose of the plan is to identify the specific goals and objectives for the Huntington beach Project, describe the specific programs including potential

projects and estimated expenditures that would be made during the five years, and explain how these activities will eliminate blight and improve and increase the supply of affordable housing for the very low, low, and moderate income households.

Interested persons may review a copy of the staff report summarizing the progress of the projects identified in the plan at: Reference Desk, Central Library, 7111 Talbert Street, or at City Hall, 2000 Main Street, in the City Clerk's Office (2nd Floor) and in the Department of Economic Development (5th Floor).

A notice of this hearing is to be published according to Government Code §6063 and must be posted in at least four permanent places within the project area for a period of three weeks as required by the California Community Redevelopment Law §33490(d).

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

Director of Economic Development David Biggs presented a PowerPoint slide report titled *Mid-Term Evaluation of The Five Year Implementation Plan (1999-2004) Huntington Beach Project*, which was included in the agenda packet.

Mayor Boardman 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.

Councilmember Sullivan received confirmation from Director of Economic Development Biggs that the frontage road on Beach Boulevard near Atlanta is city owned property and the city could sell it to a developer.

The public hearing was held as required. No action was necessary on this public hearing.

Consent Calendar – Items Approved

On motion by Cook, second Houchen 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
 ABSTAIN: (Sullivan, Coerper, Green, and Hardy abstained from the November 6, 2002 minutes)

(City Council/Redevelopment Agency) Minutes - Approved and adopted the minutes of the City Council/Redevelopment Agency Regular meetings of November 6, 2002 as written and on file in the Office of the City Clerk. Submitted by the City Clerk.

(City Council) Approved Appointment of Duane Olson to Serve as Acting Fire Chief Beginning January 1, 2003 to Fill Position Vacated by Retirement of Fire Chief Michael P. Dolder (700.10) – Appointed Duane Olson to serve as Acting Fire Chief beginning January 1, 2003 to fill the position vacated by the retirement of Michael P. Dolder. Submitted by the City Administrator. Funding Source: Fiscal Year 02-03 budget (position is approved and part of the General Fund).

(City Council) Approved Site License Agreement between the City and Cingular Wireless for a Wireless Telecommunications Facility at Fire Station 6 – Edwards (600.10) – Approved and authorized the Mayor and City Clerk to execute the *Site License Agreement between the City of Huntington Beach and Cingular Wireless* for a telecommunications facility at Fire Station 6 – Edwards, based on the terms and conditions as presented herein. Submitted by the Administrative Services Director and the Fire Chief/Director of Information Systems. Funding Source: Not applicable. This agreement will generate one-time revenues of \$20,000 plus \$1,500 a month in rent during the first year, with periodic annual rent increases thereafter.

(City Council) Approved Site License Agreement between the City and Cingular Wireless for a Wireless Telecommunications Facility at Greer Park (600.10) – Approved and authorized the Mayor and City Clerk to execute the *Site License Agreement between the City of Huntington Beach and Cingular Wireless* for a telecommunications facility at Greer Park, based on the terms and conditions as presented herein. Submitted by the Administrative Services Director and the Fire Chief/Director of Information Systems. Funding source: Not applicable. This agreement will generate revenues of \$2,000 a month for the first year and will increase annually thereafter.

(City Council) Adopted Resolution No. 2002-125 Authorizing Application to the California Coastal Commission for a Whale Tail Grant (340.80) – Adopted **Resolution No. 2002-125** – “A Resolution of the City Council of the City of Huntington Beach Authorizing Application to the California Coastal Commission for a Whale Tail Grant.” Submitted by the Public Works Director. Funding source: Potential California Coastal Commission grant valued at \$15,000. No matching funds are required.

(City Council) Approved Reimbursement Agreement between the City and Makar Properties for Professional Planning, Engineering, Building, Legal and Fire Services Retroactive to October 1, 2002 (Makallon Atlanta Huntington Beach, LLC for Pacific City) (600.10) **1.** Approved and Authorized the Mayor and City Clerk to execute the *Reimbursement Agreement between the City of Huntington Beach and Makallon Atlanta Huntington Beach, LLC for Costs Incurred for Professional Planning, Engineering, Building, Legal and Fire Services; and 2.* Authorized acceptance of \$20,000 to cover professional planning services retroactive to October 1, 2002 of the current year. Submitted by the Planning Director. Funding source: Not applicable.

(City Council) Adopted Resolution No. 2002-127 Extending through December 2003 Temporary, Partially Paid Military Leave Benefits for City Employees Called to Active Duty with the Armed Forces (Adopted by Resolution No. 2001-03 on November 19, 2001) (700.50) – Adopted **Resolution No. 2002-127** – “A Resolution of the City Council of the City of Huntington Beach Extending Resolution No. 2001-93 and Providing for Additional Temporary Partially Paid Military Leave of Absence and Continuation of Benefits for City Employees Called to Active Duty with the Armed Forces. Submitted by the City Administrator. Funding source: Pay and benefits are currently funded in the existing budget.

(City Council) Approved Amendment No. 1 to the Lease Agreement between the City and Ruby’s Diner, Inc. for Ruby’s Restaurant at the Huntington Pier (600.35) Approved *Amendment No. 1 to Lease Between the City of Huntington Beach and Ruby’s Diner, Inc.*, effective June 1, 2002, with the terms and conditions as presented herein, and authorized the Mayor and City Clerk to execute the Amendment No. 1. Submitted by the Administrative Services Director and the Acting Community Services Director. Funding source: Not applicable.

(City Council) Approved Grant of Easement from the City to Southern California Edison for Underground Electrical Utilities at Huntington Beach Central Park Sports Complex (650.80) – Authorized the Mayor and City Clerk to execute a *Grant of Easement* conveying a real property interest from the City of Huntington Beach to Southern California Edison. Submitted by the Administrative Services Director and the Public Works Director. Funding source: Not applicable.

(City Council) Approved Release of Substitute Bonds from The Robert Mayer Corporation to PCH Beach Resort, LLC and Approved Subdivision Agreement for Tract No. 15535 (Hyatt Regency Huntington Beach Resort and Spa) (420.60) 1. Released The Robert Mayer Corporation Subdivision Agreement and Bond Nos. SD00083619 and SD00083620, the securities furnished for Faithful Performance/Labor & Material and Monuments, respectively; and 2. Accepted the *Subdivision Agreement by and between the City of Huntington Beach and PCH Beach Resort, LLC, for Tract No. 15535* and Bond Nos. B34231950 and B34231951, the securities furnished for Faithful Performance/Labor & Material and Monuments, respectively, and authorized the Mayor and City Clerk to execute the Subdivision Agreement and file the Bonds with the City Treasurer; and 3. Instructed the City Clerk to notify the previous developer, The Robert Mayer Corporation, of this action, and the City Treasurer to notify the bonding company, **Frontier Pacific Insurance Company**, of this action. Submitted by the Public Works Director. Funding Source: Not applicable.

(City Council) Approved Amendment No. 1 to Professional Services Contract between the City and Atrilogy Solutions Group, Inc. for Information Systems Technical Support Personnel (600.10) – Approved and authorized the Mayor and City Clerk to execute *Amendment No. 1 to the Professional Services Agreement between the City of Huntington Beach and Atrilogy Solutions Group, Inc. for Technical Support Personnel*. Submitted by the Fire Chief/Information Systems Director. Funding Source: A portion of the Information Systems – Professional Services Account current budget would be for the use of the Atrilogy Solutions Group, Inc. employees. In addition, there are funds budgeted for salary and benefits for staffing 17 Information Systems positions, 13 are currently vacant. No additional funds are needed.

(City Council) Approved Maddy Act Local Appointive List (Informs the Public of Openings and Vacancies on Boards, Committees, and Commissions which Expire in 2003) and Directed the City Clerk to Post This List (110.50) – Approved the Maddy Act Local Appointive List titled *City of Huntington Beach Boards, Commissions, Councils, Committee Terms which have Expiration Dates in 2003* showing vacancies which will occur on city boards and commissions in the year 2003 and directed the City Clerk to post the list at the official posting locations (Huntington Central Library, Civic Center, Main Street Library). Copies of the Maddy Act will also be posted at all branch libraries. Submitted by the City Clerk. Funding Source: Not Applicable.

City Council) Reviewed and Discussed DARE (Drug Abuse Resistance Education) – Discontinued DARE Services at the End of the First Semester for the 2002-03 School Year Approved as Amended to Continue to a Date Uncertain to Seek Funding from Grants and Private Sources to Fund Additional Semesters (570.20)

The City Council considered a communication from the Chief of Police transmitting that in September 2002 the City Council approved the continuation of the DARE Program for the first school semester of the 2002-03 school year using funds that were donated to the Police

Department. At that time, the City Council requested that staff return with the status of the program and potential funding for the second semester of the 2002-03 school year.

Chief of Police Kenneth Small presented a PowerPoint slide show titled *Huntington Beach Police Department D.A.R.E. Program Update* that was included in the agenda packet.

Councilmember Houchen inquired of Police Chief Small as to whether if funds were raised privately could the DARE Program continue.

Police Chief Small stated that if the Police Department receives funding a program could be designed around the monies raised. He informed Council that the second school semester starts the end of January so funding would be needed by then in order to continue the program.

Police Chief Small responded to Councilmember Houchen's inquiry regarding her view that it is important to have a functioning program in order to qualify for grant funding. He stated that this has not been his experience with grants. Chief Small explained various procedures that would be followed if and when funding is received for this program.

Councilmember Coerper stated that this program is important to children and that he would like to delay the decision to see what kind of funding is available.

Chief Small responded to Councilmember Cook stating that the two officers used for the DARE Program are patrol officers and their salaries are funded from the General Fund. The funding that is needed is to offset the overtime necessary to participate in the program.

Mayor Pro Tem Green received confirmation from Police Chief Small that the two requests for grant funding that the Police Department applied for were not granted; that if other grants are being applied for he could not estimate how long it would take.

Further discussion was held among Council and Police Chief Small in regard to delaying the decision. Councilmember Houchen stated her belief that the intention of this agenda item is to give the Police Chief direction while still working on funding.

Mayor Boardman informed Council that the DARE Program was continued for the first school semester of the 2002-03 school year pending the outcome of existing grant fund requests.

A motion was made by Coerper, second Sullivan to delay this item for 4-6 weeks. The motion **failed** by the following roll call vote:

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

A motion was made by Houchen, second Cook to discontinue the DARE Program at the end of the first semester of the 2002-2003 school year **AND** continue to seek funding through grants and other private funding sources with the goal of re-instituting the **program on enough funding for reduced but still meaningful program** during the 2003-2004 school year. If funding for the program is not identified, permanently discontinue the program.

The motion carried by the following roll call vote:

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

(City Council) Adopted Administrative Regulation No. 416 (AR 416) Expanding the Policy for City Employees Re: Workplace Violence to Include Appointed and Elected Officials (700.20)

The City Council considered a communication from the Chief of Police transmitting that the City of Huntington Beach Administrative Regulation Number 416 (AR 416), the Workplace Violence Policy, was approved by the City Administrator and became effective on October 9, 2002. The policy applies to all City of Huntington Beach employees; however, it currently does not apply to elected and appointed city officials. Adoption of this policy by City Council will expand the policy's authority to these officials.

Police Lieutenant Janet Perez presented a slide report titled *City of Huntington Beach Workplace Violence Policy* which was included in the Agenda Packet.

A motion was made by Sullivan, second Hardy to adopt AR 416, *Workplace Violence Policy*, to expand the policy's authority to the City of Huntington Beach elected and appointed officials. The motion carried by the following roll call vote:

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

(City Council) Adopted Resolution No. 2002-126 Approving a Side Letter to the Memorandum of Understanding (MOU) between the City and the Police Officers' Association (POA) Regarding Health Insurance for Calendar Year 2003 (720.20)

The City Council considered a communication from the Assistant City Administrator and the Director of Administrative Services informing Council that as required by the 2000-2003 Huntington Beach Police Officers' Association (POA) Memorandum of Understanding, the City and the Police Officers' Association have come to a Side Letter of agreement regarding health insurance for calendar year 2003.

Councilmember Coerper announced he is seeking legal opinion and stated he will be abstaining from any consideration of Council actions pertaining to MOU or Side Letters between City and POA.

Assistant City Administrator William Workman presented a slide show titled *Review of Proposed Memoranda-of-Understanding and Side Letter Agreements*, which had been announced earlier as a Late Communication by the City Clerk.

Mayor Boardman stated her appreciation for the employees willingness to negotiate regarding the health benefits.

Mayor Pro Tem Green concurred, and also thanked all of the employees for coming forward and helping to meet our budget crisis.

A motion was made by Green, second Hardy to adopt **Resolution No. 2002-126** – “A Resolution of the City Council of the City of Huntington Beach Amending the Memorandum of Understanding between the City and the Huntington Beach Police Officers’ Association, by Adopting the Side Letter of Agreement.” The motion carried by the following roll call vote:

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

(City Council) Adopted Resolution No. 2002-130 Approving a Side Letter to the Memorandum of Understanding between the City and the Police Management Association (PMA) Regarding Health Insurance for Calendar Year 2003 (720.20)

The City Council considered a communication from the Assistant City Administrator and the Director of Administrative Services informing Council that as required by the 2000-2003 Huntington Beach Police Management Association Memorandum of Understanding, the City and the Police Management Association have come to a Side Letter of Agreement regarding health insurance for calendar year 2003.

A motion was made by Green, second Houchen to adopt **Resolution No. 2002-130** – “A Resolution of the City Council of the City of Huntington Beach Amending the Memorandum of Understanding between the City and the Huntington Beach Police Management Association, by Adopting the Side Letter of Agreement and Authorizing the City Administrator to Execute the Side Letter of Agreement.” The motion carried by the following roll call vote:

AYES: Sullivan, Green, Boardman, Cook, Houchen, Hardy
 NOES: None
 ABSENT: None (Coerper out of room)

(City Council) Adopted Resolution No. 2002-131 Approving a Side Letter to the Memorandum of Understanding between the City and the Huntington Beach Firefighters’ Association (FFA) Regarding Health Insurance for Calendar Year 2003 (720.20)

The City Council considered a communication from the Assistant City Administrator and the Director of Administrative Services informing Council that as required by the 2000-2003 Huntington Beach Firefighters’ Association Memorandum of Understanding, the City and the Firefighters’ Association have come to a Side Letter of Agreement regarding health insurance for calendar year 2003.

A motion was made by Green, second Houchen to adopt **Resolution No. 2002-131** – “A Resolution of the City Council of the City of Huntington Beach Amending the Memorandum of Understanding between the City and the Huntington Beach Firefighters’ Association, by Adopting the Side Letter of Agreement and Authorizing the City Administrator to Execute the Side Letter of Agreement.” The motion carried by the following roll call vote:

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

(City Council) Adopted Resolution No. 2002-132 Approving the Memorandum of Understanding (MOU) between the City and the Huntington Beach Management Employees' Organization (MEO) Covering the Period of December 21, 2002 to December 21, 2003 (720.20)

The City Council considered a communication from the Assistant City Administrator and the Director of Administrative Services transmitting a new Memorandum of Understanding between the City and the Huntington Beach Management Employees' Organization (MEO) covering the period of December 21, 2002 through December 20, 2003.

Mayor Boardman stated that although the employees deserve a raise she could not support the proposed three percent salary increase at this time due to the uncertainty as to how the State Budget will impact our city.

Councilmember Sullivan concurred with Mayor Boardman.

A motion was made by Green, second Hardy to adopt **Resolution No. 2002-132** – “*A Resolution of the City Council of the City of Huntington Beach Approving and Implementing the Memorandum of Understanding between the Huntington Beach Management Employees' Organization (MEO) and the City of Huntington Beach for 12/21/02 through 12/19/03.*” The motion carried by the following roll call vote:

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

(City Council) Adopted Resolution No. 2002-133 Approving the Memorandum of Understanding (MOU) between the City and the Huntington Beach Municipal Employees' Association (MEA) Covering Calendar Year from December 21, 2002 to December 21, 2003 (Fiscal Years 2002-03 and 2003-04) (720.20)

The City Council considered a communication from the Assistant City Administrator and the Director of Administrative Services transmitting a new Memorandum of Understanding between the City and the Huntington Beach Municipal Employees' Association (MEA) covering the period of December 21, 2002 through December 20, 2003.

A motion was made by Green, second Hardy to adopt **Resolution No. 2002-133** – “*A Resolution of the City Council of the City of Huntington Beach Modifying Salary and Benefits for Fiscal Years 2002/2003 and 2003/2004 for Municipal Employees Association.*” The motion carried by the following roll call vote:

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

(City Council) Adopted Resolution No. 2002-134 Approving a Side Letter to the Memorandum of Understanding between the City and the Huntington Beach Marine Safety Officers' Association (MSOA) Regarding Health Insurance for Calendar Year 2003 (720.20)

The City Council considered a communication from the Assistant City Administrator and the Director of Administrative Services informing Council that as required by the 2000-2003 Huntington Beach Marine Safety Officers' Association Memorandum of Understanding, the City and the Marine Safety Officers' Association have come to a Side Letter of Agreement regarding health insurance for calendar year 2003.

Assistant City Administrator William Workman thanked the Presidents of each employee association and the professional negotiators for the constructive negotiations of the Side Letters and MOU'S.

A motion was made by Coerper, second Green to adopt **Resolution No. 2002-134** – “A Resolution of the City Council of the City of Huntington Beach Amending the Memorandum of Understanding between the City and the Huntington Beach Marine Safety Officers' Association, by Adopting the Side Letter of Agreement and Authorizing the City Administrator to Execute the Side Letter of Agreement.” The motion carried by the following roll call vote:

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

(City Council) Approved Introduction of Ordinance No. 3597 Amending the Contract with PERS (Public Employees' Retirement System) to Provide Benefits for Local Fire Members - Section 21574 (Fourth Level of 1959 Survivors) (600.20)

After the City Clerk read by title, a motion was made by Green, second Coerper to approve introduction of **Ordinance No. 3597** – “An Ordinance of the City of Huntington Beach Authorizing an Amendment to the Contract between the City Council and the Board of Administration of the California Public Employees' Retirement System Regarding the Provision of Fourth Level of 1959 Survivor Benefits for Local Fire Members.” (Resolution of Intent No 2002-115 was adopted November 18, 2002.) The motion carried by the following roll call vote:

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

(City Council) Approved Introduction of Ordinance No. 3598 Amending Chapter 9.76 of the Huntington Beach Municipal Code Relating to Discharging Weapons (640.10)

After the City Clerk read by title, a motion was made by Houchen, second Cook to approve introduction of **Ordinance No. 3598** - “An Ordinance of the City of Huntington Beach Amending Chapter 9.76 of the Huntington Beach Municipal Code Relating to Discharging Weapons.” The motion carried by the following roll call vote:

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

(City Council) Authorized the Mayor to Send a Letter of Request to the California Dept. of Fish and Game to Direct the Wildlife Conservation Board to Enter into Negotiations with the Bolsa Chica Landowners for Purchase of the Bolsa Chica Mesa with Proposition 50 Funds (440.60)

The City Council considered a communication from Mayor Connie Boardman submitting the following **Statement of Issue**: In November, voters approved Proposition 50, which includes the following language under Chapter 12, Section 79572(b)

“ . . . that the Wildlife Conservation Board shall give priority to the acquisition of not less than 100 acres consisting of upland mesa areas, including wetlands therein, adjacent to the State Ecological Reserve in the Bolsa Chica Wetlands in Orange County.”

Mayor Boardman stated that it is not the intent of the city to purchase the Mesa.

The City Clerk apologized to Mayor Boardman and Council for the typographical error on the agenda that indicated the city would purchase the Mesa.

Councilmember Sullivan stated that there is no expenditure of city funds on this item.

A motion was made by Hardy, second Cook to authorize the Mayor to send a letter on behalf of the city to Mr. Bob Hight, Director of State Department of Fish and Game, urging him to direct the Wildlife Conservation Board to move forward in the negotiations with the landowners of the Bolsa Chica Mesa so that it may be acquired for the public good. The motion carried by the following roll call vote:

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

Councilmember Houchen wished everyone a Happy Holiday Season.

Mayor Boardman also wished everyone a Happy Holiday Season. She stated that she had attended the Holiday Concert performed by the Huntington Beach Concert Band and it was wonderful.

Council Meeting Adjournment on Next Page

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, January 3, 2003, 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