

MEETING ASSISTANCE NOTICE - AMERICANS WITH DISABILITIES ACT

In accordance with the Americans with Disabilities Act the following services are available to members of our community who require special assistance to participate in City Council and Redevelopment Agency meetings. If you require, American Sign Language interpreters, a reader during the meeting, and/or large print agendas, to make arrangements, please call: **Office of the City Clerk (714) 536-5227**.

To make arrangements for an assisted listening system (ALD) for the hearing impaired, please contact: the **Sergeant at Arms (714) 536-5693** or the **City Clerk (714) 536-5227**.

72 hours prior notification will enable the city to make reasonable arrangements to ensure accessibility to a meeting.

**ACTION
AGENDA**

**CITY COUNCIL/REDEVELOPMENT AGENCY
CITY OF HUNTINGTON BEACH**

MONDAY JULY 1, 2002

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

5:00 P.M. - Room B-8

Call City Council/Redevelopment Agency Meeting to Order

Roll Call Green, Dettloff, Boardman, Cook, Houchen, Winchell, Bauer
Present (Green arrived at 5:03 p.m.)

Public Comments Regarding Study Session and Closed Session Agenda Items

**(City Council/Redevelopment Agency) Study Session - Staff and Allied Arts Board
Presentation of Public Art Elements for South Beach Improvements – Phase II** (900.10)

City Council Members Pam Houchen and Shirley Dettloff, liaisons to the Allied Arts Board and the Community Services Department will present the public art elements under consideration for Phase II of the South Beach Improvements.

Reports presented by Council Liaison members Shirley Dettloff, Pam Houchen, and Community Services Director. Donna Billick, artist, displayed her art works. She explained that the Jr. Lifeguards & others will join in a community involvement effort to prepare the artwork project.

**COMPUTER INTERNET ACCESS TO CITY COUNCIL/REDEVELOPMENT AGENCY
AGENDAS IS AVAILABLE PRIOR TO CITY COUNCIL MEETINGS**

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Call Closed Session of City Council/Redevelopment Agency

Recommended Action: Motion to recess to Closed Session on the following items:

1. **(Redevelopment Agency) 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 agency is a party. The title of the litigation is **Mulligan v. Redevelopment Agency**; Orange County Superior Court Case No. 740099. Subject; **Mulligan v. Redevelopment Agency** (400.50)
2. **(Redevelopment Agency) Closed Session** – Pursuant to Government Code Section 54956.8 to give instructions to the Agency's Negotiators, **Ray Silver, David Biggs, Gus Duran and Murray Kane**; regarding negotiations with **John Givens and Shaul Kuba, Cim Group LLC**. The instructions concern a development and disposition amendment and implementation agreement concerning the sale and/or lease of the property located at **Blocks 104 & 105** (Bounded by PCH, Main Street, Walnut Avenue and 6th Street). Instruction will concern: Both price and terms of payment. Subject: **Real Property Negotiation Blocks 104 & 105, an area bounded by PCH, Walnut, Main & 6th Street in the City of Huntington Beach** (400.50)
3. **(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 agency 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)
4. **(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 agency is a party. The title of the litigation is **Huss, et al. v. City of Huntington Beach**; U.S. District Court Case No. SACV 98-249 AHS (Anx). Subject: **Huss, et al. v. City of Huntington Beach** (120.80)
5. **(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 agency is a party. The title of the litigation **City of Huntington Beach v. Huntington Beach Police Officers Association**; United States District Court, Case No. SA 01-1125 GLT. Subject: **City of Huntington Beach v. HBPOA [Gun Range]** (120.80)
6. **(City Council) Closed Session** – Pursuant to Government Code Section 54956.9(c) to confer with its city attorney regarding pending litigation. Based on existing facts and circumstances, the legislative body of the local agency has decided to initiate or is deciding whether to initiate litigation. Number of Potential Cases: One. Subject: **Potential Litigation re Breach of Contract** (120.80)
7. **(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 **Opp v. City of Huntington Beach, et al.**; Court of Appeals, Fourth Appellate District, Division 3, Case No. G025947 (Opp I); **and Opp v. City of Huntington Beach, et al.**; Orange County Superior Court Case No. 748927 (Opp II). Subject: **Opp v. City of Huntington Beach, et al. (Opp I and Opp II)**. (120.80)

The City Council and the Redevelopment Agency of the City of Huntington Beach will regularly convene in joint session for the purpose of considering the following City Council-Redevelopment Agency Agenda Items.

The Huntington Beach Parking Authority, Civic Improvement Corporation, and the Huntington Beach Public Financing Authority are also agencies on which Council serves as members. On each Agenda these Agencies may have items scheduled.

7:00 P.M. - Council Chambers

Reconvene City Council/Redevelopment Agency Meeting

- ** **The City Attorney Shall Determine If Any Actions Taken By The City Council or Redevelopment Agency In Closed Session Shall Require A Reporting On Those Actions As Required By Law (Government Code §54957.1(a) (3) (B)).**
Assistant City Attorney Scott Field reported on action taken in closed session Item #4 – see Agenda p. #2.

Roll Call Green, Dettloff, Boardman, Cook, Houchen, Winchell, Bauer
Present

Pledge of Allegiance
Led by Huntington Beach Jr. Lifeguards

Pursuant to the Brown Act (Open Meetings Act) the City Clerk Announces Late Communications Received by Her Office Which Pertain to Items on the Agenda
(1) Copies of late communications submitted by City Council Members or City Departments are available for the public at the City Clerk's desk. **(2)** Late communications submitted by members of the public will be made available to the public at the City Clerk's Office the morning after the Council meeting.
City Clerk announced late communication received on Agenda Items F-2; F-3; and F-5.

Presentation & Introduction - To Mayor Debbie Cook and Council, an introduction by Keith Bohr, Sister City Association representative of visiting Sister City Cultural Exchange Students and Chaperones from Anjo, and introduction of American Sister City Cultural Exchange Students and Chaperones going to Anjo, Japan, and Waitakere, New Zealand.

The visiting Student Ambassadors from Anjo, Japan are: Miho Ohiwa, Ako Saito, Mihori Inoue and Miyako Ishikawa. The Chaperone from Anjo is Kiny Nagatomo.

American Ambassadors who will be going to Anjo are: Ann Makinson, Brittni Newman, Courtney Oliver, Vanessa Thulsiraj and Chaperone, Janet Carlisle.

American Ambassadors who will be going to Waitakere, New Zealand are Christie Carlisle, Gwen Chamberlin, Jeri Plummer, Kristin Yawata and Chaperone Maggie Ureno. (160.40)

Presentation & Introduction - To Mayor Debbie Cook and Council, by HB Jr. Lifeguard Coach Greg Luttrell, an introduction of visiting exchange New Zealand Junior Guard Team and Chaperones from Piha, New Zealand. With Coach Luttrell are HB Jr. Lifeguard Coaches who will be going to New Zealand this Christmas; Chris Hyink, and Kyle Morita. Dave Simcox, Coordinator, HB Jr. Lifeguard Program and Mike Eich, Assistant Coordinator, Jr. Lifeguard Program will also be attending. (160.40)

New Zealand Team		
Tim Bailey	Kieran Birch	Michael Brawley
Matt Brown	Kurt Buckingham	Zak Buckingham
David Commissaris	Victoria Cooper	David Ferguson
Ben Forgie	Tom Forgie	Julian Howatt
Daniel Kavali	Jessica Lawson	Carl Leonard
James Leslie	Olivia Lincoln	Merin O'Brien
Julian O'Neale	Hollie Parkes	Cameron Sharpe
Mark Spreadury	Kim Thomson	Joelle Thomson
Kirsty Turton	Andrew Webber	Chelsea Wills
Claire Wilson		
New Zealand Team Chaperones		
Nick Yukich	Sue Forgie	Toby Sharpe
Bruce O'Brien	Anna Schubert	Lisa Wheldale
Greg Wilson	Johathon Webber	

Presentation - To Mayor Debbie Cook, Robert F. Beardsley, Public Works Director, and Geraldine Lucas, Environmental Engineer, from Linda Moulton Patterson, Chairperson, California State Integrated Waste Management Board, a grant for \$120,000 that will be used to install two storm drain runoff treatment structures to improve the quality of storm water entering the Bolsa Chica Wetlands. These will remove trash, debris and pollutants that endanger the ecosystem of the wetlands as a whole. (160.40)

Presentation - By Mayor Debbie Cook to Ron Shenkman, Rainbow Disposal, a Certificate of Commendation recognizing Rainbow Disposal for donating thousands of dollars worth of bins and disposal for the Shipley Nature Center Project. (160.40)

B. PUBLIC COMMENTS

The City Council welcomes public comments on all items on this agenda or of community interest. We respectfully request that this public forum be utilized in a positive and/or constructive manner. Please focus your comments on the issue or problem that you would like to bring to the attention of the City Council.

This is the time to address Council regarding items of interest or on agenda items OTHER than Public Hearings.

3 minutes per person, time may not be donated to others.
No action can be taken by Council/Agency on this date unless agendized.

Complete the attached pink form and give to the Sergeant-At-Arms located near the speaker's podium

1. ***Speaker regarding the importance of voting; requests Council do what is good & right for the City; thanked workers and donors for July 4th activities.***
2. ***Speaker objecting to the absence of Invocation and offered a prayer.***
3. ***Several speakers in favor of Agenda Item F-5.***
4. ***Speaker announcing his intention to run for Council and presenting his position on several subjects.***
5. ***Speaker opposed to Council Districts as proposed by Charter Amendment petition.***
6. ***Owner of Ibiza Restaurant requesting Entertainment Permit (Agenda Item D-1).***

C-1. Council Committee/Council Liaison Reports**C-1a. (City Council) Announcement of Appointment of Don Stanton to the Planning Commission by City Council Member Peter Green (440.90)**

City Council Member Peter Green will announce his appointment of Don Stanton to the Planning Commission effective July 1, 2002.

Recommended Action: Motion to:

Direct the City Clerk to record in the minutes the appointment of Don Stanton to the Planning Commission.

Council Member Green presented a brief report of the community activities in which Mr. Stanton is involved.

Recommended Action Approved 7-0

C-2. City Administrator's Report

None

D. PUBLIC HEARINGS

Anyone wishing to speak on an OPEN public hearing is requested to complete the attached pink form and give it to the Sergeant-at-Arms located near the Speaker's Podium.

D-1. (City Council) Closed Public Hearing Regarding Appeal Filed by Eugene Gallagher of Two Conditions of Entertainment Permit for Ibiza Restaurant (209 Main Street) (.)

Public hearing on the following was **opened** and **closed** on June 17, 2002.

Appellant/Applicant: Eugene Gallagher

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

Location: 209 Main Street, Huntington Beach, CA 92648

**Included in the Agenda Packet is:

1. October 2, 1997 City Attorney memorandum regarding *Prevailing Party on Tie Votes*
2. PowerPoint presentation titled *Entertainment Permit* is included in the agenda packet.
3. List of ABC (Alcoholic Beverage Control) On-Sale Establishments in Downtown Area
4. Request For Council Action Uphold the permit as issued by the Police Department.
5. Communication from Philomena Gallegos, owner of property located 205 Fifth Street.

Recommended Action: Motion to:
Uphold the permit as issued by the Police Department.

Approved 1-1/2 hour extension of entertainment permit (12:01 a.m. to 1:30 a.m.)
Approved 5-2 (Green, Bauer No)

E. CONSENT CALENDAR

All matters listed on the Consent Calendar are considered by the City Council and Redevelopment Agency to be routine and will be enacted by one motion in the form listed.

Recommended Action: Approve all items on the Consent Calendar by affirmative roll call vote.

- E-1. **(City Council/Redevelopment Agency) Minutes** - Approve and adopt the minutes of the City Council/Redevelopment Agency Regular Meetings of June 17, 2002 as written and on file in the Office of the City Clerk. Submitted by the City Clerk.
Approved 6-0-0-1 (Dettloff abstain)
- E-2. **(City Council) Approve Subdivision Agreement between the City and PLC and Approve Final Tract Map No. 15690 of Tentative Tract Map No. 15690 (PLC One Lot Subdivision) – West Side of Edwards Street, S/O Ellis Avenue) (Holly-Seacliff Development Agreement Area)** (420.60) – **(1)** Approve Final Tract Map No. 15690 and accept the offer of dedication, improvements, and bonds pursuant to findings and requirements. (See **Attachment No. 1** below.) **(2)** Approve *Subdivision Agreement by and Between the City of Huntington Beach and PLC, A California General Partnership for Tract No. 15690. (Attachment No. 6)*, and authorize execution by the Mayor and City Clerk. Submitted by the Planning Director. Funding Source: Not Applicable.
Attachment No. 1 – Findings for Acceptance of Final Map (1) Final Tract Map No. 15690 is in conformance with the California Subdivision Map Act, the City of Huntington Beach Subdivision Ordinance and Tentative Tract Map No. 15690 conditions of approval, as approved by the City Council. **Requirements:** **(1)** Acceptance of offer of dedication shall be subject to completion of improvements and requirements shown on the final map. **(2)** The City Clerk shall file the following bonds with the City Treasurer: (a) Faithful Performance No. B32649220 (Attachment 7). (b) Labor and Material Bond No. B32649220 (Attachment No. 7). (c) Monument Bond No. B32649221 (Attachment No. 7) **(3)** The City Clerk shall affix her signature to the map and release it for recordation by the County of Orange.
Bill Holman, PLC representative, clarified that maintenance of landscaping to be done by City crews and paid for by homeowners and developer.
Approved 4-2-1 (Boardman, Cook No; Houchen absent)
- E-3. **(City Council) Approve Scope of Work by Pulse Marketing Related to Zoning and Subdivision Ordinance (ZSO) Section 230.20 Pertaining to Payment of Parkland Dedication in- Lieu Fee - Authorize Expenditures of Funds – Direct Staff to Return to Council by September 2002 with ZSO Revisions** (600.10) - **(1)** Approve the scope of work presented by Pulse Marketing for services related to the revision of Zoning and Subdivision Ordinance (ZSO) Section 230.20; and authorize the Director of Community Services to expend \$11,000 from the Park Acquisition & Development Fund, Professional Services Account #20945101.69300, and **(2)** Direct staff to return to Council with revisions to ZSO, Section 230.20 through the Planning Commission by September 2002. Submitted by the Community Services Director. Funding Source: Revenue generation for the Park Acquisition & Development Fund from development impact fees; \$11,000 for consultant services for additional nexus study work will be paid from the PA&D Fund, Professional Services Account.
Approved 7-0

- E-4. (City Council) Approve Consent For Pending Sale of Property from PLC, A California General Partnership to Lennar Homes of California - W/S of Edwards Street - S/O Ellis Avenue (Tract 15690) in the Holly Seacliff Development Agreement Area (420.60) - (1) Pursuant to Section 4.2 of the Holly Seacliff Development Agreement, approve the request by PLC for the City Council to provide consent for the pending sale of property on the west side of Edwards Street, south of Ellis Avenue (Tract 15690) to Lennar Homes of California, Inc.; and (2) Approve *Certificate of Consent to the Sale of Property and the Assumption of Rights, Duties and Obligations by and Between the City of Huntington Beach, PLC, and Lennar Homes of California, Inc.* and authorize the Mayor and City Clerk to execute and authorize the City Clerk to record said document with the Orange County Recorder. Submitted by the Planning Director. Funding Source: Not Applicable.
Approved 7-0**
- E-5. (City Council) Approve Plans and Specifications and Authorize Advertisement for Bids of the Arterial Highway Rehabilitation Program Projects; Warner Avenue, (Springdale Street to Beach Boulevard); CC-1149 and Newland Street (Hamilton to Atlanta Avenues); CC-1157 (600.50) – Approve the project plans and specifications and authorize the Director of Public Works to request bids for the Arterial Highway Rehabilitation Projects, CC-1149 & CC-1157 contingent upon Caltrans approval of the plans, specifications and estimate. Submitted by the Public Works Director. Funding Source: Combination of Federal Arterial Highway Rehabilitation Program (AHRP) Grant and Gas Tax Funds. Allocation of funding: Gas Tax - \$1,348,993; Federal AHRP Grant - \$472,090; Total Project Funding - \$1,821,083.
Approved 7-0**
- E-6. (City Council) Approve Instructional Recreational Class Instructor Budget Amendment – Community Services Department (320.45) – Authorize the appropriation of \$310,100 from the General Fund Unappropriated Fund Balance into Instructional Classes-Professional Services Account #10045406.69300 to pay recreation class instructors. Submitted by the Community Services Director. Funding Source: \$310,100 from the General Fund Unappropriated Fund Balance into Instructional Classes-Professional Services Account.
Approved 7-0**
- E-7. (City Council) Approve the Re-Appointments of Al Hendricker and Bob Anderson to the Environmental Board – Terms to Expire June 30, 2006 (110.20) – Approve the re-appointments of **Al Hendricker** and **Bob Anderson** to the Environmental Board for terms to expire June 30, 2006 as recommended by Council liaisons Mayor Pro Tem Connie Boardman and Council Member Shirley Dettloff. Submitted by the Planning Director.
Approved 7-0**

- E-8. (City Council) Accept Bid and Award Construction Contract to SRD Engineering, Inc. for the Storm Drain Improvements to Five Catch Basins in the Downtown Area, CC-1186** (600.60) – **(1)** Accept the lowest responsive/responsible bid submitted by SRD Engineering, Inc. in the amount of \$62,758 for Five Catch Basins in the Downtown Area, CC-1186; and **(2)** Authorize the Mayor and City Clerk to execute a construction contract in substantially the same form as the attached sample contract. Submitted by the Public Works Director. Funding Source: \$70,000 is budgeted in the General Fund, Storm Drain Maintenance, Drainage Improvements Account.
Approved 7-0
- E-9. (City Council) Adopt Resolution No. 2002-65 to Continue Participation in the Orange County Service Authority for Abandoned Vehicles (SAAV) and Increase the Appropriation in the SAAV Fund Police Department** (340.60) – **(1)** Adopt **Resolution 2002-65** – “A Resolution of the City Council of the City of Huntington Beach to Continue Participation in the Orange County Service Authority for Abandoned Vehicles” and **(2)** Authorize the appropriation of \$120,650 from the SAAV revenue account 87500875 and \$80,000 from the unreserved, undesignated General Fund for a total appropriation of \$200,650 to the SAAV Program Fund, 87570209; and **(3)** Authorize the expenditure of the funds for police program related equipment. Submitted by the Chief of Police. Funding Source: The total program cost for fiscal year 2001/2002 is \$200,650. Of this amount \$120,650 already exists in the SAAV revenue account. The \$80,000 balance to be appropriated from the unreserved, undesignated General Fund Balance will be reimbursed by the Orange County Transportation Authority (OCTA).
Adopted 7-0
- E-10. (City Council) Approve Appropriation and Create Business Unit for Police Department Property and Evidence Unit** (320.10) – **(1)** Establish a new business unit and approve the expenditure of those funds to pay for equipment upgrades and related costs within the Police Department’s Property and Evidence Unit. **(2)** Appropriate \$69,000 from the unreserved, undesignated General Fund Balance. Submitted by the Chief of Police. Funding Source: Appropriate \$69,000 from the unreserved, undesignated General Fund Balance to be fully offset by revenues received.
Approved 7-0

The Huntington Beach Public Financing Authority will convene on the following Agenda Item:

Mayor convened Public Financing Authority Meeting with all recorded present except Houchen out of room.

- E-11. (Public Financing Authority) Appropriate Reimbursement of Funds from the South Beach Phase II Revenue Bonds for Beach Maintenance Facility** (330.60) – Appropriate funds in the amount of \$300,000 from the HBPFA Lease Revenue Bonds, 2001 Series A, to the Beach Maintenance Facility Project, Account No. 30187030.82200. Submitted by the Public Works Director. Funding Source: Huntington Beach Public Financing Authority (HBPFA) Lease Revenue Bonds, 2001 Series A, in the amount of \$300,000, to be appropriated.
Approved 7-0 (Houchen returned prior to motion being made)

F. Administrative Items**The Mayor will Recess the City Council/Redevelopment Agency Meeting
And Convene The Civic Improvement Corporation Meeting****F-1. (Civic Improvement Corporation) Annual Meeting of the Huntington Beach Civic Improvement Corporation (125.20)**

1. **Call Annual Meeting to Order** of the Huntington Beach Civic Improvement Corporation.
2. **Roll Call** Green, Dettloff, Boardman, Cook, Houchen, Winchell, Bauer
Present
3. **Election of Officers** – Motion to: Approve the election of Mayor Debbie Cook – President, Mayor Pro Tem Connie Boardman – Vice President, and City Clerk Connie Brockway – Secretary.
Approved 7-0
4. **(Civic Improvement Corporation) Approve and Adopt Minutes** – Motion to: Approve and adopt the minutes of the regular meetings held August 6, 2001 and November 5, 2001 as written and on file in the Secretary's Office.
Adopted 6-0-0-1 (Winchell abstain)

Adjournment – Adjourn the **Annual Meeting** of the Huntington Beach Civic Improvement Corporation.

Reconvene the City Council/Redevelopment Agency Meeting

F-2. **(City Council) Adopt Resolution No. 2002-64 Establishing the Workforce Reduction Incentive Program – Two Years' Additional Service Credit Under the California Public Employees' Retirement System (CalPERS)** (700.50)

Communication from the Administrative Services Department informing Council that as announced at the June 17, 2002, City Council Meeting, the adoption of **Resolution No. 2002-64** will implement the Workforce Reduction Incentive Program, which is designed to address the Fiscal Year (FY) 2001/2002 \$3 million General Fund budget shortfall and an expected shortfall in FY 2002/2003. The Workforce Reduction Incentive Program is one of several efforts underway to reduce expenditures. By offering the Workforce Reduction Incentive Program, it is hoped that General Fund salary expenditures can be reduced by creating enough vacancies to only eliminate unoccupied positions. Currently, employee salaries and benefits account for 75 percent of all General Fund expenditures. The other efforts underway to reduce expenditures are: A hiring freeze; developing additional department-generated revenue; increased departmental reductions, Department Heads have already identified \$1.4 million of the needed \$3 million. It is hoped that the Workforce Reduction Incentive Program will help find the other 1.6 million still needed to balance the FY 2001/2002 budget.

Recommended Action: Motion to:

Adopt **Resolution 2002-64** – “A Resolution of the City Council of the City of Huntington Beach to Grant a Designated Period for Two Years Additional Service Credit.”

Adopted 7-0

F-3. **(City Council) Approve Standard Lease Agreement Between the City and Park Bench Café, Inc. Concession at Huntington Central Park, 17332 Goldenwest Street** (600.35)

Communication from the Administrative Services Department and the Community Services Department requesting Council approval of the renewal of the lease between the Park Bench Café, Inc. and the City using the standard concessionaire lease agreement. In February 2002, the City Council approved a standard lease to be used when renewing leases for all beach and park food and rental concessions. This new lease includes an alternate rent structure, as allowed under the standard lease agreement, in order to compensate the Park Bench Café for park related adverse operating conditions that have plagued the operation.

Recommended Action: Motion to:

Approve the renewal of *Lease Between the City of Huntington Beach and Park Bench Café for 17732 Golden West Street* using the standardized lease agreement with terms and conditions as presented herein and authorize the Mayor and City Clerk to execute.

Approved as amended 7-0 (amended per staff communication in Late Communications packet)

F-4. (City Council) Approve Pursuit of Corporate Partnership with Don Schulte of Public Enterprise Group for Financial Services (Affinity Credit Card – Procurement Card - ATM Services) (340.10)

Communication from the City Treasurer and the Community Services Director requesting Council approval for the city to pursue a new corporate partnership for affinity credit card, procurement card, and ATM services. Over the past ten years, the city has entered into successful corporate partnership agreements with Coca Cola, Chevrolet, and Simple Green. Building upon the success of these programs, staff has been pursuing a proposal to Council for a “Surf City Credit Card.” During the past 18 months, staff has developed proposals and worked with various banking institutions to try to implement the Surf City Credit Card Program.

Recommended Action: Motion to:

1. Approve the concept of a corporate banking partner, and authorize staff to negotiate a contract and return to Council with a banking partnership agreement under the terms and conditions outlined herein; in the Request for Council action dated 7/1/02.

Approved 6-1 (Boardman No)

2. Approve a recoverable draw for Public Enterprise Group (Don Schulte) in an amount not to exceed \$5,000 per month for six months for the purpose of soliciting, negotiating, and developing the final corporate banking partnership agreement. The not to exceed \$30,000 draw will be deducted from the agent’s commission upon approval of the financial agreement or paid back to city if an agreement is not approved by Council; and

Approved 6-1 (Boardman No)

3. Authorize the appropriation of \$30,000 from Account #10031100.1999 (General Fund Unappropriated Fund Balance) into Account #10045101.69300 (Community Services Professional Services) to pay the recoverable draw to Public Enterprise Group.

Approved 6-1 (Boardman No)

F-5. (City Council) – Approve Amendment to Concession Agreement Between the City and National Equestrian Centers, Inc. for the Huntington Central Park Equestrian Center Regarding City Water Issues (600.35)

Communication from the Community Services Director informing Council that per City Council direction, the city is amending the concession agreement with National Equestrian Centers, Inc. for the operation of the Huntington Central Park Equestrian Center to address the use of city water and other issues relating to the Equestrian Center. In 2001, City Council directed staff to begin negotiations with the Equestrian Center Concessionaire to amend the original lease so that the Equestrian Center paid for water consumption instead of the city providing free water to the center, which was a condition of the original agreement.

Recommended Action: Motion to:

Approve the *Amendment to Concession Agreement Between the City of Huntington Beach and National Equestrian Centers, Inc. for the Huntington Central Park Equestrian Center*, and authorize the Mayor and City Clerk to execute same.

Approved 7-0

G. **Ordinances**

G-1. **Ordinances for Adoption**

- G-1a. **(City Council/Redevelopment Agency) Adopt Ordinance Nos. 3558 and 3559 and Agency Ordinance No. 2 to Amend City/Agency Transient Occupancy Tax Allocation (TOT) Split (Main Pier Redevelopment Subarea)** (340.55) – Introduction of Ordinances approved on June 17, 2002.

City Council Actions: Motion: after the City Clerk reads by titles, adopt: Ordinance Nos. 3558 and 3559.

1. **Ordinance No. 3558** – “An Ordinance of the City of Huntington Beach Amending Chapter 3.28 of the Huntington Beach Municipal Code Relating to Credit for Transient Occupancy Taxes,” and
Adopted 5-2 (Cook, Boardman No)
2. **Ordinance 3559** – “An Ordinance of the City of Huntington Beach Amending Ordinance No. 2974 to Provide a Credit for the Payment of Transient Occupancy Taxes to the Huntington Beach Redevelopment Agency.”
Adopted 5-2 (Cook, Boardman No)

Redevelopment Agency Action: Motion: after the Agency Clerk reads by titles, adopt Ordinance No. 2.

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

Adopted 5-1-1 (Boardman, No; Bauer out of room)

- G-1b. **(City Council) Adopt Ordinance No. 3563 Amending Specific Plan No. 7 (Ellis – Goldenwest) by Adding Religious Assembly to Permitted Uses/Development Standards** (450.30) – “An Ordinance of the City of Huntington Beach **Ordinance No. 3563** Amending SP 7 (Ellis Goldenwest Specific Plan) by Adding Religious Assembly as a Permitted Use as well as Development Standards for Religious Assembly and Public School Uses” (Public hearing held and introduction approved on June 17, 2002) Submitted by the Planning Director.

Recommended Action: After City Clerk reads by titles, adopt Ordinance 3563 by roll call vote.

Adopted 6-0-0-1 (Cook abstain)

- G-1c. **(City Council) Adopt Ordinance No. 3564 – Amending Huntington Beach Municipal Code Chapter 17.6 Establishing Benefit Area Districts (Holly Seacliff Area – Ellis-Goldenwest Specific Plan)** (350.30) **Ordinance No. 3564** – “An Ordinance of the City of Huntington Beach Amending Chapter 17.68 of the Huntington Beach Municipal Code Regarding Area of Benefit Districts;” (Public hearing held and introduction approved on June 17, 2002. Submitted by the Public Works Director.

Recommended Action: After City Clerk reads by title, adopt **Ordinance 3564** by roll call vote.

Adopted 6-1 (Boardman No)

G-1d. (City Council) Adopt Ordinance No. 3565 Adding Huntington Beach Municipal Code Chapter 5.71 Pertaining to Escort Service Businesses (640.10) – **Ordinance No. 3565** – “An Ordinance of the City of Huntington Beach Adding Chapter 5.71 to the Huntington Beach Municipal Code Pertaining to Escort Services,” (Introduction approved as amended on (June 17, 2002.)

Recommended Action: After City Clerk reads by title, adopt **Ordinance 3565**, by roll call vote.

Adopted 7-0

G-2. Ordinances for Introduction - None

H. City Council/Redevelopment Agency Items - None

Council Comments - (Not Agendized) - None

At this time Council Members may report on items not specifically described on the agenda which are of interest to the community. No action or discussion may be taken except to provide staff direction to report back or to place the item on a future agenda.

Council/Agency Adjournment to Monday, July 15, 2002, at 5:00 p.m., in Room B-8, Civic Center, 2000 Main Street, Huntington Beach, California.

Council/Agency Agendas and Minutes are Available at No Charge to the Public at the City Clerk's Office by Mail and Through Paid Subscription. Complete Agenda Packets are Available at the Central Library and Library Annexes on Friday Prior to Meetings. Video Tapes of Council Meetings are Available for Checkout at the Central Library at No Charge.

**CONNIE BROCKWAY, CITY CLERK
City of Huntington Beach
2000 Main Street - Second Floor
Huntington Beach, California 92648**

Internet: <http://www.ci.huntington-beach.ca.us>