

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, AUGUST 5, 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

Public Comments Regarding Study Session and Closed Session Agenda Items
None

(City Council) Study Session – Community Services Update Re: Capital Improvement Program Projects Including Phase I and II Beach Improvements, Park Improvements, and New Funding Opportunities (.)

The Community Services Department will present a status report on their Capital Improvement Program and their Special Projects including Beach Improvements, Park Improvements and New Funding Opportunities.

**A PowerPoint presentation titled *Community Services Projects* is included in the agenda packet.
Community Services Director presented PowerPoint report (1) Beach Maintenance Facility; (2) Huntington Central Park Sports Complex; (3) South Beach Improvements Phases I & II; (4) Tot Lot Replacement Equipment & Park Play Equipment Replacement; (5) Rodgers Senior Center; (6) Murdy Park – Edison Park/Kettler; (7) Waterfront Cabana & South Beach Concession Facelifts; (8) Law Enforcement Training Center; (9) Dog Park Relocation; (10) Hansen Recycling Center – Future Funding Options.

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

<http://www.surfcity-hb.org>

Call Closed Session of City Council/Redevelopment Agency

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

Approved 7-0

(City Council) Closed Session – Pursuant to Government Code Section 54956.8 to give instructions to the city's negotiators, **Amy Bodek, Real Estate Manager** regarding negotiations with bidders **Leopoldo & Amparo Arroyo and Sandra and Albert Valdez, Sharon & Norman I. Harbolt, Jr. and Hsing Chuan & Chen Chu; Brian and Barbara Sullivan; Robert J. Koury; Michael R. Levy** concerning the purchase/sale/exchange/lease of the property located at 438 Main Street, Huntington Beach. Instruction will concern both price and terms of payment. Subject: **Property at 438 Main Street.** (120.80)

(City Council) Closed Session – Pursuant to Government Code Section 54956.9(a) to confer with its attorney regarding litigation which has been initiated formally and to which the city is a party. The title of the litigation is **Department of Fair Employment and Housing v. City of Huntington Beach** [Real Party in Interest: Jeffrey Renna]; Orange County Superior Court Case No. 01CC09578. Subject: **Department of Fair Employment and Housing v. City of Huntington Beach.** (120.80)

(City Council) Closed Session – Pursuant to Government Code Section 54957.6 to meet with its designated representatives, Agency Negotiators: William Workman, Assistant City Administrator, Clay Martin, Director of Administrative Services; Ronald Hagan, Director of Community Services; and Steven M. Berliner, Esq. of Liebert Cassidy Whitmore regarding **labor relations matters – meet and confer** with the following employee organizations: **HBMEA, HBMEO, and SCLEA.** Subject: **Labor Relations – Meet & Confer.** (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)).**

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

Pledge of Allegiance and Flag Salute – Boy Scout Troop 558, Marine View Middle School and Spring View Middle School. Patrol Leader Eric Freeman.

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 Councilmembers 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.

The Mayor announced the passing of Mike Abdelmuti, a wonderful person and businessman who contributed much to the City.

Presentation – By Mayor Cook to Don MacAllister, founding member of the HB International Surfing Museum; and Ann Beasley, World Ambassador for HB International Surfing, of a "Duke Stamp Proclamation" celebrating issuance of the Duke Paoa Kahanamoku stamp, for his contributions to the world of Surfing and his love of Huntington Beach. On August 25, 2002 the HB International Surfing Museum will celebrate the "Second Day of Issue" event. The "First Day of Issue" will be in Hawaii on Saturday, August 24, 2002.

Presentation – To Mayor Debbie Cook and Robert F. Beardsley, Director, Public Works, by Director Joan Finnegan, Division Four Director, Municipal Water District of Orange County, of the MWDOC 50th Anniversary Commemorative Poster to the City Council in recognition of the City of Huntington Beach for its local water management efforts and its ongoing cooperative relationship with MWDOC.

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 agendaized.

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

- (1) *Speakers opposed to proposed Charter Amendment –Agenda Item F-3.***
- (2) *Speakers in favor of proposed Charter Amendment – Agenda Item F-3.***
- (3) *Speaker objecting to absence of Invocation from agenda.***
- (4) *Speaker objecting to the amount of income a person is restricted to, in order to qualify for homes sold under affordable housing provisions.***
- (5) *Speakers for and against prohibiting banner towing airplanes.***
- (6) *Speaker regarding the platform of his candidacy for City Council.***
- (7) *Speaker expressing appreciation for signal at Beach Blvd. and Terry – Agenda Item E-6.***
- (8) *Speaker requested funding for Project Self-Sufficiency – Agenda Item D-6.***
- (9) *Speaker opposed to banning banner towing airplanes.***
- (10) *Speaker urged people to contact Assemblyman Tom Harman and request Assemblyman Harman to vote for a budget which would help Bolsa Chica Mesa.***

C-1. Council Committee/Council Liaison Reports

C-1a. (City Council) Declare Parcels as Surplus Property and Direct Staff to Return to the Council/Redevelopment Agency for Appropriate Action at a Date Uncertain

(.)

Communication from Mayor Pro Tem/Vice Chair Connie Boardman on behalf of the Economic Development Committee transmitting that in December 2001, staff prepared a comprehensive inventory of all property owned by the city and the Redevelopment Agency. The majority of the parcels are improved for public purposes, such as the Civic Center complex, parks, beaches, water reservoirs, well sites and other public facilities. There are, however, a number of parcels that are either vacant or underutilized.

At the July 8, 2002 Economic Development Committee (EDC) meeting, staff presented a list of 13 properties for consideration and review. Committee members in attendance were, myself, Councilmember Houchen, and Councilmember Winchell.

The attached list identifies EDC's recommendations on each of the 13 properties. From this list, EDC unanimously recommends that the four following properties be considered for surplus and ultimate sale:

<u>Owner</u>	<u>Locations</u>	<u>Est. Value</u>
RDA	438 Main Street	\$735,000
RDA	200-204 Fifth Street (Shank House)	\$585,000
City	Parcel at Center/Huntington Village Way	\$185,000
City	Emerald Cove	<u>\$3,000,000</u>
		\$4,505,000

EDC further recommended that the Shank House be considered for surplus only if its historic status could be protected through covenants, restrictions or other mechanisms. The EDC would not support the Shank House being declared surplus if the building could later be torn down for future development.

The EDC was unanimous in its belief that the appraised values assigned to the surplus properties were below today's current market values, particularly for the properties located in the Downtown.

If the City Council grants approval to declare these four properties surplus, staff will finalize the necessary background research and then seek additional City Council authorization to proceed with an actual sale.

Captain Jon Arnold reported at the request of Council re: the importance of the downtown substation at the Shank House.

Recommended Action: Motion:

To direct the City Attorney's Office to prepare the appropriate resolutions to declare the four above-mentioned parcels as surplus, and direct staff to return to the City Council with separate resolutions and requests for action at the appropriate time.

Voted to approved Recommended Action for all properties (except Shank House) with direction on Emerald Cove that commercial brokers know that rent of senior units can be brought up to the full restricted rent for low income & very low income seniors; that rents would remain same for current senior residents; also that an alternative to a police substation at the Shank House will be explored.

Councilmembers Winchell requested and Council concurred that a report be presented on the income level of all seniors currently residing at Emerald Cove.

Approved 7-0

C-2. **City Administrator's Report**
None

C-3. **(City Council) Review and Accept Shari Freidenrich, City Treasurer's June 2002 Report Titled City of Huntington Beach Summary of City Investment Portfolio, Bond Proceeds, and Deferred Compensation Activity (310.20)**

Communication from City Treasurer Shari Freidenrich transmitting the Monthly Investment Report for June 2002.

Recommended Action: Motion 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 June 2002*, pursuant to Section 17.0 of the Investment Policy of the City of Huntington Beach.

Approved 7-0

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) Public Hearing to Consider Adoption of Resolution No. 2002-71 Relating to the City's FireMed Emergency Medical Services Cost Recovery Fee Schedule (.)

Communication from the Fire Chief/Information Systems Director.

Public hearing for the purpose of considering revisions to the City's FireMed user fee schedule. All proposed revisions are cost recovery in nature. It is proposed that a new rate schedule be adopted which will require higher fees to be paid by persons, or their respective insurance companies, that use the City's Emergency Medical Services system. It is estimated that approximately \$310,000 of additional revenue would be generated in FY 2002/03 as a result of the revised rate schedule.

The type of fees under consideration for revision include Advanced Life Support, basic Life Support, emergency ambulance transportation, specific medications, and related paramedic supply charges. The Huntington Beach Fire Department is proposing a revised user fee schedule that recovers the increased cost of these items or services.

A complete report detailing proposed revisions to the FireMed Emergency Medical Services fee schedule is available for review by the public at City Hall, 2000 Main Street, in the City Clerk's Office between the hours of 8:00 a.m. and 5:00 p.m., after Friday, August 2, 2002. Interested persons may also contact the Fire Department at 2000 Main Street, Huntington Beach, California, 92648 to receive additional information.

All persons are invited to attend the public hearing and provide the City Council with written and oral comments and ask questions concerning proposed revisions to the City's FireMed Emergency Medical Services fee schedule.

The City of Huntington Beach endeavors to accommodate persons of handicapped status in the admission or access to, or treatment or employment in, City programs, or activities. The City of Huntington Beach is an equal opportunity employer.

1. Staff report
2. City Council discussion
3. Open public hearing
4. Following public input, close public hearing

Recommended Action: Motion to:

Adopt Resolution No. 2002-71 amending Resolution No. 97-54 titled *"A Resolution of the City Council of the City of Huntington Beach Setting Advanced Life Support, Basic Life Support, Emergency Ambulance Transportation, Medications and Specialized Supply Fees to be Charged by the Fire Department of the City of Huntington Beach."*
Opened & Continued Open to August 12, 2002 at 4:00 p.m. (7-0)

D-2. (City Council) Public Hearing to Consider Adoption of Resolution No. 2002-72 – Approving Annual Assessment for Fiscal Year 2002-2003 to Fund Improvements Within Huntington Beach Auto Dealers Business Improvement District (BID)

(460.30)

Communication from the Economic Development Director.

Public hearing pursuant to Resolution of Intention No. 2002-66 adopted on July 15, 2002 to hear all interested persons for or against the continuation of the Huntington Beach Auto Dealers Business Improvement District (BID) Assessment and the furnishing of specified types of improvements or activities. Said hearing is for the purpose of hearing all interested persons for or against levying of the assessment, and the furnishing of specified types of improvements or activities. Protests may be made orally or in writing; but, if written, shall be filed with the City Clerk at or before the time fixed for the hearing and contain sufficient documentation to verify business ownership and validate the particular protest. If written protests are received by the owners of businesses within the District, which will pay 50% or more of the total assessments to be levied, no further proceedings to levy the proposed assessment shall be taken for a period of one year from the date of the finding of a majority protest by the City Council. If the majority protest is only against the furnishing of a specified type or types of improvements or activity within the District, those types of improvements or activities shall be eliminated.

Fiscal Year 2002-2003 dealer assessments are based upon \$815/month for each of the 13 member dealers. The Huntington Beach Auto Dealers Association is the Board of Directors for the BID and they propose assessments for the BID for City Council review and approval. The Huntington Beach Auto Dealers Association unanimously approved the 2002-2003 BID budget at their June 2002 meeting.

1. Staff report
2. City Council discussion
3. Open public hearing
4. Following public input, close public hearing

Recommended Action: Motion to:

Adopt City Council **Resolution No. 2002-72** - *“A Resolution of the City Council of the City of Huntington Beach Approving an Annual Assessment for Fiscal Year 2002-2003 to Fund Improvements within the Huntington Beach Auto Dealers Business Improvement District.”*

Adopted Res. No. 2002-72 (7-0)

D-3. (City Council) Public Hearing to Consider Adoption of Resolution No. 2002-73 Approving Issuance by the California Statewide Communities Development Authority of Multi-Family Affordable Housing Revenue Refunding Bonds – Village Senior Apartments (to be Renamed Heritage Park at Huntington Beach) 16171 Springdale Street – 114 Units – Huntington Beach Heritage Park, L.P., Owner and Operator (.)

Communication from the Economic Development Director.

Public hearing as required by Section 147(f) of the Internal Revenue Code of 1986, at which the City Council of the City of Huntington Beach will hear and consider information concerning the proposed issuance by the California Statewide Communities Development Authority of multifamily housing revenue bonds in an aggregate principal amount not to exceed \$10,000,000 to finance the acquisition and rehabilitation of an 114-unit multifamily rental housing project located at 16171 Springdale Street, Huntington Beach, California, and generally known as Huntington Village Senior Apartments, which is to be renamed Heritage Park at Huntington Beach (the "Project"). The Project will be owned and operated by Huntington Beach Heritage Park, L.P., a California limited partnership, or affiliated entities.

Those wishing to comment on the proposed financing and the nature and location of the Project may either appear in person at the public hearing or submit written comments, which must be received by the City prior to the hearing. Written comments should be sent to the City of Huntington Beach, 2000 Main Street, Second Floor, Huntington Beach, California 92648, Attention: City Clerk.

1. Staff report
2. City Council discussion
3. Open public hearing
4. Following public input, close public hearing

Recommended Action: Motion to:

1. Open the public hearing, take testimony, and close the public hearing on the proposed issuance of Multifamily Housing Revenue Bonds;

and

2. Adopt **Resolution No. 2002-73** – *“A Resolution of the City Council of the City of Huntington Beach Approving the Issuance of Multifamily Housing Revenue Bonds by the California Statewide Communities Development Authority.”*
Adopted Res. No. 2002-73 (6-0-1 Houchen out of room)

D-4. (City Council) Public Hearing to Consider Approval of Revised Comprehensive Fee Schedule for the Building and Safety and the Fire Departments and Automation Fee for all Development and Business License Service Fees – Adopt Resolution No. 2002-75 (.)

Communication from the Building & Safety Director and the Fire Chief/Information Systems Director.

Public hearing for the purpose of considering new and revisions to City fees. Fees under consideration are under the jurisdiction of the Building & Safety and Fire Departments.

A new automation fee is proposed on all development and business license service fees. The new fee will offset the annual maintenance for the new city-wide permit system.

New Fire Department fees are proposed for new business fire clearance inspections; fire company safety inspections; emergency access gates, pedestrian or vehicle, plan reviews and inspections; fire lanes, plan reviews and inspections; fire extinguisher training; emergency evacuation trainings; and miscellaneous other public education training.

A complete report detailing proposed new fees is available for review by the public at City Hall, 2000 Main Street, in the City Clerk's Office between the hours of 8:00 a.m. and 5:00 p.m., after Friday, August 2, 2002. Interested persons may also contact the Building & Safety Department at 2000 Main Street, Huntington Beach, 92648 to receive additional information.

All persons are invited to attend the public hearing and provide the City Council with written and oral comments and ask questions concerning the proposed new fees and revisions to the City fee schedules. Written communications to the City Council may also be mailed to the City Clerk.

The City of Huntington Beach endeavors to accommodate persons of handicapped status in the admission or access to, or treatment or employment in, City programs or activities. The City of Huntington Beach is an equal opportunity employer.

1. Staff report
2. City Council discussion
3. Open public hearing
4. Following public input, close public hearing

Recommended Action: Motion to:

Adopt Resolution No. 2002-75 – “A Resolution of the City Council of the City of Huntington Beach Amending Resolution No. 5159 Entitled, ‘A Resolution of the City Council of the City of Huntington Beach Establishing a Fee Schedule,’ and Specifically Establishing New Development and Business License Service Fees (Supplemental Fee Resolution No. 88).”

Opened & Continued Open to August 12, 2002 at 4:00 p.m. (7-0)

D-5. (City Council) Public Hearing to Consider Approval of Zoning Text Amendment No. 02-01 Wireless Communications Facilities (Various Commercial, Industrial and Residential Districts) – Approve Introduction of Ordinance No. 3568 Amending Chapter 230 (Site Standards) of the Huntington Beach Zoning and Subdivision Ordinance (.)

Communication from the Planning Director.

Public hearing to consider:

Applicant: City of Huntington Beach

Request: To amend Chapter 230 (Site Standards) of the Huntington Beach Zoning and Subdivision Ordinance (HBZSO) to establish wireless communication facility development regulations. The request includes amending various sections of the HBZSO as it pertains to definitions and permitting wireless communications facilities in various districts (residential, commercial, industrial, etc.).

Location: Citywide

Environmental Status: Notice is hereby given that this item is categorically exempt from the provisions of the California Environmental Quality Act.

On File: A copy of the proposed request is on file in the City Clerk's Office, 2000 Main Street, Huntington Beach, California 92648, for inspection by the public. A copy of the staff report will be available to interested parties at the City Clerk's Office on Friday, August 2, 2002.

ALL INTERESTED PERSONS are invited to attend said hearing and express opinions or submit evidence for or against the application as outlined above. If you challenge the City Council's action in court, you may be limited to raising only those issues you or someone else raised at the public hearing described in this notice, or in written correspondence delivered to the City at, or prior to, the public hearing. If there are any further questions please call the Planning Department at (714) 536-5271 and refer to the above items. Direct your written communications to the City Clerk.

1. Staff report
2. City Council discussion
3. Open public hearing
4. Following public input, close public hearing

Recommended Action: Motion to:

Planning Commission and Staff Recommendation:

Approve Zoning Text Amendment No. 02-01 with Findings for Approval (Attachment No. 1) and approve introduction of **Ordinance No. 3568** – “An Ordinance of the City of Huntington Beach Amending the Huntington Beach Zoning and Subdivision Ordinance by Relating to Wireless Communications” amending various sections of the Huntington Beach Zoning and Subdivision Ordinance and adding Section 230.96 thereof relating to wireless communication facilities (Attachment No. 2).”

Approved Recommended Action (6-0-1 Green out of room)

D-6. (City Council) Public Hearing to Consider Approval of the 2002-2003 Action Plan for the (CDBG) Community Development Block Grant/Home Programs (340.70)
Communication from the Economic Development Director.

Public hearing to consider approval of the 2002-2003 Action Plan in accordance with the City's Consolidated Plan (CP) as required by the U.S. Department of Housing and Urban Development (HUD) for receipt of \$1,668,000 in Community Development Block Grant (CDBG) funds, and \$756,000 in HOME Investment Partnership (HOME) funds. The 2002-2003 Action Plan proposes the CDBG and HOME budgets from October 1, 2002 to September 30, 2003, a twelve-month period.

The City followed its Citizen Participation Plan. The Citizen Participation Advisory Board (CPAB) held two public hearings on community needs and held subsequent monthly public meetings. Citizens may review and comment on the draft 2002-2003 Action Plan in the Department of Economic Development or at the Central Library. The public comment period began July 16, 2002 and will end August 14, 2002. Public comments received during this time will be attached to the Action Plan and sent to HUD.

CDBG REVENUE:	AMOUNT
CDBG 2002/2003 Entitlement Grant	\$1,668,000

STAFF-PROPOSED CDBG ACTIVITIES:	
Administration	\$293,328
Fair Housing Council	40,272
City Gym & Pool Sec. 108 Loan Payment	260,261
Code Enforcement Program	162,658
Community Job Center	59,992
Alabama Storm Drain Construction	456,162
Housing Rehabilitation Loan Program– Administration	145,127
Police Community Outreach	11,000
Community Service Programs	31,000
Oak View Community Center	35,000
Oak View Library Literacy Program	34,000
Project Self-Sufficiency	77,791
Seniors Outreach Program	61,409
TOTAL:	<u>\$1,668,000</u>

CPAB-PROPOSED CDBG ACTIVITIES:	
Administration	\$293,328
Fair Housing Council	40,272
City Gym & Pool Sec. 108 Loan Payment	260,261

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Code Enforcement Program	162,658
Community Job Center	49,992
Alabama Storm Drain Construction	436,289
Park Improvements	25,000
Housing Rehabilitation Loan Program– Administration	140,000
Rebuilding Together	10,000
Adult Day Services	10,000
Community Service Programs	31,000
Council on Aging	6,000
Huntington Beach Community Clinic	39,791
Oak View Community Center	30,000
Oak View Library Literacy Program	29,000
Project Self-Sufficiency	49,705
Seniors Outreach Program	49,704
Working Wardrobes	<u>5,000</u>
TOTAL:	<u>\$1,668,000</u>

HOME Investment Partnership

In an effort to expand and preserve its existing affordable housing stock, Huntington Beach has worked with Community Housing Development Organizations (CHDOs) to acquire multifamily rental properties. These buildings are rehabilitated and then are made available to persons below 60% of Orange County median income for a minimum of 30 years. The CHDO must enter into an agreement with the City that outlines all of the affordability requirements, property maintenance standards, and long-term monitoring requirements that are required by HOME regulations.

The following activities are proposed for the 2002-2003 HOME program:

HOME REVENUE:	AMOUNT
HOME 2002/2003 Entitlement Grant	\$ 756,000
HOME PROPOSED ACTIVITIES:	
Administration	75,600
Acquisition	<u>680,400</u>
	<u>\$756,000</u>

The Consolidated Plan sets local policies and priorities for the development of a viable urban community by providing decent housing and a suitable living environment and expanding economic opportunities principally for low- and moderate-income persons. The city intends to extend and strengthen partnerships among all levels of government and the private sector, including for-profit and non-profit organizations in order to provide for: the production and operation of affordable housing; a suitable living environment improving the safety and livability of neighborhoods; assistance to homeless persons and persons at risk of becoming homeless to obtain appropriate housing, without discrimination on the basis of race, color, religion, sex, national origin, familial status, or disability; and expand economic opportunities including job creation and retention.

(Continued on Next Page)

Public comments can be made at the hearing and during the public review period.

A copy of the Draft Action Plan, which includes a detailed listing and description of the proposed activities is available at the Central Library, 7111 Talbert Avenue, Huntington Beach, during normal library hours; and at the Economic Development Department, 5th floor, 2000 Main Street, Huntington Beach, Monday through Friday, between the hours of 8:00 AM and 5:00 PM. Written comments can be addressed to: Connie Brockway, City Clerk, City of Huntington Beach, 2000 Main Street - 2nd floor, Huntington Beach, California 92648, Phone: (714) 536-5227.

1. Staff report
2. City Council discussion
3. Open public hearing
4. Following public input, close public hearing

Recommended Action: Motion to:**Citizen Participation Advisory Board Recommendation:**

- ~~1. Approve the 2002/2003 Citizen Participation Advisory Board Recommended Action Plan (Attachment 1), for the CDBG Program in the amount of \$1,668,000 and the HOME Program in the amount of \$756,000;~~

and

- ~~2. Authorize the City Administrator to execute the required certifications;~~

and

- ~~3. Authorize submission of the Action Plan to the U.S. Department of Housing and Urban Development.~~

OR**Staff Recommendation:**

1. Approve the 2002/2003 Staff Recommended Action Plan (Attachment 2), for the CDBG Program in the amount of \$1,668,000 and the HOME Program in the amount of \$756,000;

and

2. Authorize the City Administrator to execute the required certifications;

and

3. Authorize submission of the Action Plan to the U.S. Department of Housing and Urban Development.

Motion: Approve Staff Recommendation as amended to find in budget to reach staff recommended level of funding for PSS (Approved 4-3 Boardman, Cook, Houchen No)

(Continued on Next Page)

Motion: Approve Staff Recommendation as amended with the following amendments:

Adult Day Services	\$10,000
Huntington Beach Community Clinic	\$23,000
Project Self-Sufficiency	\$56,496
Senior Outreach Program	\$60,704
Police Community Outreach	\$ 0

Approved 5-2 (Cook, Houchen No)

D-7. (City Council) Public Hearing Pursuant to Resolution of Intent No. 2002-69 Adopted on July 15, 2002 to Consider the Formation of a Proposed Huntington Beach Hotel/Motel Business Improvement District – Approve Introduction of Ordinance No. 3569 (.)

Communication from the Economic Development Director.

Public hearing scheduled pursuant to **Resolution of Intent No. 2002-69** adopted on July 15, 2002 to hear all interested persons for or against the formation of a Community Facilities District (CFD) which would allow for all hotels and motels in Huntington Beach to achieve the goal of promoting the City as an overnight destination without increasing the City's annual contract amount with the Conference & Visitors Bureau. The establishment of a Business Improvement District requires approval by the City Council as set forth by state law.

1. Staff report
2. City Council discussion
3. Open public hearing
4. Following public input, close public hearing

Recommended Action: Motion to:

1. Conduct public hearing to consider all protests against the establishment of the BID;

and

2. Approve introduction of **Ordinance No. 3569** – *“An Ordinance of the City Council of the City of Huntington Beach, California, Establishing a Business Improvement District, Called the ‘Huntington Beach Hotel/Motel Business Improvement District’, for All Huntington Beach Hotels and Motels.”*

Approved introduction of Ord. No. 3569 (7-0)

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 July 15, 2002 as written and on file in the Office of the City Clerk. Submitted by the City Clerk.
Approved 7-0
- E-2. (City Council) Approve Two Youth Board Student Reappointments – Bello-Feldmar and Seven Student Appointments – Iwanabe-Wiseman-Marmer-Watari-Gallo-Robin and Park – for Term to Expire June 2003** (.) – **1.** Approve the reappointment of the following students to one-year terms on the Huntington Beach Youth Board to expire June 2003 as recommended by Council Liaisons Mayor Debbie Cook and Councilmember Pam Houchen:
- | | |
|----------------------|---------------------------------------|
| Tatiana Bello | Ocean View High School Representative |
| Megan Feldmar | At-large Representative |
- and **2.** Approve the appointment of the following students to a one-year term on the Huntington Beach Youth Board with terms to expire on June 2003 as recommended by Council Liaisons Cook and Houchen:
- | | |
|-----------------------|---|
| Kelly Iwanabe | Edison High School Representative |
| Meera Wiseman | Marina High School Representative |
| Natalie Marmer | Huntington Beach High School Representative |
| Sarah Watari | At-large Representative |
| Samantha Gallo | At-large Representative |
| Ben Robin | At-large Representative |
| Joe Park | At-large Representative. |
- Submitted by the Community Services Director. Funding Source: Not Applicable.
Approved 7-0
- E-3. (City Council) Approve Project Plans and Specifications and Authorize Advertisement of Bids for Concession Improvements at South Beach Phase I; CC-1169 (Zack's Too, the Beach Hut and the Cabana)** (.) – **1.** Approve the project plans and specifications and authorize the Director of Public Works to request bids for the façade rehabilitation of two concession buildings and the rebuild of the Cabana concession building at South Beach Phase I, CC-1169; and **2.** Appropriate \$435,000 from Lease Revenue Bonds, 2001 Series A to South Beach Improvements, Phase II. Submitted by the Community Services Director and the Public Works Director. Funding Source: Funds in the amount of \$435,000 will be appropriated from Lease Revenue Bonds, 2001 Series A, to the South Beach Improvements, Phase II Account.
Approved 7-0

- E-4. (Redevelopment Agency) Approve as to Form Lease between Abdelmuti Development Co. and Pac Pack Inc., a California Corporation dba Prospects One (Oceanview Promenade) Suites 230, 240 and 250 – Main Pier Redevelopment Project Subarea (600.30) – Approve as to form the attached ~~Office Space Lease between Abdelmuti Development Company and Pac Pack, Inc., a California Corporation dba Prospects One.~~ Submitted by the Deputy Executive Director. Funding Source: Redevelopment Tax Increment. (Suites 230, 240 and 250 in the Oceanview Promenade.)**
As no need to approve as rent not subsidized by Agency. Received & Filed 6-0-1 (Green out of room)
- E-5. (City Council) Adopt Resolution No. 2002-76 Confirming Reports of Cost for 2002 Weed Abatement on Private Property within the City (.) – Adopt Resolution No. 2002-76 – “A Resolution of the City Council of the City of Huntington Beach Confirming Reports of Cost for Weed Abatement on Private Property within the City – 2002 Season,” and direct all charges listed thereon be certified to the Orange County 2002-2003 Tax Roll. Submitted by the Public Works Director. Funding Source: A special assessment totaling \$15,715.72 will be charged to the Orange County property tax roll and reimbursed to the City by the County of Orange as part of the ordinary collection process.**
Adopted 7-0
- E-6. (City Council) Approve the 2002-03 Traffic Signal Installation Priority List (.) – Approve the 2002/03 Traffic Signal Installation Priority List. Submitted by the Public Works Director. Funding Source: Funds for two traffic signal installations from the Air Quality Management District (AQMD) 2766 Subvention Program. (115 locations were identified as potential new signal locations. Intersections currently under design or construction as capital projects were not included in the list which is included in the staff report.)**
Bob Stachelski, Transportation Mgr, DPW, reported at Council’s request on Beach Blvd. and Taylor St. intersection. Councilmember Boardman requested with provision that Beach/Taylor be No. 1 priority when approved by Caltrans.
6-0-1 (Green out of room)
- E-7. (City Council) Adopt Resolution No. 2002-80 Regarding Classification Plan Amendment Re: Agreement with Public Sector Personnel Consultants for Study of Municipal Employees Association (MEA) Positions and to Add New, Delete Old and Modify Management Employees Organization (MEO) Positions (.) – Adopt Resolution No. 2002-80 – “A Resolution of the City Council of the City of Huntington Beach to Amend the Classification Plan by Adding, Deleting and Modifying Classifications in the City Classification Plan.” Submitted by the Administrative Services Director. Funding Source: Funding for the amendment is included in the FY 01-02 budget.**
Adopted 7-0

- E-8. (City Council) Approve City Council Position on Legislation Pending Before the State Legislature and Congress as Recommended by the City Council Intergovernmental Relations Committee – Assembly Bills – AB2208 (Wyland) and AB 2252 (Daucher) Re: Funding – State Department and Area Agencies on Aging (.) – The City Council Intergovernmental Relations Committee has reviewed the legislation below and is recommending that the City Council take action on the following items and authorize the Mayor to send letters reflecting the City's position to the legislators: **Motion: Support – AB 2208 (Wyland)** which would require the California Dept. of Aging (CDA) in consultation with the State Controller to develop and implement procedures for electronic transfer of funds from the CDA to the Areas Agencies on Aging (AAA) to provide for a broad range of home and community based services for homebound seniors. **Support – AB 2552 (Daucher)** which would assure continuous appropriation of monies from the Federal Trust Fund through the California Department of Aging (CDA) to the Area Agencies on Aging (AAA) in the absence of an annual State budget. Submitted by the Councilmember Shirley Dettloff, Chairperson, Intergovernmental Relations Committee on behalf of Mayor Debbie Cook and Councilmember Ralph Bauer. Funding Source: None required.
Approved 7-0

F. Administrative Items**F-1. (City Council) Approve Renewal with Revisions of Lease Agreement Between the City and Waterfront Hotel, LLC for the Waterfront Beach Cabana Concession (Hyatt Regency Huntington Beach Resort and Spa) (.)**

Communication from the Administrative Services Director and the Community Services Director requesting renewal of the lease agreement with Waterfront Hotel, LLC for the Beach Cabana Concession using the *Standard Concessionaire Lease Agreement*.

Staff is requesting Council approval for the Director of Administrative Services to amend the lease agreement to revise the term date when the city completes construction of the Beach Cabana and turns it over to WATERFRONT to do tenant improvements, and to insert a legal description of the leased premises when they are completed.

**A PowerPoint presentation titled *Lease Agreement with Waterfront Hotel, LLC for the "Waterfront Beach Cabana Concession"* is included in the agenda packet.

Recommended Action: Motion to:

1. Approve the *Lease between the City of Huntington Beach and Waterfront Hotel, LLC for the Waterfront Beach Cabana* using the standardized lease agreement with terms and conditions as presented herein;

and

2. Authorize the Mayor and City Clerk to execute the lease;

and

3. Give the Director of Administrative Services the authority to amend the lease to revise the term dates and insert a legal description of the leased premises.

Approved 5-0-2 (Green, Winchell out of room)

F-2. **(City Council) Adopt Resolution No. 2002-74 Amending the City's Full Cost Recovery Fee Resolution Pertaining to Community Services Department Fees (Clubhouse – Recreational – Cultural and Special Events Activities) (.)**

Communication from the Community Services Director requesting Council approval of the amendment of certain Community Services Department recreational fees to provide full cost recovery for delivering recreational services. Each year, the Community Services Department reviews fees that are charged for recreational classes, activities, parking, rental of facilities, specific events, etc., designed to provide the city with full cost recovery with regard to direct program costs for the services being delivered. The department looks at actual costs of services from the previous year and any anticipated increase in those costs, e.g., staff costs or levels, supplies, equipment rental or purchase, gas, electricity, water, security, contractual services, maintenance, transportation, etc., and adjusts the fees accordingly.

The changes to the Community Services Department fees are listed in the staff report.

**A PowerPoint presentation titled *Community Services Department Recommended Fees for 01/02* is included in the agenda packet.

Recommended Action: Motion to:

Adopt **Resolution No. 2002-74** – “A Resolution of the City Council of the City of Huntington Beach Amending Resolution No. 5159 Entitled, ‘A Resolution of the City Council of the City of Huntington Beach Establishing a City Fee Schedule’ as to Services Offered by the City’s Community Services Department (Supplemental Fee Resolution No. 87).”

Continued to August 12, 2002 (6-0-1 Winchell out of room)

F-3a. (City Council) Accept the Certificate as to Verification of Signatures on Petition Filed by Scott Baugh, Proponent to Amend Sections 300 and 704 of, and Add Sections 314, 315, 316, 317, 318 and 319 to the City Charter Relative to Decreasing the Number of Elected Councilmembers from 7 to 5, Electing Councilmembers by District Instead of as Currently by At-Large and Imposing a Lifetime Two Term Limit on Councilmembers Instead of the Current Two Consecutive Term Limit

(.)

Communication from the City Clerk informing Council that the above referenced petition to amend the City Charter (Mr. Scott Baugh, proponent) has been examined by the Orange County Registrar of Voters and found to have sufficient number of valid signature of registered voters to qualify for placement on the ballot at an election date to be determined by the City Council. Pursuant to Elections Code S. 9114 the City Clerk is certifying to the City Council the results of the County Registrar of Voters examination of said petition dated July 16, 2002. **(See Agenda Items F-3b and F-3c to follow.)**

Recommended Action: Motion to:

Accept *Certificate as to Verification of Signatures on Petition* dated July 16, 2002 as provided by the County Registrar of Voters to the City Clerk.

Approved 7-0

F-3b. (City Council) Adopt Resolution No. 2002-77 – Submission to the Voters of a Proposed Amendment to the Huntington Beach City Charter to Establish Five Council Districts – Reduce Number of City Councilmembers from Seven to Five Members and Establish Lifetime Term Limits in Place of Current Consecutive Term Limits – Adopt Resolution No. 2002-78 – Requests Board of Supervisors to Consolidate Election (.)

Communication from the City Clerk and the City Attorney transmitting Resolution Nos. 2002-77 and 2002-78 for consideration by Council to add a measure on the November 5, 2002 General Municipal Election ballot. The measure is the proposed amendment to the Huntington Beach City Charter which has been initiated by petition (Scott Baugh, proponent). **(See Agenda Items F-3a and F-3c.)**

Also transmitted is a City Attorney's opinion dated July 31, 2002 titled *RLS 2002-0421. Available Election Dates for a Charter Amendment Proposal to Elect Councilmembers by District Rather than At-Large – Elections; Procedures; General and Special Elections.*

**Communication from the Law Offices of Nossaman, Guthner, Knox & Elliott, L.L.P. dated July 31, 2002 titled *Analysis of Legal Defects in Proposed Amendment to Huntington Beach City Charter (Agenda Item F-3, Council Meeting of August 5, 2002)* is included in the agenda packet.

Available Actions: Motion to:

If November 5, 2002 Election Date is Selected:

~~1. Adopt **Resolution No. 2002-77** – “A Resolution of the City Council of the City of Huntington Beach, California Ordering the Submission to the Qualified Electors of the City of a Proposed Amendment to the City Charter Relating to Election of Five Councilmembers Each by District Instead of the Current Seven Members Elected At-Large, to Impose a Lifetime Two Term Limit on Elected Councilmembers Instead of the Existing Two Consecutive Term Limit and to Reduce the Total Number of Council Members from Seven to Five, as Part of the City’s General Municipal Election to be Held on Tuesday, November 5, 2002, Consolidated with the Statewide General Election, As Called by Resolution Nos. 2002-60 and 2002-61;”~~

OR

If a Later Election Date is Selected:

2. Adopt **Resolution No. 2002-78** - “A Resolution of the City Council of the City of Huntington Beach, California Ordering the Submission to the Qualified Electors of the City of a Proposed Amendment to the City Charter Relating to Election of Five Councilmembers Each by District Instead of the Current Seven Members Elected At-Large, to Impose a Lifetime Two Term Limit on Elected Councilmembers Instead of the Existing Two Consecutive Term Limit and to Reduce the Total Number of Council Members from Seven to Five, at a Special Municipal Election to be Held on **March 2, 2004.**”

If Resolution No. 2002-78 is adopted, Resolution No. 2002-79 **(See Agenda Item F-3c)** Setting Priorities for Written Arguments and Directing Preparation of an Impartial Analysis can be adopted, **as amended** to reflect the election date selected by the City Council.

Adopted 6-1 (Cook No)

F-3c. **(City Council) Adopt Resolution No. 2002-79 – Sets Priorities for Written Arguments and Directs Preparation of Impartial Analysis Re: City Measure – Proposed Charter Amendment Initiated by Mr. Scott Baugh, Proponent (To Amend S. 300 and 700 and Add S. 314, 315, 316, 317, 318, and 319 of the City Charter) (.)**

Communication from the City Clerk transmitting the following for consideration by Council:

Written Arguments – The State Elections Code provides Council the opportunity to file an argument **against** the proposed the proposed Charter Amendment initiated by Mr. Scott Baugh, the Council **may** vote to **authorize** and **name** up to 5 Councilmembers to file an argument **against** the proposed measure. Should Council choose not to have priority, written arguments shall be selected by the City Clerk pursuant to the State Elections Code.

Impartial Analysis – The State Elections Code provides that inclusion of an Impartial Analysis in the *Voter Information Pamphlet* is optional. Historically the City Council has directed the City Attorney to prepare an impartial analysis. **(See Agenda Items F-3a and F-3b preceding.)**

Actions Available to Council: Motion to:

~~1. After naming Councilmembers authorized to file written arguments **against**, and directing the preparation of an Impartial Analysis, adopt **Resolution No. 2002-79** – “A Resolution of the City Council of the City of Huntington Beach, California, Setting Priorities for Filing a Written Argument Regarding a City Measure and Directing the City Attorney to Prepare an Impartial Analysis;”~~

OR

2. Adopt **Resolution No. 2002-79, as amended**, to only provide for the City Attorney to prepare an impartial analysis;
Approved 7-0

OR

~~3. Do not adopt **Resolution No. 2002-79**, which would result in Councilmembers not given priority in the filing of the argument **against**, and no impartial analysis prepared.~~

F-4. (City Council) Approve Process of Appointment of a City Attorney for Period of October 1 to December 2, 2002 (.)

Communication from the City Administrator informing Council of matters relating to the elected City Attorney's submittal of her written resignation effective September 30, 2002. At the July 15, 2002 City Council meeting, the City Council approved the *Agreement between the City of Huntington Beach and Gail C. Hutton for Early Retirement and Provision of Transitional Consultant Legal Services*. The candidate who is elected on November 5, 2002, will be sworn into office on December 2, 2002.

Recommended Action:

That the City Council determined the process to select a City Attorney to be in charge of the City Attorney's Office for the remainder of the unexpired term.

Approved Alternative No. 3 (5-2 Winchell, Bauer No)

G. Ordinances**G-1. Ordinances for Adoption**

- G-1a. (City Council) Adopt Ordinance No. 3566 to Eliminate the Time Limit on the Establishment of Loans, Advances and Indebtedness for the Huntington Beach Redevelopment Project** (410.05) – **Ordinance No. 3566** – *“An Ordinance of the City of Huntington Beach Eliminating the Time Limit on the Establishment of Loans, Advances and Indebtedness for the Huntington Beach Redevelopment Project.”* Submitted by the Economic Development Director. (Five Project Areas Merged on 12/16/1996 – Introduction approved on July 15, 2002.)

Recommended Action: After City Clerk reads by title, adopt **Ordinance No. 3566**, by roll call vote.

Adopted Ord. No. 3566 (4-2-1 Boardman, Cook No; Dettloff out of room)

- G-1b. (City Council) Adopt Ordinance No. 3567 Amending Chapter 1.16 of the Municipal Code Relating to Penalty Enforcement Relative to Recovery of Costs of Criminal Law Enforcement** (640.10) - **Ordinance No. 3567** *“An Ordinance of the City of Huntington Beach Amending Chapter 1.16 of the Huntington Beach Municipal Code Relating to Penalty Enforcement.”* Submitted by the City Attorney. (Relative to Recovery of Costs of Criminal Law Enforcement – Introduction approved on July 15, 2002.)

Recommended Action: After City Clerk reads by title, adopt **Ordinance No. 3567**, by roll call vote.

Adopted Ord. No. 3567 (6-0-1 Dettloff out of room)

G-2. Ordinances for Introduction - None

H. City Council/Redevelopment Agency Items**H-1a. Submitted By Mayor Debbie Cook****(City Council) Approve Appointment of Mayor Debbie Cook as Voting Delegate and Appointment of Alternative Delegate (to be named) for City of Huntington Beach at Annual Conference of the League of California Cities (.)**

Communication from Mayor Debbie Cook transmitting the following **Statement of Issue:** The Annual Conference for the League of California Cities will be held from Wednesday, October 2 through Saturday, October 5, 2002 in Long Beach at the Convention Center this year.

An important aspect of the annual conference is the annual business meeting when the membership takes action on conference resolutions. Each city is entitled to one vote in matters affecting municipal or League policy.

The League has requested that we notify them no later than Friday, September 6, 2002 of the names of our delegate and alternate. Traditionally the City Council has appointed the Mayor as its delegate. Since I am planning on attending the conference this year, I respectfully request that I be appointed as the City's official delegate. I would also request a volunteer from among the Councilmembers to serve as the alternate delegate.

To that end, I would request the City Council approve the following motions:

Recommended Action: Motion to:

1. Appoint **Mayor Debbie Cook** to serve as the delegate for the City of Huntington Beach at this year's Annual Conference of the League of California Cities;

and

2. Appoint Councilmember **Bauer** to serve as the alternate delegate for the City of Huntington Beach at this year's Annual Conference of the League of California Cities, October 2nd through 5th, 2002.

Approved 6-0-1 (Dettloff out of room)

H-2a. Submitted By Councilmember Ralph Bauer**(City Council) Request City Council Position on Resolution by the City of Santa Margarita Regarding Dealing with Urban Run-Off (.)**

Communication from Councilmember Ralph Bauer transmitting the following **Statement of Issue**: At the League of Cities meeting on August 8, a vote on the resolution by the city of Santa Margarita will take place. It would seem we have three options:

1. ~~Support the resolution;~~

OR

2. Oppose the resolution;

OR

3. ~~Support the resolution with modifications.~~

Recommended Action: Motion to:

It is suggested that a motion be made by the Council to indicate which action the majority of the Council prefers.

Approved Option No. 2 (6-0-1 Dettloff out of room)

H-2b. Submitted By Councilmember Ralph Bauer**(City Council) Request Council Position Re: Joining with the Orange County Sanitation District in Obtaining Infrastructure Funding through the California Rebuild America Coalition (CalRAC) (.)**

Communication from Councilmember Ralph Bauer transmitting the following **Statement of Issue**: Enclosed is a letter from the Orange County Sanitation District to join the California Rebuild America Coalition (CalRAC). CalRAC is a non-profit organization dedicated to obtaining funding for rebuilding infrastructure.

Recommended Action:

It is requested that the Council consider taking a position on joining this group after appropriate input from the staff. More details are enclosed.

No Action Necessary

Council Comments - (Not Agendized)

At this time Councilmembers 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.

Councilmember Winchell – Feasibility of forming Charter Revision Committee to be placed on future agenda.

Council/Agency Adjournment to Tuesday, August 6, 2002, at 1:30 p.m. at 7777 Edinger Avenue, Huntington Center, northeast quadrant (behind the former Broadway building), Huntington Beach, California to review the LED (reader board sign) with the Huntington Beach Auto Dealers; and

Adjournment to Monday, August 12, 2002, at 3:00 p.m. for Closed Session and at 4:00 p.m. for Open Session in the Council Chambers, Lower Level, Civic Center, 2000 Main Street, Huntington Beach, California.

<p>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.</p>
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**CONNIE BROCKWAY, CITY CLERK
City of Huntington Beach
2000 Main Street - Second Floor
Huntington Beach, California 92648**

Internet: <http://www.surfcity-hb.org>