

**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**

**\*\*Revised Page No. 6 & 7\*\***

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

**MONDAY, MARCH 1, 2004**

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** Sullivan, Hardy, Green, Boardman, Cook, Houchen (Councilmember Coerper has requested permission to be absent from the meeting pursuant to Resolution No. 2001-54.)  
***Present (Coerper, Houchen absent; Hardy abstained due to conflict of interest)***

**Pursuant to the Brown (Open Meetings) Act the City Clerk Announces Late Communications Received by Her Office Which Pertain to Items on the Agenda**

**(1)** The Brown (Open Meetings) Act requires that copies of late communications submitted by City Councilmembers or City Departments are to be made available to the public at the City Council meeting. **(2)** Late communications submitted by members of the public are to be made available to the public at the City Clerk's Office the morning after the Council meeting. (Late Communications are communications regarding agenda items that have been received by the City Clerk's Office following distribution of the agenda packet.)

***None***

**Public Comments Regarding 5:00 P.M. Portion of Council Meeting (See Next Page for Study Session and Closed Session Agenda Items)**

***None***

***Mayor announced that Councilmember Houchen requested the study session be postponed. A motion made to reschedule was withdrawn by the maker and the second after Mayor Green and Councilmember Sullivan stated they would oppose.***

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

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

**(Redevelopment Agency) Study Session – Presentation by the Economic Development Department Re: Proposed Affordable Housing Policies and Procedures ( . )**

The Economic Department will make a presentation regarding the Huntington Beach Redevelopment Agency Housing Program Policies and Procedures.

\*\*A PowerPoint presentation titled *Housing Program Policies and Procedures Huntington Beach City Council Study Session March 1, 2004* is included in the agenda packet.

\*\*A draft copy of the proposed policies and procedures submitted by the Huntington Beach Redevelopment Agency titled *Housing Program Policies and Procedures* is included in the agenda packet.

***Economic Development Director David Biggs presented orally, stating he will meet with Councilmembers Houchen and Coerper.***

***Assistant Project Manager Steve Holtz presented PowerPoint report.***

***Councilmember Sullivan inquired regarding 30 and 60 year loans to which Planning Director Howard Zelefsky responded.***

***Mr. Holtz provided the Sales Price Calculation stating that the Program makes home ownership possible for those who cannot otherwise afford to buy and not intended to profit the City.***

***Planning Director Howard Zelefsky reported on income levels in response to Councilmember Cook's inquiry.***

***Director Biggs amplified the information relative to median income levels.***

***Housing Rehabilitation Manager Gus Duran distributed a Late Communication titled Table 1 – City of Huntington Beach – 2003 Income Standards Distributed by HUD – Very Low, Low, and Moderate Income Households.***

***Mr. Holtz announced that these Program Policies and Procedures will be brought to the City Council for approval and all affordable housing associations will be notified of the City Council meeting date and time.***

**Call Closed Session of City Council/Redevelopment Agency**

**Recommended Action:** Motion to recess to Closed Session on the following items:  
***Approved 4-0-3 (Coerper, Houchen absent; Hardy arrived after recess to Closed Session)***

**City Council) Closed Session** – Pursuant to Government Code Section 54957.6 to meet with its designated representatives: Agency Negotiators: Ray Silver, City Administrator; William Workman, Assistant City Administrator; Clay Martin, Director of Administrative Services; Jim Engle, Director of Community Services; Kenneth Small, Chief of Police; Duane Olson, Fire Chief; and Steven M. Berliner, Esq. and Bruce Barsook, Esq. of Liebert Cassidy Whitmore regarding **labor relations matters – meet and confer** with the following employee organizations: **MEO, MEA, PMA, FMA, HBPOA, HBFA, MSOA, SCLEA and Non-Associated.** (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.

When an Agenda Item requires action by any of these Agencies, it will show in parenthesis preceding the item, for example (City Council-Redevelopment Agency).

**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)).**

*None*

**Roll Call** Sullivan, Hardy, Green, Boardman, Cook, Houchen (Councilmember Coerper has requested permission to be absent from the meeting pursuant to Resolution No. 2001-54.)

***Present (Coerper, Houchen, absent)***

**Pledge of Allegiance/Flag Salute** – to be led by Mayor Cathy Green.

In permitting a nonsectarian invocation, the City does not intend to proselytize or advance any faith or belief. Neither the City nor the City Council endorses any particular religious belief or form of invocation.

**Invocation** – by Maria Kharni, Islamic Centers of Orange County

Hello and welcome to the Huntington Beach City Council meeting. If you would like to address the Council, please fill out the pink public comment sheet attached to the agenda. After completing the form, hand it to the Sergeant at Arms and he will give it to the City Clerk. **As a courtesy to those in attendance, I would ask that cellphones and pagers be turned off or set in their silent mode. Thank you.**

**Pursuant to the Brown (Open Meetings) Act the City Clerk Announces Late Communications Received by Her Office Which Pertain to Items on the Agenda**

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***E-3, F-2***

**Presentation** - Mayor Cathy Green and Fire Chief Duane Olson to present campaign ribbon bars from San Bernardino County to Huntington Beach Fire Department personnel who assisted in the Old and Grand Prix Fires in Southern California. (160.40)

**Presentation** - Mayor Cathy Green to call on Community Services Director Jim Engle who will introduce Nouha Hreish from the Huntington Beach Kiwanis Club to present a check for \$3,000 to Dottie Hughes and John Valinsky, Recreation Supervisors, to help fund the Ole' Fishing Hole Derby and the Friday Night Funtime Dance. (160.40)

**Presentation** - Mayor Cathy Green to present a proclamation to "Huntington Beach Surf 'n Softball" Girls' Fastpitch Softball team. Mayor Green to present the proclamation to Coach Herb Cuadras whose team is the first Huntington Beach Girls' Fastpitch Softball team to go to the Nationals after placing in the top 4 in the State. (160.40)

**Presentation** - Mayor Cathy Green to introduce Miss Huntington Beach and her court for 2004. Miss Huntington Beach Ruth Stainer, First Runner-up Annalisa Abbs and Second Runner-up Erin Britt will receive proclamations from the Mayor and City Council. (160.40)

**B. PUBLIC COMMENTS**

This is the time of the meeting for the Council to receive comments from the public regarding **items of interest or agenda items OTHER than Public Hearings.**

Generally, Council will not enter into a dialogue during this period.

Pursuant to the Brown (Open Meeting) Act, the City Council may not discuss items unless they are on our agenda. So if you are speaking on an item not on the agenda, we cannot discuss the issue with you at this meeting. However, if you wish to meet with any of us please call the Council's Secretary at 714-536-5553. Thank you for taking the time to come to the council meeting to address the council. Councilmembers strive to treat members of the public with respect and we ask that you also express your concerns and opinions in a civil and respectful manner.

**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.

**PUBLIC COMMENTS:**

***Speaker and volunteer signature gatherer spoke in favor of Measure E on the March 2, 2004 Special Municipal Election ballot. Speaker presented challenges to opponents of the Districting Measure.***

***Several speakers in support of the Districting Initiative.***

***Speaker in opposition to Districting stating that the initiative of Council Districts is largely backed by individuals and organizations he stated who are not Huntington Beach residents.***

***Councilmember Sullivan asked the speaker (who had stated that those in favor of Measure E contributed \$216,000) how much those in opposition contributed. The speaker replied \$30,000.***

***Several speakers in opposition to Measure E.***

***Speaker stated "Little Shell" Wetlands has received care from the Council and Christopher Homes. Speaker commended the City as a leader in environmental issues which he believes would suffer if Measure E were to pass.***

***Speaker representing AES Power Plant spoke in favor of Measure E.***

***Speaker delivered PowerPoint presentation in opposition to Measure E (submitted and on file in the City Clerk's Office).***

***Speakers representing American Cancer Society invited everyone to participate in Huntington Beach's 10<sup>th</sup> Annual Relay for Life event, and provided 1-800-ACS-2345 as a contact toll free number.***

***Councilmember Boardman announced she is forming a Relay Team.***

**Speaker invited everyone to Native Plant Sale at Shipley Nature Center this Saturday, March 6, 2004, 9:00 AM to 3:00 PM.**

**Councilmember Cook announced she purchased native plants and encouraged people to buy native plants.**

**Speaker presented PowerPoint slide report in opposition to Measure E, stating the initiative is backed by special interest groups.**

*Revised - Change from C-2a. to C-1a.*

**C-1. Council Committee/Council Liaison Reports**

**C-1a. (Council Committee Report) Receive and File the Finance Board Annual Report – Approve Modification to Finance Board Role ( . )**

Communication from City Administrator Ray Silver transmitting the following **Statement of Issue:** Submitted for the City Council's consideration is the Finance Board's 2004 Annual Report to the City Council as required by the Huntington Beach Municipal Code. The report describes the Finance Board's work activities for 2003 and objectives for the 2004 calendar year. Additionally, the Finance Board proposes a broadened role for the Board with the addition of new duties for the Finance Board beyond those described for them by the Municipal Code (Recommendation A).

The staff requests that the City Council receive and file the Finance Board's annual report and decline the proposal for the broadened role beyond those described for the Finance Board by the Municipal Code (Recommendation B). Staff believes that the addition of these new proposed duties would be inconsistent with the existing delegation of duties between elected and appointed officials as set forth in the City Charter and the Municipal Code. Additionally, any addition of duties to the Finance Board would require the allocation of more staff resources, which are not presently available in the adopted budget or departmental work programs.

**Recommended Action:**

**A. Finance Board Recommendations:**

1. Receive and File the Finance Board's Annual Report;

**and**

2. ~~Approve a modification to the Finance Board's role to review existing processes related to revenue generation and collection~~

**and**

3. ~~Approve a modification to the Finance Board's role to review any proposed new city service;~~

(Continued on the Next Page)

and

- ~~4. Approve a modification to the Finance Board's role to review any proposed new city fee;~~

and

- ~~5. Approve a modification to the Finance Board's role to review any contract change exceeding twenty-five percent (25%) of the base contract;~~

and

- ~~6. Approve a modification to the Finance Board's role to include Disposition and Development Agreements.~~

**OR**

**B. Staff Recommendations:**

1. Receive and File the Finance Board's Annual Report;

and

- ~~2. Decline the Finance Board's request for modifications to their role due to inconsistency with the City Charter and the Municipal Code provisions and the unavailability of staff resources to support the proposed broadened duties.~~

***Assistant City Administrator William P. Workman orally reported.***

***Finance Board Chair Charles Falzon presented oral report.***

***Council discussion with Finance Board Chair was made re: sending request for changes back to the Finance Board for discussion and possible Charter amendment.***

***Amended verbatim motion to: 1) Receive and File the Finance Board's 2004 Annual Report; and 2) to return the modifications back to the Finance Board to meet with staff for further consideration.***

***Approved 5-0-2 (Coerper, Houchen absent)***

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

**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** (120.65) - Approve and adopt the minutes of the City Council/Redevelopment Agency Regular Meetings of February 2, 2004 as written and on file in the Office of the City Clerk. Submitted by the City Clerk.  
***Approved and Adopted***  
***5-0-2 (Coerper, Houchen absent)***
- E-2. **(City Council) Receive, Review and File City Clerk's Passport Acceptance Facility Operations Quarterly Report for October 2003 through December 2003** (100.30) – Receive, review and file the Passport Acceptance Facility Report showing **net profit of \$11,386.55** for the period of **October 2003 to December 2003**, as prepared and submitted by the Office of the City Clerk. Submitted by the City Clerk. Funding Source: Not applicable. (The **total net profit** since the Passport Facility was established by Council in February 2000 is **\$137,534.48.**)  
***Approved 5-0-2 (Coerper, Houchen absent)***
- E-3. **(City Council) Receive and File City Clerk's Report Listing Professional Services Agreements Filed in the City Clerk's Office between May 1, 2003 through December 31, 2003** (600.05) – Receive and file the *List of Professional Services Agreements* entered into by City Departments as submitted to the City Clerk's Office for the period May 1, 2003 through December 31, 2003. Submitted by the City Clerk. Funding Source: Not Applicable. (Report presented pursuant to City Council directed policy of November 19, 2001. (Report lists 23 agreements – agreements are on file in the Office of the City Clerk.)  
***Approved as amended by Late Communication announced earlier by Assistant City Clerk 5-0-2 (Coerper, Houchen absent)***
- E-4. **(City Council) Approve Contract Process with Blue Shield of California and Kaiser Permanente and the City Administrator to Provide Medical Health Insurance to Employees Represented by the MEA (Municipal Employees Association), MEO (Management Employees Organization), Non-Represented Employees, between Elected City Attorney, Elected City Clerk, and Elected City Treasurer – Effective Date April 1, 2004** (720.20) – **1.** Approve the city's Master Group Application to Blue Shield of California and authorize City Administrator to complete the contract process with Blue Shield of California and enter into an agreement effective April 1, 2004; **2.** Approve the city's Purchaser Group Application to Kaiser Permanente and authorize City Administrator to complete the contract process with Kaiser Permanente and enter into an agreement effective April 1, 2004; and **3.** Authorize a \$400,000 payment to Blue Shield of California as an application deposit to be applied toward the city's first month premium payment. Submitted by the Administrative Services Director. Funding Source: Council adopted Councilmember Coerper's 'H' item at the December 15, 2003 meeting

Approving Funds to Pay Part of Employees Health Insurance Costs. The remainder is included in the Fiscal Year 2003/2004 budget.

***Councilmembers Sullivan and Boardman presented their reasons for opposition Approved 3-2-2 (Sullivan, Boardman – No; Coerper, Houchen absent)***

- E-5. (City Council) Approve an Agreement between the City of Huntington Beach, the County of Orange, the Orange County Auditor-Controller and the Orange County Treasurer-Tax Collector Relative to the Howard Jarvis Property Tax Override Refund Claims Processing (600.25) - 1. Approve an *Agreement between the City of Huntington Beach, the County of Orange, the Orange County Auditor-Controller, and the Orange County Treasurer-Tax Collector*; and authorize the Mayor and City Clerk to execute the agreement; and 2. Appropriate \$50,000 from Fund 707, the Employees' Rate Contingency fund (identified as impounded property tax override revenue from FY 2000-01) to fund the Agreement. Submitted by the City Attorney. Funding Source: Sufficient funds (not-to-exceed \$50,000) exist as part of the \$2.2 million property tax override revenue that was impounded in FY 2000-01. Because it is likely the City will be required to expend the impounded \$2.2 million as part of processing or paying refund claims **before** it is able to issue a judgment or refunding bond to cover the total cost of the refunds, Staff is recommending that the City Council appropriate the impounded moneys to fund refund-processing costs.  
**Approved 5-0-2 (Coerper, Houchen absent)****
- E-6. (City Council) Approve the Release of Securities for Tract No. 15690 Located at the w/s of Edwards, approximately 150 feet s/o Ellis Avenue – Approve the Notice of Acceptance of Public Improvements (Developer, PLC) (420.60) - 1. Accept the improvements constructed and dedicated for public use with Tract No. 15690; and 2. Accept the Guarantee and Warranty Bond No. 104125095; the security furnished for guarantee and warranty of improvements, and instruct the City Clerk to file the bond with the City Treasurer; and 3. Release the Faithful Performance/Labor and Material Bond No. B32649220; and Monument Bond No. B32649221 pursuant to California Government Code Section No. 66499.7(b); and 4. Instruct the City Clerk to notify the developer, PLC, A California General Partnership, of this action and the City Treasurer to notify the Surety, **Travelers Casualty and Surety Company of America**, of this action; and 5. Instruct the City Clerk to record the "Notice of Acceptance of Public Improvements" (attached) with the Orange County Recorder. Submitted by the Public Works Director. Funding Source: Not Applicable.  
**Approved 5-0-2 (Coerper, Houchen absent)****
- E-7. (City Council) Accept FEMA (Federal Emergency Management Agency) Grant for Reimbursement of Staffing, Materials, and Computer Costs in Updating the City's Emergency Operation Plan Re: Issues Relative to Terrorism Threats and American Disabilities Act (ADA) Requirements - Authorize Appropriation of Funds (510.20) 1. Accept the FEMA Grant of \$25,000 from the Orange County Operational Area; and 2. Appropriate \$25,000 to a new business unit to be used for staffing, materials, and computer costs related to updating the City's Emergency Operations Plan. Submitted by the Fire Chief. Funding Source: Grant revenues for the Federal Emergency Management Agency (FEMA), passed through the State Office of Emergency Services (OES) and Orange County Operational Area, which were not anticipated in the Fiscal Year 2003/2004 budget.  
**Approved 5-0-2 (Coerper, Houchen absent)****

- E-8. (City Council) Adopt Automatic Aid Agreement for Exchange of Fire, Rescue, and Emergency Medical Services with the City of Costa Mesa (600.10) – Approve and Authorize the Mayor and City Clerk to execute the *Automatic Aid Agreement for Exchange of Fire, Rescue, and Emergency Medical Services between the City of Costa Mesa and the City of Huntington Beach*. Submitted by the Fire Chief. Funding Source: None required.  
***Approved as amended with request for annual report in writing by the Fire Chief to the City Council 5-0-2 (Coerper, Houchen absent)*****
- E-9 (City Council) Approve Professional Services Contract between the City and Public Financial Management, a Financial Advisor for Bonds to Fund Howard Jarvis Property Tax Override Refund Claims (600.10) – Authorize the City Administrator to enter into a *Professional Services Contract Between the City of Huntington Beach And Public Financial Management for Financial Advisor Services* to assist the city with issuing bonds to fund property tax override refund claims. Submitted by the Administrative Services Director. Funding Source: Funding for PFM's (Public Financial Management) financial advisory services (not-to-exceed \$100,000) will be included as part of the cost of issuing bonds.  
***Councilmember Sullivan requested report from Administration tentatively to return at the next Council meeting***  
***Approved 5-0-2 (Coerper, Houchen absent)*****

**F. Administrative Items****F-1. (City Council) Approve Addendum No. 1 to the Final Master Environmental Impact Report (EIR) for the Master Plan of Recreation Uses for Central Park (Driveway "D" Sports Complex) (920.20)**

Communication from the Planning Director and Community Services Director transmitting the following **Statement of Issue**: Transmitted for your consideration is Addendum No. 1 to the Final Master Environmental Impact Report (EIR) for Central Park. The Addendum analyzes the potential environmental impacts associated with the closure of Driveway "D" to the Sports Complex. Driveway "D" connects the eastern portion of the Sports Complex parking lot to the Huntington Beach Central Library parking lot. The analysis concludes that no significant impact will result; therefore, staff recommends the City Council approve and file the Addendum to the Final Master EIR.

**Recommended Action**: Motion to:

*Approve Addendum No. 1 to the Final Master Environmental Impact Report for the Master Plan of Recreation Uses for Central Park, City of Huntington Beach, California State Clearinghouse Number 97091007. (Attachment No. 1)*

**Planning Director Howard Zelefsky presented PowerPoint slide report.**  
**Approved 5-0-2 (Coerper, Houchen absent)**

**F-2. (City Council) Adopt Resolution No. 2004-15 Amending Citywide User Schedule (Resolution No. 2003-65 – Supplemental Fee Resolution No. 1) Re: Increase in City Beach and Pier Plaza Parking Lot Fees (340.20)**

Communication from the Community Services Director transmitting the following **Statement of Issue**: There is a need to address the daily rates for parking at the City Beach and Pier Plaza.

**Recommended Action**: Motion to:

*Adopt Resolution No. 2004-15 – "A Resolution of the City Council of the City of Huntington Beach Amending Resolution No. 2003-65 Entitled, "A Resolution of the City Council of the City of Huntington Beach Establishing a Citywide User Schedule for Charges for Facility Rentals and Recreation Services" (Supplemental Fee Resolution No. 2004-15) To Increase Fees for Parking."*

**Approved as amended with PowerPoint per Late Communication announced earlier 5-0-2 (Coerper, Houchen absent)**

**G. Ordinances****G-1. Ordinance for Adoption - *None*****G-2. Ordinances for Introduction - *None***

**H. City Council/Redevelopment Agency Items - None****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 Boardman urged voting in opposition to Measure E on the March 2, 2004 Special Municipal Election ballot.***

***Councilmember Cook announced thank you from the American Red Cross for blood donations.***

***Councilmember Cook added that currently all seven Councilmembers are very accessible to the people and she urged citizens to vote No on Measure E.***

**Council/Agency Adjournment** to Monday, March 15, 2004, 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, on the City's Website, Via Email, and Through Paid Subscription. Complete Agenda Packets are Available at the Central Library and Library Branches on Friday Prior to Meetings. Videotapes 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

***Information for the March 2, 2004 Special Municipal Election  
Is available on the City Clerk's Website:***

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

***With a Related Link to the Registrar of Voter's Website  
(Including Huntington Beach Polling Locations)***