

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) 960-8806** 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, MAY 21, 2001

5:30 P.M. - Room B-8
7:00 P.M. - Council Chambers
Civic Center, 2000 Main Street
Huntington Beach, California 92648

5:30 P.M. - Room B-8

Call City Council/Redevelopment Agency Meeting To Order

Roll Call Green, Boardman, Cook, Julien Houchen, Garofalo, Dettloff, Bauer

[Present – Julien Houchen, Garofalo absent]

Public Comments Regarding Study Session and Closed Session Agenda Items

[None]

(City Council) Study Session Presentation of Annual Financial Audit and Comprehensive Annual Financial Report Overview for Year Ending September 20, 2000 (300.20) –

The Director of Administrative Services will present a PowerPoint slide report regarding the annual financial audit conducted by Diehl, Evans & Company, LLP and an overview of the Comprehensive Annual Financial Report for the year ending September 30, 2000.

[Late Communication distributed to Council by Administrative Services Relative to Comprehensive Annual Financial Report prepared by Diehl, Evans & Co. and letters of response from Administrative Services Department]

**COMPUTER INTERNET ACCESS TO CITY COUNCIL/REDEVELOPMENT AGENCY
AGENDAS IS AVAILABLE PRIOR TO CITY COUNCIL MEETINGS
<http://www.ci.huntington-beach.ca.us>**

Call Closed Session of City Council/Redevelopment Agency

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

[Approved 5-0-2 (Julien Houchen, Garofalo absent)]

(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 **In the Matter of AES Huntington Beach Generating Station Retool Project Application for Certification**, before the California Energy Commission, Docket No. 00-AFC-13. (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)).**
[City Attorney reported action out re: Closed Session on AES Huntington Beach Generating Station Retooling Project. City not to appeal California Energy Commission (CEC) decision. The city will continue to monitor for air quality controls. Approved 5-0-2 (Julien Houchen, Garofalo absent)]

Roll Call Green, Boardman, Cook, Julien Houchen, Garofalo, Dettloff, Bauer
[Present – Julien Houchen, Garofalo absent]

Flag Ceremony and Pledge of Allegiance – Girl Scout Brownie Troop 231, 3rd Grade, Hopeview School, Huntington Beach. Sandy Smallshaw, Leader.

Invocation – ***[None]***

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.

[City Clerk announced Late Communications re: Study Session Item on Annual Audit; C-1a; D-1; E-12; and F-1]

Presentation – By **Mayor Pro Tem Debbie Cook** ~~Mayor Pam Julien Houchen~~; Ron Hagan, Community Services Director; and Jay Kreitz, Community Services Commission Chairman, Community Services Commission grant allocations to various youth groups for the 2001/02 fiscal year. The following groups are:

| | |
|--|----------|
| Edison High School Baseball Booster Club | \$8,930 |
| Huntington Beach Girls Softball | \$6,000 |
| Huntington Valley Little League | \$11,000 |
| Marina Girls Outdoor Sports | \$8,000 |
| Robinwood Little League | \$3,500 |
| Seaview Little League | \$60,100 |
| South Coast Soccer Club | \$9,950 |

Presentation – By **Mayor Pro Tem Debbie Cook** ~~Mayor Pam Julien Houchen~~, Councilmember Shirley Dettloff, and Shirley Carey, Children's Needs Task Force Chair, a \$100 savings bond to each of the 17 winners of the Huntington Beach American Youth Character Awards. Winners are:

| | |
|---|---|
| Allison Andrews Huntington Beach High School | Marianne Huntley Mesa View School |
| Cameron Argon Harbour View School | Danielle Miller Mesa View School |
| Steve Beltramo Eader School | Lauren Ott, Parent of Nikki Ott (Deceased) Perry School |
| Ashlee Blake Edison High School | Carlee Panlilio Oka Elementary |
| Bethanie Blake Perry School | Ben Pickens Brethren Christian School |
| Mikey Butler JR Peterson School | William Nicholas Sahagen Eader School |
| Cara Chlebicki Marina High School | Benjamin Sonne Sowers Middle School |
| Joshua Chu Clegg Elementary | Matthew Taylor Hope View Elementary School |
| Kalynn Haynes Kettler School | |

Presentation – By **Mayor Pro Tem Debbie Cook** ~~Mayor Pam Julien Houchen;~~ Ron Hagan, Community Services Director; Bill Fowler, Superintendent, Recreation/Human Services; and Betsy Crimi, Human Services Coordinator, proclamations to the COAST Volunteer drivers, for the Senior Transportation Program who provide door-to-door service to 1,200 seniors in this community on a monthly basis. Trips are made to medical appointments, grocery shopping, Rodgers Senior Center for classes, lunch and special events. Volunteers are:

Terry Beal
John Bidol
Eric Bonem
Howard Boyer
James Cannia
Else Chubinski
Mickey Clifton
Ernie Cushing
Frances Gebhardt
Linda Higbee
Ralph Macchia

John McGrew
John Riley
Lee Sandusky
Sidney Simon
Phil Smith
David Strickland
Steve Tarnay
Mary Ann Turner
Bob Wilcox
Jim Zimmerman

Presentation – ~~By Mayor Pam Julien Houchen to Albert Gasparian, Athletic Director and Women's Volleyball Head Coach; John Wright, Head Coach Women's Water Polo and Men's and Women's Swim Team; and representatives of the team, Commendation Certificates for Women's Water Polo and Women's Volleyball State Champions 2000 and Men's & Women's Swim State Champions 2001.~~

The Mayor's Award to Jeannette K. Stephen, Senior Outreach, Transportation Dispatcher, Community Services Department.

[Mayor Pro Tem Debbie Cook invited everyone to attend the Memorial Day Services to be held at City Hall on Monday, May 28, 2001 from 11:00 a.m. to 12:00 noon.]

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 requested that Heil Avenue not be segmented on speed limits & request 35 mph be reinstated for safety of school children and requested action be taken on G-3 to do this.***
- (2) Speaker spoke re: the purpose of Senior Friends organization and their opposition to increase in H.B. Playhouse lease and requested donations of land to build playhouse.***
- (3) Many speakers requesting H.B. Playhouse lease amount not be raised.***
- (4) Speaker re: his daughter's death from brain tumor and the question of a possible cluster of incidents in Southeast Huntington Beach.***
- (5) Speaker re: O.C. Sanitation District sending sewage going to ocean and methods of treatment.***
- (6) Speaker in opposition to practices used in increasing fees by price gouging which is being presented by the electric company as fair market value.***
- (7) Speakers protesting piling of dirt from the beach maintenance facility site near Huntington By The Sea Mobilehome Park causing damage to mobile homes – submitted photos.***
- (8) Speakers requesting that Conditional Use Permits conditions be enforced in Old World Village spoke re: need for code enforcement officer in their area.***

- (9) Speaker stated prohibition of placing signs up no more than 24 hours ahead of time at 4th of July Parade not to continue as there is no ordinance. Requested Safe & Sane fireworks be allowed. Also fireworks display be at pier.**
- (10) Speaker re: reasons why she believes her traffic stop by police was racial profiling.**
- (11) Speaker stated he believes the residents of his area are being randomly handed out tickets for parking in alley. He stated that he would like to see the code updated to preserve emergency access needs but ensure that people will be treated equally & apartment residents not singled out.**
- (12) Speaker stating reasons why city proposed policy for nonprofit agencies is reasonable, however supports the H.B. Playhouse request for 3rd party study.**
- (13) Speaker in support of Agenda Item E-12.**
- (14) Speaker re: promotion of "Fireman Appreciation Day" stating reasons why all public safety employees deserve hazard duty pay.**

C-1. Council Committee/Council Liaison Reports**C-1a. (City Council) Approve Ad Hoc City Council Committee Recommendations for Standard Lease Provisions Between City and Nonprofit Organizations (100.10)**

Communication from the Ad Hoc Standard Lease Provisions Committee Chair, Councilmember Peter Green, and Councilmember Connie Boardman and Mayor Pro Tem Debbie Cook submitting 10 recommendations for standard lease provisions for leases between the city and Huntington Beach nonprofit organizations.

The 10 recommendations are set forth in the staff RCA and relate to: (1) **City Council approval of all nonprofit leases required**; (2) **Lease duration**; (3) **New leases/expiration of existing leases**; (4) **Legal requirements**; (5) **City direct/indirect funding**; (6) **Nonprofit payment to city**; (7) **City subsidy**; (8) **Business plan**; (9) **Recovery/remedial plan**; and (10) **Fund augmentation**.

Recommended Action: Motion to:

Approve the Ad hoc Committee's Recommendation Nos. 1-10 regarding standard lease provisions between the City and Huntington Beach nonprofit organizations as listed in the analysis section of the RCA and direct staff to include these provisions in all such nonprofit preferential leases.

[Councilmember Green, Councilmember Boardman and Mayor Pro Tem Cook presented oral reports]

[Approved 4-1-2 (Green No; Julien Houchen, Garofalo absent)]

C-1b. (City Council) Approve City Council Position on Legislation Pending Before the State Legislature and Congress as Recommended by the City Council Intergovernmental Relations Committee – SB 832 – Polanco (Bingo Games)

(640.90)

Communication from Councilmember Shirley Dettloff, Chair, Mayor Pro Tem Debbie Cook, and Councilmember Ralph Bauer, Council Liaisons to the Intergovernmental Relations Committee, informing Council of the need to authorize the Mayor to communicate the City of Huntington Beach's support for or opposition to legislation currently pending before the elected members of the Federal or State Governments. The City Council Intergovernmental Relations Committee reviewed the legislation below at its meeting and is recommending that the City Council take a position on the following item and authorize the Mayor to send letters reflecting position to the legislators:

Recommended Action: Motion to:

Support – **SB 832 (Polanco)** – Bingo Games – which would establish new criteria for operating bingo games for charitable purposes including prohibiting the use of funds raised by a bingo game for charitable purposes outside of California with specified exceptions.

[Approved 5-0-2 (Julien Houchen, Garofalo absent)]

C-1c. (City Council) Approve Personnel Commission Reappointments & Appointments as Recommended by the City Council Liaisons – Matthew Hunt – Daniel Gooch – Blanche Deight – Accept Resignation of Mike Bogen (110.20)

Communication from Administrative Services Director submitting the recommendations of City Council Liaisons (Mayor Pro Tem Cook and Councilmember Green) relative to appointments, reappointment and acceptance of a resignation.

Recommended Action: Motion:

That the following individuals be appointed to terms on the Personnel Commission as follows:

| | | |
|--|--------------------|---------------------------|
| Matthew V. Hunt (Reappointment) | 4 Year Term | 07/01/01 through 06/30/05 |
| Daniel P. Gooch | 4 Year Term | 07/01/01 through 06/30/05 |
| Blanche Deight | Unexpired Term | 05/22/01 through 06/30/03 |
| Mike Bogen | Accept Resignation | |

[Approved 5-0-2 (Julien Houchen, Garofalo absent)]

C-1d. (City Council) Approve Bylaw Changes and New Appointment of Dean Benson to the Human Relations Task Force as Recommended by City Council Liaisons Shirley Dettloff and Ralph Bauer (110.20)

Communication from the City Administrator's Office submitting the recommendation of City Council Liaison members Dettloff and Bauer for a new appointment to the Human Relations Task Force and relative to approval of Human Relations Task Force Bylaw changes.

Recommended Action: Motion to:

1. Approve the appointment of Dean Benson to fill the remainder of a term on the Human Relations Task Force to expire 2003 as recommended by City Council Liaisons Shirley Dettloff and Ralph Bauer.

and

2. Approve the revised Bylaws of the Huntington Beach Human Relations Task Force.

[Approved 5-0-2 (Julien Houchen, Garofalo absent)]

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) Continued Open from May 7, 2001 – Public Hearing to Consider Amendment of Community Services Department Fees – Adopt Resolution No. 2001-24 (340.20)

Communication from the Community Services Director.

Public hearing for the purpose of amending the city fee resolution for the Community Services Department, specifically, instituting fees for use of the new portions of the City Gym & Pool; removing fees for use of tables/chairs at the Art Center; instituting new fees for Art Center membership; increasing the fee for aquatics classes, special activities, day camps, senior softball; youth sports, field practice lights, junior lifeguard program; senior parking plaza lot; and adding a new fee for a combination beach and Main Promenade Parking Structure parking pass. In addition, the fee for beach and Main Promenade Parking Structure parking passes is being reduced.

All interested persons may contact the Community Services Department (Ron Hagan, 714-536-5291) for additional information. All interested persons are invited to attend said hearing and express their opinions for or against the amendment of the city fee resolution by amending the fees for the Community Services Department as stated above.

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. 2001-24** – “A Resolution of the City Council of the City of Huntington Beach Amending Resolution No. 5159, as amended, Relating to the Community Services Department Fee Schedule (Supplemental Fee Resolution No. 79).”

[Adopted 3-2-2 (Boardman, Cook No; Julien Houchen, Garofalo absent)]

D-2. (City Council) Public Hearing to Consider Adoption of Resolution No. 2001-25 Amending Central Library Facility Rental Program Fee Increases (Related to Rental Equipment) (340.20) –

Communication from the Library Services Director.

Public hearing for the purpose of considering revising current fees related to the Central Library's facility rentals program to establish new fees related to facility rental equipment. A complete schedule of proposed fees is set forth within Exhibit "A" of the resolution on file in the City Clerk's Office and is available to the public upon request after May 18, 2001.

All citizens are invited to attend the public hearing and provide the City Council with written and oral comments and ask questions concerning the above proposals. 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. 2001-25** – *"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, Facilities and Activities Offered Under the Library Services Department (Supplemental Fee Resolution No. 80)"* pertaining to the Library Department's Central Library facility and equipment rentals program.

[Adopted 5-0-2 (Julien Houchen, Garofalo absent)]

Administrative Public Hearing

D-3 is an administrative public hearing. An administrative hearing is required by Huntington Beach Municipal Code 1.18. Only property owners are entitled to speak at an administrative hearing. All other interested parties may speak during regular Public Comments section of agenda at the beginning of the meeting. Written communications to the City Council may also be mailed to the City Clerk.

D-3. (City Council) Administrative Hearing – Adopt Resolution No. 2001-26 – Approving Certification of Special Assessments for Delinquent Civil Fines for Municipal Code Violations (570.60)

Communication from the City Treasurer and the City Attorney.

Administrative public hearing as required by the California Government Code Section 38377.5 for the purpose of certifying special assessments against properties where public nuisances have occurred.

Request for Council certification of recording Notices of Special Assessments against private property for the value of unpaid civil fines, plus interest and penalties, pursuant to Ordinance No. 3397 adopted by City Council on June 15, 1998.

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

Recommended Action: Motion to:

Adopt **Resolution No. 2001-26** entitled “*A Resolution of the City Council of the City of Huntington Beach Certifying Special Assessments for Collection of Delinquent Civil Fines for Municipal Code Violations.*”

[Adopted 4-1-2 (Boardman No; Julien Houchen, Garofalo absent)]

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 April 16, 2001 and regular meetings of May 7, 2001 as written and on file in the Office of the City Clerk. Submitted by the City Clerk.
[Approved & Adopted 5-0-2 (Julien Houchen, Garofalo absent)]
- E-2. **(City Council) Approve Settlement Committee's Recommendations of the Waiver of Self-Insured Retention for Professional Liability for an Under \$20,000 Contract with Richards, Watson & Gershon for Legal Services** (630.10) – Approve a waiver of \$250,000 for the self-insured retention for professional liability insurance as recommended by the settlement committee for professional services agreement to be entered into at a later date between the City Attorney and for which City Council approval is not necessary as the agreement cost is not to exceed \$20,000. Submitted by the City Attorney. Funding Source: General Fund, Contract Legal Services Account not to exceed \$20,000.
[Approved 5-0-2 (Julien Houchen, Garofalo absent)]
- E-3. **(City Council) Approve Settlement Committee's Recommendation of a Waiver of Self-Insured Retention for Professional Liability for an Under \$20,000 Contract with Musick Peeler and Garret for Legal Services** (630.10) – Approve a waiver of \$250,000 for the self-insured retention for professional liability insurance as recommended by the Settlement Committee for professional services agreement to be entered into at a later date between the City Attorney and for which City Council approval is not necessary as the agreement cost is not to exceed \$20,000. Submitted by the City Attorney. Funding Source: Self-Insurance Liability, Contract Legal Services Account not to exceed \$20,000.
[Approved 5-0-2 (Julien Houchen, Garofalo absent)]

- E-4. (City Council) Adopt Resolution No. 2001-27 Approving Plans and Specifications Prepared by the Orange County Public Facilities & Resources Department and Funded by the Orange County Flood Control District for 100 Year Flood Control Improvements to the East Garden Grove-Wintersburg and Ocean View Channels** (550.20) – Approve plans and specifications for the construction of flood control improvements by adopting **Resolution No. 2001-27** – “*A Resolution of the City Council of the City of Huntington Beach Approving Plans and Specifications for the Construction of Improvements to the East Garden Grove-Wintersburg and Ocean View Channel from 349 Meters Upstream of Goldenwest Street to 350 Meters Upstream of Gothard Street Including the Confluence with Murdy Channel by the Orange County Public Facilities and Resources Department and Funding by the Orange County Flood Control District.*” Submitted by the Public Works Director. Funding Source: FEMA grant – \$455,000, city match – \$106,500 from Drainage Funds.
[Approved 5-0-2 (Julien Houchen, Garofalo absent)]
- E-5. (City Council) Authorize Appropriation and Approve Consultant Agreement with Brown and Caldwell to Perform Environmental Engineering Services in Support of the Christine Drive Methane Gas Anomaly Project – Approve Fund Appropriation – Approve Modification to Insurance Requirements** (600.10) – **1.** Approve and authorize the appropriation of \$100,000 from the Undesignated, Unappropriated Fund Balance of the General Fund and transfer to the Fire Department’s FY 2000/01 Fire Prevention Professional Services Account; and **2.** Approve and authorize the Mayor and City Clerk to execute the *Proposal and Professional Services Agreement for Environmental Engineering Services for Christine Drive Gas Anomaly Project Between Brown and Caldwell, Environmental Consultants, and the City of Huntington Beach*, in the amount of \$46,830; and **3.** Approve waiver of Section 8 Standard Indemnification clause as recommended by the Settlement Committee. Submitted by the Fire Chief/Information Systems Director. Funding Source: \$100,000 from the Undesignated, Unappropriated Fund Balance of the General Fund to the Fire Department Fire Prevention Professional Services Account. See Fiscal Impact Statement (Attachment No. 1).
[Approved 5-0-2 (Julien Houchen, Garofalo absent)]
- E-6. (City Council) Approve Plans & Specifications and Authorize the Advertisement for Bids for the Yorktown Street Widening Project, CC-1017 – Last Phase – Approve Sample Contract** (600.50) – **1.** Approve plans, specifications, and authorize the Director of Public Works to request bids for the Yorktown Street Widening project, CC-1017; and **2.** Approve the attached sample contract subject to award of the contract to the lowest responsible/responsive bidder. Submitted by the Public Works Director. Funding Source: Measure “M” Funds – approximately \$700,000.
[Approved 5-0-2 (Julien Houchen, Garofalo absent)]

- E-7. **(City Council) Accept the Construction Contract Work for the Installation of Emergency Vehicle Pre-Emption (EVPE) Detection at Five Signalized Intersections in Huntington Beach, CC-1108 and File a Notice of Completion – Baxter-Griffin, Inc.** (600.55) – Accept the construction work for the installation of Emergency Vehicle Pre-Emption (EVPE) Detections, Cash Contract #1108, at the final cost of \$99,888.89 and authorize the City Clerk to file a Notice of Completion with the County’s Recorder’s Office. Submitted by the Public Works Director. **1. Brookhurst Street at Garfield Avenue; 2. Newland Street at Garfield Avenue; 3. Springdale Street at Marina High School; 4. Bushard Street at Yorktown Avenue; 5. Brookhurst Street at Yorktown Avenue.** Funding Source: Project budget.
[Approved 5-0-2 (Julien Houchen, Garofalo absent)]
- E-8. **(City Council) Approve Final Conceptual Plans for Surf Circle for the Entry Wall Public Art Element at Beach Boulevard and Pacific Coast Highway – South Beach Phase I Improvement Project Presented by Artists Howard & Kathleen Meehan** (440.30) – Approve final conceptual plans for “Surf Circle” art element in the South Beach Improvement Project presented by artists Howard and Kathleen Meehan. Submitted by the Community Services Director. Funding Source: Previously approved by City Council on September 5, 2000.
[Approved 4-1-2 (Cook No; Julien Houchen, Garofalo absent)]
- E-9. **(City Council) Approve Budget Allocation of State of California – CalTrans Funding to Upgrade Jointly Used Site by Beach Maintenance and CalTrans – Beach Boulevard, s/o Yorktown Avenue** (320.10) – Authorize the Director of Administrative Services to make a mid-year budget appropriation to expenditure account 30581004.82800 for \$20,000 received from CalTrans for improvements to the Cal Trans yard on Beach Boulevard that is shared jointly by CalTrans and the city’s Beach Maintenance Operation. Submitted by the Community Services Director. Funding Source: General Fund Revenue Account – (\$20,000 received from CalTrans) allocated to Beach Maintenance Improvement Account.
[Approved 5-0-2 (Julien Houchen, Garofalo absent)]
- E-10. **(City Council) Approve Amendment No. 3 to Cooperative Agreement No. C-95-975 Between Orange County Transportation Authority (OCTA) and the City of Huntington Beach – Maintains “Measure M” Funding Eligibility Combined Transportation Funding Programs (CTFP) Bicycle & Pedestrian Funding Program (BFPF)** (600.25) – Approve and authorize the Mayor and City Clerk to execute *Amendment No. 3 to Cooperative Agreement No. C-95-975 between Orange County Transportation Authority and the City of Huntington Beach.* Submitted by the Public Works Director. Funding Source: Not Applicable.
[Approved 5-0-2 (Julien Houchen, Garofalo absent)]

- E-11. (City Council) Approve Contract with Integrated Water Resources, Inc. for Services Re: the Orange County Water District (OCWD) Groundwater Model Advisory Panel** (600.10) – Approve the *Professional Services Contract between the City of Huntington Beach and Integrated Water Resources, Inc. for Services Regarding the Orange County Water District (OCWD) Groundwater Model Advisory Panel*, and authorize the Mayor and the City Clerk to execute. Submitted by the Public Works Director and the City Attorney. Funding Source: Water Fund, Other Professional Services, Account No. 50685201.69365. Not to exceed \$60,000 for the period November 1, 2000 – October 31, 2001 (with the City of Fountain Valley to pay 1/3 of the bills).
[Approved 5-0-2 (Julien Houchen, Garofalo absent)]
- E-12. (City Council) Adopt Resolution No. 2001-28 – Approving the Memorandum of Understanding (MOU) Between the City and the Huntington Beach Police Officers' Association for October 2, 2000 through September 20, 2003** (720.20) – Approve **Resolution No. 2001-28** – “A Resolution of the City Council of the City of Huntington Beach Approving and Implementing the Memorandum of Understanding between the Huntington Beach Police Officers' Association (POA) and the City of Huntington Beach for October 2, 2000 through September 30, 2003.” Submitted by the Administrative Services Director. Funding Source: Current year appropriation of \$1,350,280 approved in 2000/01 budget, Non-Departmental General Fund Contingency. The annual cost of the current POA agreement is \$16.7 million. The cost of the proposed POA agreement is \$18.54 million annually. The proposed agreement has an increased cost of \$1.83 million annually.
[Approved 5-0-2 (Julien Houchen, Garofalo absent)]
- E-13. (City Council) Approve Tolling Agreement Between the City and John A. Thomas Re: the Operation of an Oil Pipeline in Ellis Avenue (Between Edwards and Goldenwest Streets** (600.10) – Approve and authorize the Mayor and City Clerk to execute a *Tolling Agreement by and between the City of Huntington Beach and John A. Thomas Relating to the Operation of an Oil Pipeline in Ellis Avenue between Edwards and Goldenwest Streets.* Submitted by the Public Works Director. Funding Source: Not Applicable.
[Approved 5-0-2 (Julien Houchen, Garofalo absent)]
- E-14. (City Council) Approve Expenditure of Funds for Huntington Beach High School Swimming Pool Rebuilding Project** (320.10) – Authorize the Director of Administrative Services to transfer \$45,101 from the Park Acquisition and Development Fund Professional Services Account into Contractual Services Account for the Huntington Beach High School Swimming Pool Rebuilding Project, bringing the city's share to be transferred to the Huntington Beach High School District to \$836,073. The Park Acquisition and Development Fund will be reimbursed when the city receives its Per Capita allocation of Proposition 12 State Park Bond Act of 2000 funds. Submitted by the Community Services Director.
[Approved 5-0-2 (Julien Houchen, Garofalo absent)]

F. Administrative Items**F-1. (City Council) Adopt Resolution No. 2001-29 Authorizing the City to Enter into an Agreement with the State of California for Receipt of Proposition 13 Funding for Specified Water Quality Improvement Projects – (Standard Agreement Number 00-169-250-0/State Contractor’s Certification Form) (600.20)**

Communication from the Public Works Director requesting the City Council to adopt a resolution authorizing the City Administrator on behalf of the city to enter into (1) an agreement with the State of California, and (2) sign the State’s Contractor’s Certification form titled *Standard Agreement Number 00-169-250-0* in order to receive funding appropriate to the city under Proposition 13 for specified water quality projects. Page 3 of the staff report lists these projects with appropriate costs.

Recommended Action: Motion to:

Adopt **Resolution No. 2001-29** – “*A Resolution of the City Council of the City of Huntington Beach Authorizing the City Administrator, on Behalf of the City, to Sign an Agreement with the State of California, and also Sign the State’s Contractor’s Certification Form, by which the City will Receive \$4,000,000 in Proposition 13 Funding for Specified Water Quality Projects.*”

[Adopted 5-0-2 (Julien Houchen, Garofalo absent)]

G. Ordinances**G-1. Ordinance for Adoption - None****G-2. Ordinance for Introduction - None****G-3. Ordinance for Reaffirmation****(City Council) REAFFIRM City Council Adoption on 4/16/01 of Ordinance No. 3495 with a New Effective Date of 5/30/01 Amending Chapter 10.12 of the H.B. Municipal Code Relating to Speed Limits on Various City Streets and Direct the Public Works Commission to Reconsider Heil Avenue Speed Limit from Saybrook Lane to Beach Boulevard (580.60)**

Communication from the Director of Public Works and the Chief of Police regarding the matter of the City Council's action on May 7, 2001 meeting to reconsider the April 16, 2001 adoption of Ordinance No. 3495 – *“An Ordinance of the City of Huntington Beach Amending Chapter 10.12 of the Huntington Beach Municipal Code Relating to Speed Limits*

Staff believes that the City Council intended to reconsider the speed limit on Heil Avenue near Springdale Street in response to the concerns expressed by a citizen during the Public Comments portion of the last Council meeting, rather than the speed limit adjustment contained in Ordinance No. 3495 on Heil Avenue east of Beach Boulevard. To this end it would be appropriate to reaffirm Ordinance No. 3495, direct the City's Public Works Commission to reevaluate the speed limit on Heil Avenue from Saybrook Lane to Beach Boulevard, and report these findings back to the City Council. Should the City Council decide to arbitrarily reduce the speed limit on Heil Avenue, then radar cannot be used for speed enforcement on that street segment.

Recommended Action: Motion to:

1. Reaffirm **Ordinance No. 3495** which was previously requested for reconsideration, with an effective date to be **May 30, 2001** – *“An Ordinance of the City of Huntington Beach Amending Chapter 10.12 of the Huntington Beach Municipal Code Relating to Speed Limits;”*

[Approved 5-0-2 (Julien Houchen, Garofalo absent)]

and

2. Direct the Public Works Commission to reconsider the speed limit on Heil Avenue from Saybrook Lane to Beach Boulevard, and present its recommendation to the City Council.

[Approved 5-0-2 (Julien Houchen, Garofalo absent)]

H. City Council/Redevelopment Agency Items**H-1a. (City Council) Request for Letter of Support Regarding Assembly Bill 476 (Assemblyman Tom Harman) to be Sent to All Orange County Cities and the O.C. Delegation in Sacramento Re: the Orange County Transportation Authority (OCTA) and Measure M Funds (640.90)**

Communication received from Councilmember Ralph Bauer transmitting the following **Statement of Issue:** Request that all Orange County cities and the O.C. Delegation in Sacramento receive the following regarding the City Council's position on AB 476:

Recently you received a letter from Mike Ward, Chairman of the Orange County Transportation Authority giving a multitude of reasons why Assembly Bill 476 by Assemblyman Tom Harman should not be supported.

The City Council of the City of Huntington Beach believes AB 476 should be supported now for the following reasons:

1. City Representation on the OCTA (Orange County Transportation Authority) Board would be increased from six representatives to ten representatives.
2. Your Measure M taxes are being spent by a Board that has only six city members. These six city members cannot adequately establish policies for the 28 cities not represented on the OCTA Board. Currently, we have a taxation without representation situation. Over \$1.6 billion in Measure M money has been collected since its inception.
3. Recently increased ridership on OCTA has fallen off and the Centerline proposal is on hold because of inadequate outreach by the OCTA Board. San Diego County, a county similar in makeup to Orange County, is years ahead of us in comprehensive transportation planning. Adding more city members to the OCTA Board will bring needed fresh ideas to the OCTA Board.
4. A majority of the OCTA Board wishes to make AB 476 a two-year bill. In Sacramento, making anything a two-year bill is tantamount to killing it.
5. Assemblyman Tom Harman has indicated that he will work with the cities, OCTA, and the Board of Supervisors to improve the bill. He would like more city representation in OCTA and he will not make it a two-year bill.
6. A League of Cities Task Force has agreed that AB 476 should receive support. Individually, a majority of the League Steering Committee has indicated support for AB 476.
7. This issue has been debated off and on for over 10 years. It is not a rush to judgment.

(Continued on the Next Page)

For these reasons and may others, we urge your immediate support for AB 476. It will dramatically increase your opportunity to become a player in Orange County transportation planning and funding.

Please write or call your legislators in Sacramento for their support of AB 476. If you have questions or need phone numbers or addresses, please call the League of Cities office at 714- 972-0077.

Recommended Action: Motion to:

Approve that the foregoing letter be sent to all Orange County Cities and the Orange County delegation in Sacramento.

[Removed from agenda – organization who had initially opposed are now in support]

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.

Council/Agency Adjournment at 10:30 p.m. to Monday, June 4, 2001, 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>