

MEETING ASSISTANCE NOTICE - AMERICANS WITH DISABILITIES ACT

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

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

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

ACTION AGENDA CITY COUNCIL/REDEVELOPMENT AGENCY CITY OF HUNTINGTON BEACH

MONDAY, JULY 7, 2003

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, Coerper, Green, Boardman, Cook, Houchen, Hardy
Present (Coerper arrived 5:02 p.m., Green arrived 5:02 p.m., Houchen arrived 5:03 p.m.)

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) 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.)

Communications submitted by public speaker during public comments re: methane.

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

***Speakers informing Council of their disagreement with the staff report on the methane issues in the Christine Drive area and presenting reasons for their opinions.
Speaker informed Council of matters pertaining to "bubbling" on Shea Homes property and that Mr. Metzler, Owner, had been contacted and that further report would be made.***

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

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

(City Council) Study Session - Status Report by the Fire and Public Works Departments on the Completed Work Associated with the Gas Anomaly (Methane Issues) in the Vicinity of Christine Drive and Brookhurst Street (.)

Staff from the Public Works and Fire Departments will provide a status report on the completed work associated with methane issues in the vicinity of Christine Drive and Brookhurst Street.

**PowerPoint presentation titled *Christine Drive Gas Anomaly* included in the agenda packet.

Fire Department presented PowerPoint Report. Discussion held between City Council, Fire Department staff and City consultant.

Call Closed Session of City Council/Redevelopment Agency

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

Approved 7-0

1. **(City Council) Closed Session** – Pursuant to Government Code Section 54956.9(a) to confer with its attorney regarding pending litigation, which has been initiated formally and to which the agency is a party. The title of the litigation is **Southern California Water Company v. City of Huntington Beach, et al.**; Orange County Superior Court Case No. 03CC02021. (120.80)
2. **City Council) Closed Session** – Pursuant to Government Code Section 54957.6 to meet with its designated representatives, Agency Negotiators: Ray Silver; William Workman, Assistant City Administrator; Clay Martin, Director of Administrative Services; Jim Engle, Director of Community Services; and Seven 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)).**

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

Pledge of Allegiance - Troop 2316 - Jr. Girl Scouts, Huntington Seacliff Elementary School. Michelle Diamond, Leader.

Moment of Silence – To reflect on matters before Council.

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) 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.)

City Clerk announced Late Communications on E-12; F-3; G-2a.

Presentation - By Mayor Connie Boardman to Police Chief Kenneth Small; VIP Representative, Dave Robertson; and RSVP Representative Dee Zimmerman, a commendation recognizing the Huntington Beach Police Department for Huntington Beach making the top ten in the FBI's safest cities ranking. "The low crime rankings were compiled by The Times based on a ratio of population to crime reported by local police agencies to the FBI in seven categories - homicide, rape, robbery, aggravated assault, burglary, theft and auto theft." (Los Angeles Times, June 18, 2003). (160.40)

Presentation - To Mayor Connie Boardman and Community Services Director Jim Engle, a check in the amount of \$5,000 by the Equestrian Trails Inc. group, to be used for equestrian trail fencing in Huntington Central Park. This donation is in honor of Mary Bell who has been a proponent of equestrian facilities and trails in Huntington Beach for the last twenty plus years. (160.40)

Presentation - To Mayor Connie Boardman; Library Services Director, Ron Hayden; Children's Central Library Director, Nanci Williams; and Friends of the Children's Library President, Jo Ann Rankin; a check in the amount of \$30,500 for the Children's Library by Ron Mc Lin, HB Restaurant Association President. (160.40)

Presentation - To Mayor Connie Boardman, and Community Services Director Jim Engle, introduction of the Sister Cities' Ambassadors from Anjo, Japan and Waitakere, New Zealand who are visiting Huntington Beach for two weeks. From Anjo are: Atsuro Nomura, Akane Nojiri, Emi Imaizumi, Mika Sakakibara and their Chaperone is Saiko Kato. From Waitakere are: Jessica Wright, Vanessa Appleton, Andrew Wadsworth, Ben Nuralli and their Chaperone is Jo-Anne InanCSI. (160.40)

Waitakere students sang a Maori song for Council and audience.

Anjo students performed dance for Council and audience.

Special Council Commendation - By Mayor Connie Boardman. (160.40)

To: Police Sergeant-at-Arms, Lieutenant Gary Meza who has served at the City Council meetings for 1 1/2 years and has assisted the public and Council so well.

B. PUBLIC COMMENTS

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 this agenda.

After completing the form, hand it to the Sergeant at Arms and he will give it to the City Clerk. Council members 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.

Due 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.

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

Public Comments:

1. ***Speaker on behalf of Project Self Sufficiency (PSS) presenting her background and stated she was now working on her PhD. She spoke on behalf of continued funding of PSS.***
2. ***HBTv-3 Director presented a PowerPoint report reflecting revenue raised by HBTv-3 and its continued worth and future potential to the City.***
3. ***PSS Foundation speaker in support of staff recommendation to fully fund the PSS Coordinator Position.***
4. ***Speaker offered Invocation.***
5. ***Speaker requesting that Main Street be closed to motor traffic – cars and motorcycles for environment and pedestrian safety factors.***
6. ***Speakers in support of full funding for PSS Coordinator position.***
7. ***Speaker informed Council of what he believes are violations by Boeing Realty on the McDonnell Project – Dust violations which also affect residents in Westminster; contractors beginning too early and finishing too late. He requested Council to ensure there is complete compliance.***
8. ***Speaker re: Agenda Item G-2a stated that the proposed ordinance gives a city employee or city officer wide latitude re: acceptance of gifts or solicitation of gifts which the code previously did not allow. He presented recommendations which could allow full compensation for events Council attends.***
9. ***Speaker stated his appreciation for all the city has done – the Hyatt, Hilton and stated he would miss HBTv-3 if meetings were not telecast.***

Availability of Powerpoint Presentation Announced

City Clerk announced that Power Points given during meetings by the staff or Public are public records and are available in the City Clerks Office.

C-1. Council Committee/Council Liaison Reports**C-1a. (City Council) Approve City Council Communication Committee Recommendation to Continue Membership in the Public Cable Television Authority (PCTA) (.)**

Communication from Councilmember Pam Houchen, Chair of the Communications Committee on behalf of Mayor Connie Boardman and City Councilmember Debbie Cook transmitting the following **Statement of Issue**: Ongoing discussions have been held regarding whether or not the city should withdraw from the Public Cable Television Authority (PCTA). The City Council Communications Committee is bringing before the City Council a recommendation to continue membership in the PCTA.

Recommended Action: Motion to:

Adopt the City Council Communication Committee recommendation to stay in the Public Cable Television Authority as unanimously voted by the Committee at their June 23, 2003 Meeting with a motion made by Mayor Boardman and seconded by City Councilmember Houchen.

Continue to 7/21/03 meeting - Approved 7-0

C-2. City Administrator's Report**C-2a. (City Council) Approve City Administrator's Recommendation to Appoint Duane Olson to the Position of Fire Chief (.)**

Communication from the City Administrator recommending City Council approval of Duane Olson to the position of Fire Chief as required by the City Charter.

Recommended Action: Motion to:

1. Approve the appointment of Duane Olson to the position of Fire Chief;
Approved 7-0

and

2. Approve and authorize execution by the City Administrator and City Clerk of the Employment Agreement between the City of Huntington Beach and Duane Olson for the position of Fire Chief.

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 Appeal Filed by Councilmember Debbie Cook of the Planning Commission's Approval of Applicant, W. Gary Lamb's Coastal Development Permit No. 02-21, Conditional Use Permit No. 02-40, and Variance No. 02-09 - Todd Residence (Includes Request for a Third Story Addition) Located at 16412 Ardsley Circle (s/o Humboldt Drive) (.)

Communication from the Planning Director.

Public Hearing to consider:

Applicant: W. Gary Lamb

Appellant: City Councilmember Debbie Cook

Request: Coastal Development Permit (CDP): To construct a first, second and third floor addition to an existing single-family dwelling totaling approximately 1,690 sq. ft., including a 171 sq. ft. third-story deck.

Conditional Use Permit (CUP): To construct 682 sq. ft. of habitable floor area and 171 sq. ft. of deck area above the second-story top plate line.

Variance: To construct 682 sq. ft. of third floor habitable space not designed within the confines of the roof volume.

Location: 16412 Ardsley Circle (south of Humboldt Drive, at the terminus of the cul-de-sac).

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

Appealable Jurisdiction of Coastal Zone:

Notice is hereby given that this agenda item is located in the appealable jurisdiction of the Coastal Zone and includes Coastal Development Permit No. 02-28, filed on July 16, 2002, in conjunction with the above request. The Coastal Development Permit hearing consists of a staff report, public hearing, City Council discussion and action. City Council action on Item No. 1 may be appealed to the Coastal Commission within ten (10) working days from the date of receipt of the notice of final City action by the Coastal Commission pursuant to Section 245.32 of the Huntington Beach Zoning and Subdivision Ordinance and Section 13110 of the California Code of Regulations, or unless Title 14, Section 13573 of the California Administrative Code is applicable. The Coastal Commission address is South Coast Area Office, 200 Oceangate, 10th Floor, Long Beach, CA 90802-4302, phone number: (310) 570-5071.

(Continued on the Next Page)

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 Thursday, July 3, 2003.

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

**Communication dated June 27, 2003 and received in the City Clerk's Office on June 30, 2003 from Richard Batistelli, President of the Huntington Harbour Property Owners' Association in opposition to approval of Variance No. 02-09 is included in the agenda packet.

Recommended Action: Motion to:

A. Planning Commission Recommendation:

Approve Coastal Development Permit No. 02-21, Conditional Use Permit No. 02-40 and Variance No. 02-09 to construct a first, second and third-story addition to an existing single-family dwelling totaling 1,690 sq. ft., including 682 sq. ft. of habitable area and a 171 sq. ft. deck above the second-story with Findings and Conditions of Approval. (~~Attachment No. 1~~).

Approved as amended to deny Variance No. 02-09 based on Findings for Denial as set forth in staff report (Attachment 2) and approves the Coastal Development Permit No. 02-21 and Conditional Use Permit No. 02-40 based on Findings for Approval as set forth in staff report (Attachment 1). Approved 6-1 (Green-NO)

Motion to revisit current ordinance for possible revision – Failed 2-5 (Green, Coerper-YES)

OR

B. Staff Recommendation:

~~**Deny** Coastal Development Permit No. 02-21, Conditional Use Permit No. 02-40 and Variance No. 02-09 to construct a first, second and third-story addition to an existing single-family dwelling totaling 1,690 sq. ft., including 682 sq. ft. of habitable area and a 171 sq. ft. deck above the second-story with Findings and Conditions of Approval (Attachment No. 2).~~

Planning Commissioner Randy Kokal made presentation on Planning Commission's deliberations. He stated that letter from applicant has been submitted in agreement which Planning Commission had not seen.

Planning Commissioner Steve Ray reviewed Planning Commission's deliberations. He identified error in staff report relative to motion on the conditions on the bathroom window. He stated motion will be corrected when PC minutes presented for approval. Applicant distributed a 12 page communication which included elevation.

D-2. (City Council) Public Hearing to Consider Proposed Revision Amending Huntington Beach Municipal Code Chapter 14.36 Relating to the Sewer System Service Connection Charge – Approve Introduction of Ordinance No. 3613 – Adopt Resolution No. 2003-52 Establishing Fee Schedule for Sewer Service Connections, Fees, Charges, and Deposits (.)

Communication from the Public Works Director.

Public hearing for the purpose of considering revisions to the Sewer Connection Charge. The proposed charge would be imposed on property owners as a condition of their development of property that results in an increased use or new connection to the sewer system.

A report detailing the reasons and methodology for the Sewer Connection Charge will be available for public review 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., Monday through Friday, beginning Thursday, June 26, 2003.

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:

1. After the City Clerk reads by title, approve by roll call vote, introduction of **Ordinance No. 3613** – *“An Ordinance of the City of Huntington Beach Amending Chapter 14.36 of the Huntington Beach Municipal Code Relating to Sewer System Service Connection;”*
Approved introduction as amended to remove reference to CPI 6-1 (Houchen out of room)

and

2. Adopt as amended **Resolution No. 2003-52** – *“A Resolution of the City Council of the City of Huntington Beach Establishing the Fee Schedule for Sewer System Service Connections, Fees, Charges and Deposits.”*
Adopted 6-1 (Houchen out of room)

The Mayor Will Recess the City Council/Redevelopment Agency Meeting and Convene the Civic Improvement Corporation Meeting.

(Civic Improvement Corporation) Annual Meeting of the Huntington Beach Civic Improvement Corporation (125.20)

1. **Call Annual Meeting to Order** of the Huntington Beach Civic Improvement Corporation.
2. **Roll Call:** Sullivan, Coerper, Green, Boardman, Cook, Houchen, Hardy
Present (Houchen out of room)
3. **Election of Officers** – Motion to: Approve the election of Mayor Connie Boardman – President, Mayor Pro Tem Cathy Green – Vice President, and City Clerk Connie Brockway – Secretary.
Approved 7-0
4. **(Civic Improvement Corporation) Approve and Adopt Minutes** – Motion to: Approve and adopt the minutes of the regular meetings held July 1, 2002 as written and on file in the Secretary's Office.
Approved 2-1-4 (Boardman, Cook-YES; Houchen out of room; Sullivan, Coerper, Green, Hardy-abstain)
5. **Adjournment** – Adjourn the **Annual Meeting** of the Huntington Beach Civic Improvement Corporation.

The Mayor Will Reconvene the City Council/Redevelopment Agency Meeting.

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 7 and April 21, 2003 as written and on file in the Office of the City Clerk. Submitted by the City Clerk.

Sullivan abstain on 4-7-03 minutes

Approved and adopted 7-0

- E-2. (City Council) Direct City Attorney to Prepare Recommendation Modifying City Council Policy Regarding Amicus Curiae Briefs (Requests for Support for a Particular Position in a Pending Case)** (.) – Establish City Council *amicus curiae* policy as follows: **1.** City Attorney to review *amicus curiae* requests and to prepare a recommendation for City Council consideration; and **2.** In the event time constraints prohibit full City Council consideration, the Legal Affairs Committee is authorized to make a final decision. Submitted by the City Attorney. Funding Source: Not applicable.

Approved 7-0

- E-3. (City Council) Approve Amendment No. 1 to the Franchise Agreement between the City and Culver Amherst, L.L.C. for Transit Advertising Services (Bus Benches and Shelters)** (.) – Approve *Amendment No. 1 to Franchise Agreement between the City of Huntington Beach and Culver Amherst, L.L.C. for Transit Advertising Services.* Submitted by the City Attorney and the Public Works Director. Funding Source: Not applicable.

Approved 7-0

- E-4. (City Council) Approve the City's Participation in the Beaches of Southern California Coalition - Execute and Approve Modifications to Agreement No. 001 for Marketing Opportunities** (.) – **1.** Approve the Beaches of Southern California Coalition Agreement #001, and authorize the Mayor to execute same as the city's "Authorized Person," and the City Clerk to attest; and **2.** Approve the deletion of the eighth paragraph of the Coalition Agreement concerning the city's authority to advertise, sponsor, and license activities on its property, and authorize the Mayor to initial same. Submitted by the Community Services Director. Funding Source: Not applicable.

Approved 7-0

- E-5. (City Council) Approve the Reappointments of Ray Hiemstra, John McGovern, and Carrie Thomas to the Environmental Board for Terms to Expire June 30, 2007** (.) – Approve the reappointments of **Ray Hiemstra, John McGovern,** and **Carrie Thomas** to the Environmental Board for a term to expire June 30, 2007 as recommended by Council liaisons Boardman and Hardy. Submitted by the Planning Director as Recommended by Mayor Connie Boardman and Councilmember Jill Hardy. Funding Source: Not applicable.

Approved 7-0

- E-6. (City Council) Approve the Reappointments of Ruth Siegrist, Linda MacDonell Olga Wrobel, John Parodi, and Sid Kuperberg to the Library Board of Trustees (.) – 1. Approve the reappointments of **Ruth Siegrist, Linda MacDonell and Olga Wrobel** to a two-year term expiring June 30, 2005; and 2. Approve the reappointments of **John Parodi and Sid Kuperberg** to a four-year term expiring June 30, 2007. Submitted by the Library Services Director and as Recommended by City Council Liaisons Dave Sullivan and Gil Coerper. Funding Source: Not applicable.**

Approved 7-0

- E-7. (City Council) Adopt Resolution No. 2003-48 Amending Classifications and Modifying Compensation in the City's Classification Plan (.) – Adopt Resolution No. 2003-48 – “A Resolution of the City Council of the City of Huntington Beach to Amend the Classification Plan by Adding, Deleting and Modifying Classifications and Modifying Compensation in the City Classification Plan. Submitted by the Administrative Services Director. Funding Source: Proposed amendments are related to departmental budget cuts, resulting in a savings of approximately \$1,365,000 annually. (The staff report lists 5 new classifications, 6 deleted classifications, and 4 modified classifications.)**

Discussion re: Whether classifications deleted will be removed from City Classification Plan and if required in future will be processed through the Personnel Commission and some positions may be filled by employees bumping down. Adopted 6-1 (Green-NO)

- E-8. (City Council) Approve the Reappointment of Blanche Deight to the Personnel Commission with a Term to Expire June 30, 2007 (.) – Approve the reappointment of **Blanche Deight** to the Personnel Commission for a term to expire June 30, 2007. Submitted by the Administrative Services Director and as Recommended by City Council Liaisons Dave Sullivan and Jill Hardy. Funding Source: Not applicable.**

Approved 7-0

- E-9. (City Council) Approve Amendment No. 2 to Agreement to Provide Staffing Services between the City and Employment Systems, Inc. (ESI) (.) – Approve and authorize the Mayor and City Clerk to execute *Amendment No. 2 to Agreement to Provide Staffing Services between the City of Huntington Beach and Employment Systems, Inc.* Submitted by the Information Services Director. Funding Source: Funds for contract employees hired through this agreement are budgeted in Information Services, Professional Services Account and supplemented by salary and benefit savings from budgeted positions that are currently vacant. No additional funding for this agreement is required.**

Approved 7-0

- E-10. (City Council) Adopt Resolution No. 2003-47 Revising the Fee Schedule for Civil Fines for Municipal Code Violations (Pursuant to HBMC Municipal Code Chapter 1.18) Repeals Resolution No. 98-43 (.) – Adopt Resolution No. 2003-47 – “A Resolution of the City Council of the City of Huntington Beach Revising the Fee Schedule for Civil Fines for Municipal Code Violations.” Submitted by the City Attorney and the Planning Director. Funding Source: Not applicable.**

Adopted 7-0

- E-11. (City Council) Approve Appropriation Revision and Professional Service Contract between the City and CSG Enterprises, Inc. to Backfill Key Positions for Inspection and Plan Review Services - (.) – 1.** Approve the transfer of \$50,000 from the Permanent Salaries Account 10055201.51100 to Contract Services Operating Account 10055201.69365 to backfill key positions; and **2.** Approve and authorize the Mayor and City Clerk to execute the *Professional Services Contract between the City of Huntington Beach and CSG Enterprises, Inc. for Inspection and Plan Review Services* . Submitted by the Building & Safety Director. Funding Source: As stated above.

Approved 7-0

- E-12. (City Council) Accept Bid and Award Construction Contract to CBR ENG Contractor for Fire Station No. 2, Murdy Improvement Project; CC-1195 (.) – 1.** Accept the lowest responsive, responsible bid submitted by CBR ENG Contractor in the amount of \$303,785.40 for the Fire Station No. 2, Murdy Improvement Project, CC-1195; and **2.** Authorize the Mayor and City Clerk to execute a construction contract with CBR ENG Contractor in substantially the same form as the attached sample construction contract. Submitted by the Fire Chief and the Public Works Director. Funding Source: Funds in the amount of \$345,000 are available from General Fund Capital Improvement Projects, Murdy Fire Station, Building Improvements Account. The Engineer's estimate is \$336,000.

Approved 7-0

- E-13. (City Council) Approve Grant of Easement and Acceptance of Drainage for Tract 15549 –Waterfront Residential Development , PLC/Lyon Waterfront Residential LLC (.) – 1.** Approve and authorize the Mayor and City Clerk to execute the *Grant of Easement and Acceptance of Drainage* for Tract 15549; and **2.** Authorize the City Clerk to record the *Grant of Easement and Acceptance of Drainage* with the County Recorder. Submitted by the Public Works Director. Funding Source: Not applicable.

Approved 7-0

- E-14. (City Council) Adopt Resolution No. 2003-49 Relating to the Berryman Henigar Update of Citywide Pavement Management Program (PMP) for the Years 2003-2010 (.) - Adopt Resolution No. 2003-49 – “A Resolution of the City Council of the City of Huntington Beach Adopting the Berryman Henigar Update of Citywide Pavement Management Program – 2003-2010.”** Submitted by the Public Works Director. Funding Source: No funding is required.

Adopted 7-0

- E-15 (City Council) Authorize Additional Funds for the Traffic Signal Communications and Operation Upgrade Project (TSCOUP) Phases I and II; CC-1163 (.) –** Authorize an additional \$6,000 (5%) in contingency amount to cover anticipated changes on CC-1163, TSCOUP I and II. Submitted by the Public Works Director. Funding Source: Project funding in the amount of \$160,000 was authorized for the project; however the combination of budgeted grant and matching funds is \$500,000 in OCTA/SIP (Orange County Transportation Authority/Signal Improvement Program) Fund, Traffic Signal Improvements Account.

Approved 7-0

- E-16. (City Council) Adopt Resolution No. 2003-50 Adopting the Capital Improvement Programs (CIP) for the Years 2003/2004 through 2009/2010 for Compliance with Measure M and Proposition 111 Requirements (.) – Adopt **Resolution No. 2003-50** – “A Resolution of the City Council of the City of Huntington Beach Adopting Capital Improvement Programs for the Years 2003/2004 through 2009/2010 for Compliance with Measure M and Proposition 111 Requirements.” Submitted by the Public Works Director. Funding Source: No funding is required for the resolution. Annual Measure M turnback allocation is approximately \$2 million. (Resolution No. 2003-50 contains an exhibit documenting Measure M Eligibility Projects. The staff report sets forth that Measure M. is the one-half cent sales tax approved by the Orange County voters in November 1990 for countywide transportation improvements.)**

Adopted 7-0

- E-17. (City Council) Approve Hiring of Five Police Officers from the August 2003 Police Academy to Fill Projected Vacancies – Requested as an Exception to the 60-Day Hiring Freeze Adopted by the City Council on May 19, 2003 (to Keep Staffing at Allocated Levels) (.) – Approve the hiring of five police officers from the August 2003 Police Academy as an exception to the hiring freeze. Submitted by the Police Chief. Funding Source: The existing, approved Police Department budget can absorb the cost of five (5) officers. The funds are available in Police Department’s General Fund Account, Patrol. (The staff report sets forth that in order to keep staffing at allocated levels, it is necessary to request an exception to the 60-day hiring freeze adopted by the City Council at the May 19, 2003 meeting.)**

Approved 7-0

- E-18. (City Council) Approve Increase in the Appropriation in the Asset/Narcotics Forfeiture Sharing Fund - Authorize Police Program-Related Expenditures (.) –**
1. Authorize the appropriation of \$20,000 from the Narcotics Forfeiture Fund Balance account number 212.31100.1999; and **2.** Increase the Narcotics Forfeiture expenditure account by \$20,000, account number 21270101; and **3.** Authorize the expenditure of the funds for police program related expenses. Submitted by the Police Chief. Funding Source: Total program cost for fiscal year 2002/03 is \$70,000: \$50,000 is already in Narcotics Forfeiture Expenditure Account - \$20,00 from Narcotics Forfeiture Fund Balance. Revenues were received in excess of the appropriated budget. These funds are not allowed to be used for General Fund purposes, existing programs, or existing personnel.

Approved 7-0

F. Administrative Items**F-1. (Redevelopment Agency) Receive and File the Southeast Coastal Redevelopment Project Area Public Improvements and Facilities Report and Conceptual Five-Year Capital Improvement Program (.)**

Communication from the Deputy Executive Director informing Council that in preparation of the receipt of the first Southeast Coastal Redevelopment Project Area property tax increment revenues as of Fiscal Year 2003-2004, a conceptual Five-Year Capital Improvement Program has been developed for the area. This report is being provided to the Council as an informational item since it will form the basis of the FY 2003-04 budget being developed for consideration in August 2003.

Recommended Action: Motion to:

Receive and file the Southeast Coastal Redevelopment Project Area Public Improvements and Facilities Report and Conceptual Five-Year Capital Improvement Program.

Approved 7-0

F-2. (City Council) Approve City Council Position on Legislation (Assembly and Senate Bills) Pending Before the Federal, State, or Regional Governments as Recommended by the City Council Intergovernmental Relations Committee (.)

Communication from Councilmember Jill Hardy, Chair, Intergovernmental Relations Committee, on behalf of members, Mayor Connie Boardman and Councilmember Debbie Cook transmitting the following **Statement of Issue:** Should the City Council 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 Legislatures or a regional body?

Recommended Action: The City Council Intergovernmental Relations Committee has reviewed the legislation below and is recommending that the City Council take a position on these items, and authorize the Mayor to send letters to the legislators reflecting the approved position:

Approved 7-0 positions as recommended on Items 1, 2, 3, 4, 6, 7.

Approved Item No. 5, 6-1 (Green-NO)

Motion to:

1. **Oppose HR 1027 (Saxton).** Federal Water Pollution Control Act. (Introduced 02/27/03.)
2. **Reconsider and continue to watch SB 407 (Torlakson).** Vehicle License Fees. Local government financing; enterprise special districts: property tax revenue allocations. (Amended 06/17.)
3. **Reconsider and continue to oppose AB 572 (Yee).** Employment. (Amended 06/18.)
4. **Support AB 586 (Koretz).** Litter and Marine Debris: Tobacco-related. (Amended 04/22.)
5. **Support AB 974 (Nation).** Coastal zone; archaeological or paleontological resources. (06/02/03)

Mayor Pro Tem Green presented reasons opposed in present form after meeting with inland Native Americans. 6-1 (Green-NO)

6. Oppose efforts by the State to divert Proposition 42 Transportation funds.
7. Oppose Assemblyman Tom McClintock's Initiatives - SA2003RF0027 & SA2003RF0026 to "End the Car Tax" (The Vehicle License Fee). (Introduced 6/20.)

F-3. (City Council/Redevelopment Agency) Adopt Resolution No. 2003-53 Adopting the Reductions to the City Budget for Fiscal Year 2002/03 - Approve Continuation of the Current Hiring Freeze (Adopted by City Council at the May 19, 2003 Meeting) until September 15, 2003 with the Exception of the Formal Layoff Process and Other Previously Approved Exceptions and Approve Redevelopment Agency Recommended Reductions (.)

Communication from the City Administrator, the Assistant City Administrator and the Administrative Services Director requesting **City Council approval** of reductions to the Fiscal Year 2002/03 revised budget of \$11,100,653 and **Redevelopment Agency approval** of reductions to the budget for the Redevelopment Agency for Fiscal Year 2002/03.

Recommended Action: Motion to:

City Council Recommended Actions:

1. Adopt **Resolution No. 2003-53** – "A Resolution of the City Council of the City of Huntington Beach Adopting Reductions to the Budget for the City for Fiscal Year 2002/03;"

Adopted 7-0

and

2. Continue the hiring freeze adopted by the City Council until September 15, 2003 except for the formal layoff process and all other previously approved exceptions.

Recommended Action: Motion to:

Redevelopment Agency Recommended Action:

Approve reductions to the budget for the Redevelopment Agency for Fiscal Year 2002/03.

Approved 7-0

Motion to not eliminate HBTV-3 at this time and give 6 months for program to succeed or fail, hopefully succeed and return at a study session.

Failed 3-4 (Cook, Houchen, Hardy-YES)

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

- G-1a. (City Council) Adopt Ordinance No. 3610 Amending Chapter 3.36 of the Huntington Beach Municipal Code Re: the City's Utility Users Tax (UUT) to Reflect Recent Regulatory, Technological, and Economic Changes in the Utilities Industries (Southern California Edison, The Gas Company, and Time Warner Cable) (.) – Ordinance No. 3610– “An Ordinance of the City of Huntington Beach Amending Chapter 3.36 of the Huntington Beach Municipal Code Regarding the Utilities Tax of the City of Huntington Beach.” Submitted by the City Attorney, the Administrative Services Director and the Finance Officer. (Approved introduction June 16, 2003.)**
Recommended Action: After City Clerk reads by title, adopt **Ordinance No. 3610**, by roll call vote.

Adopted 7-0**G-2. Ordinance for Introduction**

- G-2a. (City Council) Approve for Introduction Ordinance No. 3612 Amending Huntington Beach Municipal Code Chapter 2.05 Entitled Gifts to Public Officials and Adopt Resolution No. 2003-51 Revising the City's Code of Ethics to be Consistent with State Law and Amending the City Council Manual (.) – Ordinance No. 3612 – “An Ordinance of the City of Huntington Beach Amending Chapter 2.05 of the Huntington Beach Municipal Code Entitled Gifts to Public Officials.”**
Recommended Action: Motion to:
1. After City Clerk reads by title, approve for introduction **Ordinance No. 3612** by roll call vote;

***Approved for introduction as amended
\$150 limit w/CPI (Consumer Price Index)******4-3 (Green, Cook, Hardy – NO)
and***

2. Adopt **Resolution No. 2003-51 as amended to include minute action of 1-16-03 – “A Resolution of the City Council of the City of Huntington Beach Revising the City's Code of Ethics and Amending the City Council Manual.”**

Adopted 7-0

H. City Council/Redevelopment Agency Items - None

Council Comments - (Not Agendized)

Councilmember Coerper thanked the Police, Fire and all Depts. for a safe 4th of July. Councilmember Houchen thanked the 4th of July Committee.

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 to Monday, July 21, 2003, 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 Branches 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.surfcity-hb.org>