

**MEETING ASSISTANCE NOTICE - AMERICANS WITH DISABILITIES ACT**

In accordance with the Americans with Disabilities Act the following services are available to members of our community who require special assistance to participate in City Council and Redevelopment Agency meetings. If you require, American Sign Language interpreters, a reader during the meeting, and/or large print agendas, to make arrangements, please call: **Office of the City Clerk (714) 536-5227**. To make arrangements for an assisted listening system (ALD) for the hearing impaired, please contact: the **Sergeant at Arms (714) 536-5693** or the **City Clerk (714) 536-5227**.

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

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

**MONDAY, AUGUST 18, 2003**

**6:00 P.M. – Room B-8 for  
Public Comments on Closed  
Session Items**

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

***The 5:00 p.m. portion of the meeting will be recessed by the City Clerk to 6:00 p.m. in Room B-8 due to an anticipated lack of quorum.***

**6:00 P.M. –Room B-8**

**Call City Council/Redevelopment Agency Meeting to Order**

**Roll Call** Sullivan, Coerper, Green, Boardman, Cook, Houchen, Hardy  
***Present (Sullivan, Houchen absent)***

**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 Closed Session Agenda Items (Referenced on the Following Page)**

***None***

**COMPUTER INTERNET ACCESS TO CITY COUNCIL/REDEVELOPMENT AGENCY  
AGENDA IS AVAILABLE PRIOR TO CITY COUNCIL MEETINGS  
<http://www.surfcity-hb.org>**

**Call Closed Session of City Council/Redevelopment Agency**  
***Approved 5-2 (Sullivan, Houchen absent)***

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

1. **(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; 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)
  
2. **(Redevelopment Agency) Closed Session** – Pursuant to Government Code Section 54956.9(a) to confer with its attorney regarding pending litigation which has been initiated formally and to which the agency is a party. The title of the litigation is **Mulligan v. Redevelopment Agency**; Orange County Superior Court Case No. 740099; Court of Appeal No. G028980. Subject: **Mulligan v. Redevelopment Agency** (400.50)
  
3. **(City Council) Closed Session** – To confer with its City Attorney regarding pending litigation pursuant to Government Code Section 54956.9(b)(3)(A). (Facts and circumstances that might result in litigation against the local agency but which the local agency believes are not yet known to a potential plaintiff or plaintiffs, which facts and circumstances need not be disclosed.) Number of Potential Cases: one. Subject, **Potential Litigation.** (120.80)
  
4. **(City Council) Closed Session** – Pursuant to Government Code Section 54956.9(a) to confer with its attorney regarding pending litigation which has been initiated formally and to which the city is a party. The title of the litigation is **City of Huntington Beach v. Huntington Beach Police Officers Association**; United States District Court, Case No. SA 01-1125 GLT. Subject: **Gun Range** (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** - Led by Mayor Connie Boardman.

**Observe Moment of Silence** – To reflect on matters before Council this evening.

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***Late communications announced by the City Clerk on Agenda Items F-1; F-2; F-3; H-3c***

**Presentation** - Mayor Connie Boardman will present a commendation to Amy Saunders who was chosen to represent Huntington Beach in the Miss Junior America Pageant. Amy was nominated for her community service to the Orange County Humane Society – Huntington Beach Branch. (160.40)

**Presentation/Announcement** - Mayor Connie Boardman to introduce Bill Hartge and Jodie Ciotti who will present a Powerpoint slide report regarding Mark Ivey, a local sailor who is raising money to represent the United States in the 470 dinghy classification in the 2004 Olympics to be held in Athens, Greece. (160.40)

**Mayor's Award** - Mayor Connie Boardman will present the Mayor's Award to James R. Belisle from the City Attorney's office. James is a clerk in the City Attorney's Office. (160.40)

**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.

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.

**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

**PUBLIC COMMENTS:**

1. ***Speaker in favor of Agenda Item H-3c requested separate accounts be made, also in favor of Agenda Item H-4a.***
2. ***Speakers in favor of Agenda Item H-3a opposing bridges for reasons including safety of children.***
3. ***Mayor of Fountain Valley spoke in opposition to Agenda Item H-3a mitigation measures in Environmental Impact Report covering Garfield/Gislar Bridge and requested Council to reconsider position - Agenda Item H-3a.***
4. ***Speaker presenting reasons opposed to method proposed to allow taxpayers to donate back tax refund and presented alternative recommendation.***
5. ***Speaker opposed to Agenda Item H-3c relative to issuance of bonds to repay property tax.***
6. ***Speaker opposed to Agenda Item H-3d and requested tax rate of zero be continued through 2003-04.***
7. ***Speaker in favor of Agenda Item D-3. Speaker stated improvements have not been made in cut-through traffic to their neighborhood and with proposed bridges it will be worse. Speaker stated when Ward Street was closed there were no problems; that traffic improvements, red curbs, signs and many items are needed as she believes Ward Street and rush hour traffic has caused cut-through problems - not the Pegasus School causing cut-through problems.***
8. ***Speaker stated that he will not apply for any tax refund as it would hurt safety services; also favors desalination plant.***
9. ***Speaker requesting the shopping center at Brookhurst and Adams be upgraded and that elderly people do not want to cross Brookhurst and Adams to go to the new Ralphs Grocery Store because of heavy traffic.***

10. **Speakers who are owners of small restaurant on Bushard stated their business has been heavily impacted by the Bushard Sewer project. He requested a temporary waiver of sign code.**
11. **Speaker requested that Cabrillo Mobilehome Park be retained as it is wetlands that cannot be developed anyway and that it be kept for affordable housing.**
12. **Speaker requesting another eleven million dollars be cut from budget and presented recommendations of desalination plant.**  
  
**(Councilmember Cook presented statistics reflecting how cost savings the HB Water Department is.)**
13. **Speaker opposed to Districting Charter Amendment.**
14. **Speaker presented recommendations for boat races which would bring money into the city - also motorcycle races on the sand - events such as the Long Beach Grand Prix; that it does not damage beach.**
15. **Speaker stating he is a CPA and that the City does not have to fill out a 1099. He thanked Councilmember Sullivan for his efforts.**

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

- C-1a. (City Council) Accept the Resignation of Vickie McDonald and Approve the Appointment of Jack Kirkorn to the ASCON/NESI Ad-Hoc Task Force (110.20)**  
Communication from Councilmembers Dave Sullivan and Jill Hardy transmitting the following **Statement of Issue**: In March of this year, the Planning Department received a call from a citizen interested in becoming a member of the ASCON/NESI Ad-Hoc Committee. Since the committee does not meet on a regular basis, the Planning Department was not aware of a vacancy. Ms. Charlotte Mason, the Committee Chairperson, informed staff that two of the four public members no longer participate in the meetings. On May 15, 2003, staff wrote these two members and requested that they inform the City in writing of their intention to participate on the ad-hoc committee or formally resign. One member resigned and the other was unable to be contacted.

The Planning Department posted the vacancy at City Hall and Central Library from June 24-July 18, 2003. The recommended appointee, Mr. Jack Kirkorn a retired firefighter for the City of Los Angeles, will be a welcome addition to the committee. The ASCON/NESI Task Force Ad-Hoc Committee meets on an as need basis. The duties of the members are to act in an advisory capacity only. The committee is not a formal board or commission and therefore there is no term limit. We as the ASCON/NESI Council liaisons recommend that the City Council consider the following motion:

**Recommended Action**: Motion to:

“Accept the resignation of Vickie McDonald and approve the appointment of Mr. Jack Kirkorn to the ASCON/NESI AD-HOC Committee”

***Approved Recommended Action 5-0-2 (Cook, Houchen out of room)***

C-1b. ***Mayor ProTem Cathy Green announced that the Huntington Beach Council on Aging had provided funding for the position of Senior Outreach worker; new carpeting; and other items and expressed appreciation. She also announced Senior Saturday at Pier Plaza on Sept 13.***

C-2. **(City Administrator's Report) Announcement Re: Public Works Agenda Item E-9 - Water Well No. 12 Improvements per the 2000 Water Master Plan (600.75)**

City Administrator Ray Silver will report a department highlight as follows on Item E-9 regarding Water Well No. 12 Improvements per the 2000 Water Master Plan. A major goal of the Water Master Plan is to create the ability of the City's water system to utilize 100% groundwater or 100% import water at any given time, to meet annual demand. The total pumping capacity needed to meet this objective is about 23,000 gallons per minute. Over the last 10 years, we have adjusted our water usage demand forecasts downward to reflect dramatic water conservation successes while realizing steady growth. During this time, we also had to remove two wells from service and have reduced the pumping capacity of a third. With the completion of Well 12, we will have balanced the system demand by adding 3,000 gallons per minute to the groundwater pumping supply which is currently at approximately 20,000 gallons per minute, effectively meeting the master plan goal and completing our well system.

Well 12 is located on Skylab Drive on the Boeing Company property in the northwest portion of the City. It is also important to note that the City has worked closely with the Southern California Edison Company to install electric pumps that will be eligible for energy savings incentives of \$40,000 and will optimize our utility rates.

***The Assistant City Administrator and Public Works Director reported.***

**D. PUBLIC HEARINGS**

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

**D-1. (City Council) Public Hearing to Consider Adoption of Resolution No. 2003-58 Proposing a Cost-Recovery Revision to the City's Firemed Fee Schedule for Emergency Medical Services and Membership Fees (See Agenda Item G-2b for Ordinance No. 3616 Relative to the Firemed Program) (340.20)**

Communication from the Fire Chief.

Public hearing for the purpose of considering revisions to the City's FireMed user fee schedule. All proposed revisions are cost recovery in nature.

It is proposed that a new rate schedule be adopted which will require higher fees to be paid by persons, or their respective insurance companies, that use the City's Emergency Medical Services system.

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

A complete report detailing proposed revisions to the FireMed Emergency Medical Services fee schedule is available for review by the public at City Hall, 2000 Main Street, in the City Clerk's Office after Wednesday, August 13, 2003, between the hours of 8:00 a.m. and 5:00 p.m., Monday through Friday. Interested persons may also contact the Fire Department at 2000 Main Street, Huntington Beach, California 92648 to receive additional information.

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

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

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

**Recommended Action:** Motion to:

Adopt **Resolution 2003-58** – *“A Resolution of the City Council of the City of Huntington Beach Setting Advanced Life Support, Basic Life Support, Emergency Ambulance Transportation, Medications and Specialized Supply Fees to be Charged by the Fire Department of the City of Huntington Beach,”* amending Resolution No. 2002-71.

**Adopted 6-1 (Sullivan-NO)**

**D-2. (City Council) Public Hearing for Consideration of the 2002-2003 Annual Review and Monitoring Report – Downtown Parking Master Plan Addressing Building Activity between June 1, 2002 and June 1, 2003 (Downtown Specific Plan Generally Bounded by Pacific Coast Highway, Sixth Street, Acacia Avenue and Second Street) (440.30)**

Public Hearing to consider:

**Applicant:** City of Huntington Beach Planning Department.

**Request:** Annual review of the Downtown Parking Master Plan addressing building activity between June 1, 2002 and June 1, 2003.

**Location:** Downtown Specific Plan area (generally bounded by Pacific Coast Highway, Sixth Street, Acacia Avenue and Second Street)

**Environmental Status:** Notice is hereby given that this agenda item is covered under Environmental Impact Report No. 82-2, approved in conjunction with the Downtown Specific Plan.

**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 after Wednesday, August 13, 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

**Recommended Action:** Motion to:

**Planning Commission and Staff Recommendation:** Motion to:

Accept as adequate and complete the annual review and monitoring report of *The Downtown Parking Master Plan* and forward to the Executive Director of the California Coastal Commission.

***Councilmember Houchen inquired if parking spaces would be added in the future.***

***Councilmember Sullivan inquired as to approximately how many spaces would be lost if first two blocks were made a pedestrian mall.***

***Approved 7-0***

**D-3. (City Council) Public Hearing to Consider Adoption of Resolution No. 2003-59 Authorizing the CSCDA (California Statewide Communities Development Authority) to Issue Tax-Exempt Revenue Bonds for the Pegasus School Project (Located at 19692 Lexington Lane) (330.30)**

Communication from the Administrative Services Director.

Public hearing to consider information concerning the proposed sale, execution and delivery by the California Statewide Communities Development Authority (the "Authority") of its Variable Rate Demand Revenue Bonds (The Pegasus School), Series 2003 (the "Bonds"), in an aggregate principal amount not to exceed Twelve Million Dollars (\$12,000,000). Proceeds from the sale of the Bonds are to be used to assist The Pegasus School (the "Corporation"), a California nonprofit public benefit corporation, in financing the costs of the acquisition of a school commonly known as The Pegasus School and located at 19692 Lexington Lane, Huntington Beach, California, (the "Facilities"), refinancing existing debt with respect to the Facilities and paying related expenses incurred in connection with the issuance of the Bonds (collectively, the "Project"). The owner and operator of the Facilities will be the Corporation.

The Bonds will be paid entirely from payments made by the Corporation under a loan agreement between the Corporation and the Authority. Neither the full faith and credit nor the taxing power, if any, of the City, the Authority and its members, the State of California (the "State") or any other political corporation, subdivision or agency of the State is pledged to the payment of the principal of, premium, if any, purchase price or interest with respect to the Bonds, nor shall the City, the Authority and its members, the State, or any other political corporation, subdivision or agency of the State be liable or obligated to pay the principal of, premium, if any, purchase price or interest with respect to the Bonds.

The Public Hearing is intended to comply with the public approval requirements of Section 147(f) of the Internal Revenue Code of 1986, as amended.

Those wishing to comment on the sale, execution and delivery of such Bonds or on the proposed nature and location of any of the Project and the financing of the Project with the proceeds of the Bonds may either appear in person at the time and place indicated above or submit written comments, which must be received prior to the Public Hearing, to the City, c/o Connie Brockway, City Clerk, at the address indicated above.

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

**Recommended Action:** Motion to:

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

and

2. Adopt **Resolution Number 2003-59** – *"A Resolution of the City Council of the City of Huntington Beach Approving the Issuance and Sale of the California Statewide Communities Development Authority Variable Rate Demand Revenue Bonds (The Pegasus School), Series 2003 in an Aggregate Principal Amount Not to Exceed \$12,000,000 for the Purpose of Financing the Costs of the Acquisition of a School Commonly Known as the Pegasus School and Certain Other Matters Relating Thereto."*

***The representative of Stradling, Rocca and Carlson responded to Councilmember's question regarding whether a parochial school could apply.***

***Adopted 7-0***

### **E. CONSENT CALENDAR**

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

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

- E-1. **(City Council/Redevelopment Agency) Minutes** (120.65) - Approve and adopt the minutes of the City Council/Redevelopment Agency Regular Meetings of June 2, 2003 and June 9, 2003 as written and on file in the Office of the City Clerk. Submitted by the City Clerk.

***Approved and Adopted 7-0***

- E-2. **(Redevelopment Agency) Appropriate Funds for “Developer Advance” Payment for the Hyatt Regency Grand Resort Project to Mayer Financial, LP** (320.45) Appropriate \$1,050,000 from the Agency’s Unencumbered Capital Projects Fund balance to the Redevelopment Agency’s Debt Service Account for the September 30, 2003 payment of the “Developer Advance” for the Hyatt Project. Submitted by the Deputy Executive Director. Funding Source: Agency’s Unencumbered Capital Projects Fund Balance.

***Approved 7-0***

- E-3. **(City Council) Approve Huntington Beach Hotel/Motel Business Improvement District (BID) 2002-2003 Fiscal Year Annual Report - Adopt Resolution of Intention No. 2003-60 to Levy an Annual Assessment for Fiscal Year 2003-2004 - Schedule Public Hearing for September 2, 2003** (460.30) – 1. Approve the Huntington Beach Hotel/Motel Business Improvement District Annual Report for Fiscal Year 2002-2003; 2. Adopt City Council **Resolution No. 2003-60** – “A Resolution of the City Council of the City of Huntington Beach Indicating the City’s Intention to Levy an Annual Assessment for Fiscal Year 2003-2004 to Fund Improvements Within the Huntington Beach Hotel/Motel Business Improvement District;” and 3. Direct the City Clerk to **schedule a public hearing to be held on September 2, 2003**, and send copies of the Resolution of Intention and assessment formula to each business to be assessed. Submitted by the Economic Development Director. Funding Source: Not applicable.

***Approved 7-0***

- E-4. **(City Council) Approve Huntington Beach Auto Dealers Business Improvement District (BID) 2002-2003 Annual Report - Adopt Resolution of Intention No. 2003-61 to Levy an Annual Assessment for Fiscal Year 2003-2004 - Schedule Public Hearing for September 2, 2003** (460.30) – 1. Approve the Huntington Beach Auto Dealers Business Improvement District Annual Report for Fiscal Year 2002-2003; 2. Adopt City Council **Resolution No. 2003-61** – “A Resolution of the City Council of the City of Huntington Beach Declaring Its Intention to Levy an Annual Assessment for Fiscal Year 2003-2004 to Fund Improvements Within the Huntington Beach Auto Dealers Business Improvement District;” and 3. Direct the City Clerk to **schedule a public hearing to be held on September 2, 2003**, and send copies of the Resolution of Intention, BID Boundary Map, and assessment formula to each business to be assessed. Submitted by the Economic Development Director. Funding Source: Not applicable.

***Approved 7-0***

- E-5. **(City Council) Approve the Position of Administrative Assistant for the Fiscal Year 2002-2003 as an Exception to the Hiring Freeze Adopted by the City Council on May 19, 2003 (to Maintain Essential Staff Support for the Fire Chief and Administration Division)** (310.20) – Authorize the City Administrator to approve the position of Administrative Assistant as an exception to the current hiring freeze to maintain essential staff support for the Fire Chief and Fire Administration Division. Submitted by the Fire Chief. Funding Source: Budgeted within the fiscal year Fire Department Permanent Salaries.

***Councilmember Sullivan inquired re: funding  
Approved 7-0***

- E-6. **(City Council) Approve Affordable Housing Agreement for Lakeside Utica, LLC (5051 Pheasant Lane) – Provides One Off-Site Single Family Rental Unit to Satisfy Affordable Housing Requirement Relative to the Seven Detached Single Family Home Development Project at 2101 - 2113 Alabama Street** (600.10) – Approve the Agreement *Declaration Containing Covenants Affecting Real Property by Lakeside Utica, LLC, a California Limited Liability Company* (Attachment No. 1) by and Between the City of Huntington Beach and Lakeside Utica, LLC, and authorize the Mayor and City Clerk to sign, execute and record. Submitted by the Planning Director. Funding Source: Not applicable.

***Councilmember Sullivan requested continuance of the item to study whether affordable rental unit should be affordable for 60 years rather than 30 years and to make it available at a more affordable income rate.***

***Continued to future date. Approved 7-0***

- E-7. **(City Council) Approve Hiring One Police Officer to Fill Vacated Position in the Investigation Bureau When an Officer is Assigned to OCATT (Orange County Auto Theft Task) Force as an Exception to the Hiring Freeze Adopted by the City Council on May 19, 2003** (310.20) – 1. Approve the hiring of one new Police Officer to fill the vacated position in the Investigation Bureau when an officer is assigned to the OCATT Force as an exception to the current hiring freeze and allow for immediate recruitment; 2. Approve the appropriation of \$132,704 from the unreserved, undesignated General Fund Balance, to be reimbursed by the grant from the OCATT Task Force Committee; and 3. Authorize the expenditure of funds not to exceed \$132,704 to reimburse the OCATT Officer's costs including, salary, benefits, overtime and supplies. Submitted by the Chief of Police. Funding Source: As stated Above.

***Police Chief Small responded to inquiries from Councilmember Sullivan re: the workings of the Task Force.***

***Approved 7-0***

- E-8. **(City Council) Approve Hiring One Detention Police Officer and Two Police Records Supervisors as an Exception to the Hiring Freeze Adopted by the City Council on May 19, 2003** (310.20) – Approve the hiring of one Detention Officer and two Records Supervisor positions as exceptions to the current hiring freeze and allow for immediate recruitment. Submitted by the Chief of Police. Funding Source: The existing, approved Police Department budget can absorb the cost of one Detention Officer and two Records Supervisors. The funds are available in the Police Department's General Fund Accounts for Jail and Records.

***Approved 7-0***

- E-9. **(City Council) Approve Project Plans and Specifications and Authorize Advertisement of Bids for Water Well No. 12 Improvements per the 2000 Water Master Plan; CC-1063** (600.75) – Approve the project plans and specifications and authorize the Director of Public Works to request public bids for the construction of the Well No. 12 Improvements; CC-1063. Submitted by the Public Works Director. Funding Source: Budgeted for FY 2003-2004 from the Water Master Plan Account. Engineer's preliminary estimate is \$1,500,000.

*Approved 7-0*

- E-10. **(City Council) Accept the Public Works Department's Fair Share Traffic Impact Fee Program 2002-2003 Annual Report and Support Planned Program Expenditures** (340.20) – Accept the *2002-2003 Traffic Impact Fee Annual Report* and support the planned program expenditures. Submitted by the Public Works Director. Funding Source: Report recommendations will be used in preparing the City's 2003-2005 budget for street improvements, special studies and staff expenditures related to administration and completing the program. Ultimate funding of efforts or portions of efforts will be through the Traffic Impact Fee Fund. (The Public Works Commission reviewed and approved this report on June 18, 2003.)

*Approved 7-0*

**F. Administrative Items**

**F-1. (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 (640.90)**

Communication from Councilmember Jill Hardy, Chair, Intergovernmental Relations Committee, on behalf of members, Mayor Connie Boardman and Councilmember Debbie Cook who have reviewed the following legislation and are 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:** Motion to:

1. Continue to **Oppose AB 572 (Yee) Employment** as amended 07/21/03  
*Approved 7-0*
2. Continue to **Support AB 710 (Correa) OCTA Restructuring** as amended 07/01/03  
*Approved 7-0*
3. Continue to **Watch AB 968 (Correa) Workers' Compensation** as amended 07/14/03  
*Approved 7-0*
4. **Withdraw Opposition & Continue to Watch AB 1324 (Steinberg) Workers' Compensation** as amended 07/14/03.  
*Approved 7-0*
5. **Support SB 288 (Sher) California Air Act of 2003** as amended 06/27/03  
*Approved 7-0*
6. **Support SCA 1 (Burton) Amending the State Constitution to assure open and public meetings** as amended 06/27/03  
*Approved 7-0*
7. **Support SB 18 (Burton) Traditional Tribal Cultural Sites** as amended 07/09/03  
*Mayor Pro Tem Cathy Green presented several reasons in opposition. Discussion held. Approved 4-3 (Sullivan, Coerper, Green-NO)*
8. **Authorize a letter of Support for the Orangeline Development Authority's request for Federal Funding under the Transportation Equity Act for the 21<sup>st</sup> Century (Tea-21) for pre-deployment planning of the initial 33-mile segment of the proposed commuter line from Los Angeles to Orange County.**  
*Approved 7-0*
9. **Authorize the Mayor to sign a letter of support for the consolidation of the Municipal Water District of Orange County and the Orange County Water District.**  
*Councilmember Debbie Cook: "continue to watch" and gather information.*

**F-2. (City Council) Accept Sewer Service Charge Performance Audit and Approve Introduction of Ordinance No. 3614 for Sewer Charge Modifications Amending HBMC Chapter 14.55 (640.10, 300.20)**

Communication from the Public Works Director transmitting the following **Statement of Issue**: Section 14.54.060 of the Huntington Beach Municipal Code (HBMC) requires the City Council to establish sewer service charges by ordinance. Chapter 14.55 of the HBMC establishes the specific amounts of the charges and the formula for modifying the charges. The Sewer Service Charge Annual Performance Audit is presented to the City Council as required by Section 14.54.070 Annual Program Review.

Five (5) affirmative votes are required to adopt this Ordinance per Health & Safety Code §5471

**Recommended Action**: Motion to:

1. Accept the Sewer Service Charge Performance Audit as presented;

**and**

2. Approve Introduction **as amended (multi-family dwelling rate \$5.1808)** of **Ordinance No. 3614** after the City Clerk reads by title - "*An Ordinance of the City of Huntington Beach Amending Chapter 14.55 of the Huntington Beach Municipal Code Relating to Rates and Charges for the Sewer Service User Charge*", amending Chapter 14.55 of the HBMC Relating to Rates, Charges, Annual CPIU (Consumer Price Index for all Urban Consumers) Adjustments and Billing Methodology for the Sewer Service Charge.

**Approved Introduction as amended, 6-0-1 (Sullivan abstained stating he needs to study more.)**

**F-3. (City Council) Continued from August 4, 2003 - Approve Standard Sponsorship Agreement for HCP (Huntington Central Park) Sports Complex Banner, Scoreboard, Family Pavilion and Field Sponsorship Program (For Use with Spectrum Sports) (600.05)**

Communication from the Community Services Director and Special Projects Manager, Administration, informing Council that a *Standard Sponsorship Agreement* has been prepared for staff to use with Spectrum Sports to secure sponsorships for scoreboards, parking lot banners, family pavilions, and fields at the HCP Sports Complex.

**Recommended Action**: Motion to:

1. Approve the proposed *Standard Sponsorship Agreement* for Sponsorship of the Huntington Beach Central Park Sports Complex ~~and fees as proposed~~ **with the fees presented in the "Analysis" section of this report to be considered minimum fees for each package.**

**and**

2. Authorize the Director of Community Services to enter into sponsorship agreements on behalf of the city with sponsors for the HCP Sports Complex using the standard agreement;

**and**

3. Authorize the Community Services Director and City Clerk to execute each agreement.

**Approved 7-0**

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

- G-2a. (City Council) Approve for Introduction Ordinance No. 3615 Amending the Huntington Beach Municipal Code Chapter 13.08 Relating to Beach Regulations (Structures – Furniture on Beach – Pierside Pavilion – Beach Service Road) (640.10) - Ordinance No. 3615 - “An Ordinance of the City of Huntington Beach Amending Chapter 13.08 of the Huntington Beach Municipal Code Relating to Structures/Furniture on the Beach.”**  
**Recommended Action:** After City Clerk reads by title, approve introduction of Ordinance No. 3615 by roll call vote.

***Approved Introduction 7-0***

- G-2b. (City Council) Approve for Introduction Ordinance No. 3616 Amending the Huntington Beach Municipal Code Chapter 8.68 Relating to the City’s Firemed Program (See Agenda Item D-1 for Proposed Firemed Fee Schedule Revision) (640.10) - Ordinance No. 3616 - “An Ordinance of the City of Huntington Beach Amending Chapter 8.68 of the Huntington Beach Municipal Code Relating to the Firemed Program.”**  
**Recommended Action:** After City Clerk reads by title, approve introduction of Ordinance No. 3616 by roll call vote.

***Approved Introduction 7-0***

- G-2c. (City Council) Approve for Introduction Ordinance No. 3617 Amending the Huntington Beach Municipal Code Chapter 17.65 Relating to Fair Share Traffic Impact Fees Annual Program Review – Reporting Requirments (640.10) - Ordinance No. 3617 - “An Ordinance of the City of Huntington Beach Amending Chapter 17.65 of the Huntington Beach Municipal Code Relating to Traffic Impact Fees.”**  
**Recommended Action:** After City Clerk reads by title, approve introduction of Ordinance No. 3617 by roll call vote.

***Approved Introduction 7-0***

H. City Council/Redevelopment Agency Items

H-1a. Submitted by Mayor Pro Tem Cathy Green

(City Council) Announcement by Mayor Pro Tem Cathy Green of Appointment of Tom Livengood to the Planning Commission and Acceptance with Regret the Resignation of Don Stanton who is Moving from Huntington Beach (440.90)

Mayor Pro Tem Cathy Green will announce her appointment of Tom Livengood to the Planning Commission and her acceptance, with regret, of the resignation of Don Stanton who is moving from Huntington Beach.

**Recommended Action:** Motion to:

Direct the City Clerk to record in the minutes the appointment of Tom Livengood to the Planning Commission **effective August 29, 2003.**

*Approved 7-0*

H-2a. Submitted by Councilmember Dave Sullivan

(City Council) Direct Staff to Announce the Howard Jarvis Property Tax Refund on HBTv3 (630.40)

Communication from Councilmember Dave Sullivan transmitting the following recommended action.

**Recommended Action:** Motion to:

The following announcement (Item A) be placed on the scroll on HBTv3 during the period that people can apply for a refund for the illegal property tax

**Item A:**

HB Property Tax Refund  
For property owned  
July 1997 through June 2001  
A claim must be filed  
Download Claim Form  
[www.surfcity-hb.org](http://www.surfcity-hb.org)  
or call 536-5227

***Councilmember Dave Sullivan pulled - this was already stated on TV***

**H-2b. Submitted by Councilmember Dave Sullivan****(City Council) Direct Staff to Advertise the Howard Jarvis Property Tax Refund in the Huntington Beach Independent and the Huntington Beach Wave Newspaper and to Enclose Refund Information in the City's October Water Bill** (630.40)

Communication from Councilmember Dave Sullivan transmitting the following **Statement of Issue:** The City of Huntington Beach should make a strong effort to inform HB property owners that a portion of their property tax was collected illegally for properties owned between July 1, 1997 and June 30, 2001 and that they are entitled to a refund. My preference would be to mail the refunds directly to the property owners, but the city is following the claim process.

**Recommended Action:** Motion to:

1. The city place the following advertisement (Item A below) in the Huntington Beach Independent Newspaper and the Huntington Beach Wave Newspaper each week starting August 28, 2003 and continuing until December 4, 2003

***Considerable discussion held. Motion to place ad in Register and Times every other week. Failed 2-ayes Sullivan Coerper, 4-Noes Boardman, Cook, Houchen, Hardy (Green abstain)***

and

2. Item A (below) be included on a card as an enclosure in the October city water bill in such a cycle that all receiving the bill will receive it with their monthly bill prior to November.

***Approved 7-0***

**ITEM A:****PARTIAL REFUND OF HUNTINGTON BEACH PROPERTY TAX**

You qualify if you owned property between **July 1, 1997 and June 30, 2001**

You must file a **CLAIM** to receive a refund

Download **CLAIM FORM** from: [www.surfcity-hb.org](http://www.surfcity-hb.org)

Or call the City Clerk's office at (714) 536-5227 and a form will be mailed to you

Claim must be submitted before December 4, 2003

***Approved as amended to add "partial" 7-0***

**H-2c. Submitted by Councilmember Dave Sullivan****(City Council) Approve Formation of an Ad Hoc City Council Property Tax Refund Committee to Work with Staff to Facilitate the Howard Jarvis Property Tax Refund Process** (120.25)

Communication from Councilmember Dave Sullivan transmitting the following **Statement of Issue:** The City of Huntington Beach has illegally collected an estimated 27 million dollars in property taxes for Employee Retirement Benefits. This is very unfortunate. It is important that the city be viewed as user-friendly and efficient throughout the refund process. The City Council should be involved in the planning and development of the refund process.

**Recommended Action:** Motion to:

1. The City Council form an Ad Hoc City Council Property Tax Refund Committee to work with City Staff to facilitate the refund process;

and

2. The City Council appoint two of its members to the above committee.

**Motion to approve (1) and (2) Failed 3-4 (Boardman, Cook, Houchen, Hardy-NO)**

**H-3a. Submitted by Mayor Connie Boardman**

**(City Council) Direct Staff to Adopt Recommendations Regarding the City's Opposition to the Proposed Santa Ana River Crossings (SARX) at Garfield/Gisler and Banning/19th Streets Pertaining to OCTA (Orange County Transportation Authority), MPAH (Master Plan of Arterial Highways) and the SARX EIR (Environmental Impact Report) – Adopt Mitigation Measures Required for the “No Bridges” Alternative (800.10)**

Communication from Mayor Connie Boardman transmitting the following **Statement of Issue**: At a Study Session earlier this year, the Council learned of a proposal by the city of Costa Mesa to reach a compromise regarding the removal/retention of the bridges over the Santa Ana River at Banning and Garfield Avenues from the Master Plan of Arterial Highways. However, since the City Council of Costa Mesa had not yet acted on this plan, our Council chose not to pursue it.

On July 21, 2003, the City Council of Costa Mesa did approve several actions that are included in the back up with this H-item. On August 6, 2003, I met with Mr. Ed DeMuelle, the President of the Southeast Huntington Beach Neighborhood Association and Mr. John Scott to discuss the action of the Costa Mesa City Council. Both expressed support for the city of Huntington Beach to adopt similar measures as Costa Mesa.

**Recommended Action:** Motion to:

Adopt the following actions on the proposed Santa Ana River Crossings (SARX) at Garfield and Banning Avenues.

1. Once again, convey the city's opposition to the design and construction of the proposed bridges at Garfield and Banning Avenues.

**and**

2. Request that OCTA Board of Directors certify the SARX Environmental Impact Report

**and**

3. In cooperation with OCTA and neighboring cities of Fountain Valley, Newport Beach and Costa Mesa, develop a program to implement the mitigation measures for the no bridges alternative.

**and**

4. Adopt mitigation measures identified in the SARX EIR required for the no bridges alternative.

**and**

5. Retain the Garfield and Banning bridges on the Master Plan of Arterial Highways at this time, but request that the surrounding jurisdictions not assume the two bridges will be built when considering long term planning studies, developments, and land use assumptions.

**and**

5. Request that OCTA upon completion of all feasible mitigations for the no bridges alternative, conduct a follow up study to confirm the deletion of the bridges from the circulation system and to take action to delete the bridges from the MPAH at that time.

**Approved Recommendations 1 through 6 7-0**

**H-3b. Submitted by Mayor Connie Boardman**

**(City Council/Redevelopment Agency) Direct Staff to Prepare a License Agreement or Title to Wetlands in Exchange for Restoration/Perpetual Maintenance with the Huntington Beach Wetlands Conservancy Regarding Restoration and Maintenance of Little Shell Wetland Site (Beach Boulevard/Pacific Coast Highway) (440.60)**

Communication from Mayor Connie Boardman transmitting the following **Statement of Issue**: The Redevelopment Agency currently owns the one-acre parcel of land known as Little Shell, plus a buffer area around the wetland. The Huntington Beach Wetlands Conservancy has responsibility for the interim maintenance and management of the wetland under an agreement with the Agency. In the past, the Redevelopment Agency directed staff to try to sell the wetland to a third party that could use it for mitigation credit. Staff has explored the possibility of selling the wetland to a third party with no success (see attached memo for more background). Neither the City nor the Agency is in the position to maintain the wetland. There is currently a conservation easement on this property.

The Huntington Beach Wetlands Conservancy has expressed an interest in being the party to which the Agency could convey the wetland to, or to enter into a license agreement with to maintain the wetland area. Please see the attached memo for information from staff on these alternatives. Since past action by the Agency has been to attempt to sell the wetland for mitigation credit, Agency action is needed to move forward in this alternative direction.

**Recommended Action:** Motion to:

Direct staff to prepare an agreement with the Huntington Beach Wetlands Conservancy under which the Conservancy will either be granted title to the wetland in exchange for the restoration and perpetual maintenance of the area, or enter into a license agreement with the Huntington Beach Wetlands Conservancy for the restoration operation and maintenance of the area.

**Approved 7-0**

**H-3c. Submitted by Mayor Connie Boardman**

**(City Council) Direct Staff to: (1) Reaffirm the Claims Procedures as Set Forth in Resolution 2001-19 Regarding the Howard Jarvis Retirement Property Tax Refund Procedures; (2) Prepare Documents for Bond Issuance (Including Debt Service in 2003-2004 Budget) after December 7, 2003; and (3) Prepare a Separate Form Permitting Claimants to Direct the Value of Their Refund Toward a Particular City Service (630.40)**

Communication from Mayor Connie Boardman transmitting the following **Statement of Issue**: On April 16, 2001, the City Council adopted Resolution 2001-19 which set forth the procedures and deadlines for filing tax refund claims in connection with the Howard Jarvis Taxpayers Association litigation. On July 30, 2003, the Court of Appeals upheld the decision of the trial court. On August 4, 2003, the City Council voted to refrain from filing an appeal to the California Supreme Court. Based on this decision, it is necessary to provide direction to staff regarding the procedures for processing refunds consistent with the court's decision.

The claims procedure established by Resolution 2001-19 extended the deadline to 90 days from transmittal of the case back to the trial court so that an order can be entered consistent with the Court of Appeal's decision. It is anticipated that the claims filing period will be approximately September 8, 2003, through December 7, 2003. It will not be possible to determine the total amount of refunds due prior to the closing of the claims filing period.

Lastly, it has come to my attention that some citizens may prefer to direct their refund toward a particular City service. I recommend the following language be prepared on a form and made available on the City's website and at the City Clerk's Office.

I authorize that any refund, including interest, which is paid pursuant to this claim be directed to the following:

- |                                                      |                                                |
|------------------------------------------------------|------------------------------------------------|
| <input type="checkbox"/> Infrastructure Fund         | <input type="checkbox"/> Public Safety         |
| <input type="checkbox"/> Community Services Programs | <input type="checkbox"/> Sister Cities Program |
| <input type="checkbox"/> Library Services Program    | <input type="checkbox"/> Fourth of July        |
| <input type="checkbox"/> Shipley Nature Center       | <input type="checkbox"/> Art Center            |
| <input type="checkbox"/> Project Self-Sufficiency    | <input type="checkbox"/> General Fund          |

**Recommended Action:** Motion to:

1. Reaffirm the claims procedures as set forth in Resolution 2001-19 attached hereto.  
***Approved 7-0***

and

- (a) **Council will honor all valid claims from April 21, 2001 and to approximately a date of 12-07-03 but not as yet determined.**

2. Direct staff to prepare the necessary documents for City Council approval of a bond issuance after December 7, 2003, when the bond value has been established.  
***Approved 6-1 (Sullivan NO)***

and

3. Direct staff to include the debt service for the bond issuance in the 2003/2004 budget ***when the amount of debt service is known.***  
***Approved 5-1-1 (Sullivan NO, Green abstain)***

and

- 3.a **Council remain open to considering serious alternatives for funding this debt**  
***Approved 7-0***

- ~~4. Direct staff to prepare a separate form to permit claimants to direct the value of their refund to a specific purpose in the City.~~  
***Withdrawn from agenda***

**Attachments:**

1. Resolution No. 2001-19 entitled "A Resolution of the City Council of the City of Huntington Beach extending the time to file tax refund claims and lawsuits in connection with the case entitled *Howard Jarvis Taxpayers Association v. County of Orange and Real Party in Interest City of Huntington Beach* Orange County Superior Court Case No. 818780"
2. Correspondence from Gail Hutton, City Attorney, to Property Owners in the City of Huntington Beach dated April 17, 2001 (including claim form attached thereto)

**H-3d. Submitted by Mayor Connie Boardman****(City Council) Adopt Resolution No. 2003-62 Levying a Tax Rate of 4.4% Representing Cost of Pre 1978 Benefits Which is a Reimplementation of the Retirement Property Tax for Fiscal Year 2003-2004** (630.40)

Communication from Mayor Connie Boardman transmitting the following **Statement of Issue**: In 1966, and again in 1978, the electorate of the City of Huntington Beach approved a City Charter revision authorizing the City to provide retirement benefits to its employees, and further directing the City to levy a property tax in excess of 1% of the full cash value of property "sufficient to meet all obligations of the City for the retirement system in which the City participates."

The City currently provides retirement benefits through a contract with the Public Employees Retirement System (PERS). In addition, the City provides a Supplemental Retirement Program offering survivor's benefits that replace certain PERS benefits to employees hired before 1998 and a Retiree Medical Plan subsidizing the cost for retirees to participate in the City-sponsored Health Plans. Although the City has participated in PERS since 1945, it has modified its retirement programs since July 1, 1978. For example, after July 1, 1978, the City began reimbursing employees for their contribution to PERS, as well as offering the Supplemental Retirement Program and the Retiree Medical Plan.

In December 1999, the Howard Jarvis Taxpayers Association ("HJTA") filed suit challenging whether the City's property tax override violates Proposition 13, in a case entitled *Howard Jarvis Taxpayers Association, et al., v. County of Orange, and City of Huntington Beach as Real Party in Interest*, Orange County Superior Court Case No. 81-87-80 ("Case No. 818780"). At issue was whether the override is limited to only those retirement benefits the City paid for as of July 1, 1978, or for all City-paid retirement benefits, including those benefits authorized after July 1, 1978.

On April 2, 2001, the Superior Court held that under Proposition 13, the property tax override is unconstitutional "to the extent it exceeds the City's employer contribution for PERS retirement benefits that were in existence prior to July 1, 1978." This means that the property tax override can only be used to pay the employer's contribution to PERS, and cannot be used to fund the City's payment of the employees' member contributions, the Supplemental Retirement Program or the Retiree Medical Program. It also means that the retirement property tax cannot be used pay for post-1978 amendments to the City's retirement contract with PERS. For example, in 2001, the City altered its safety employee retirement plan to 3% @ 50 from 2% at 50. Under the Court's decision, the City may not use the retirement tax to pay for the additional cost of offering the 3% @ 50 benefit.

On July 30, 2003, the Court of Appeal issued its opinion regarding the City's retirement property tax. The Court affirmed the decision of the trial court in virtually all respects by a 2-to-1 decision. Subsequently, under the Court of Appeal decision, the City may levy a retirement property tax to fund the employer's contribution to PERS for pre-1978 retirement benefits.

For fiscal year 2003/2004, PERS is requiring the City to contribute 8.997% of safety employee payroll as the City's employer's contribution for pre and post-1978 benefits. The City may levy a tax sufficient to pay that part of the employer's contribution that is attributable only to pre-1978 benefits.

In December 2000, PERS provided the City with a Cost Analysis for offering 3% @ 50. It indicated that 4.589% of employee payroll was "much more indicative of the long-term change in the employer contribution rate due to the plan amendment." Since 4.589% of the

8.997% rate represents the incremental cost of 3A% @ 50, the remainder of 4.408% represents the pre-1978 benefit of 2% @50. 4.408% of the safety employee payroll for 2003/04 is \$1,279,113.00. A tax levy sufficient to raise this amount of money is 0.00696% of assessed value. This works out to approximately a retirement tax of \$6.96 per year per \$100,000 of assessed value.

**Recommended Action:** Motion to:

Adopt **Resolution No. 2003-62** – “A Resolution of the City Council of the City of Huntington Beach Levying a Retirement Property Tax for Fiscal Year 2003/2004 to pay for Pre-1978 Employee Retirement Benefits,” to levy a tax rate at 4.4% that represents the cost of pre-1978 benefits.

- (1) **Amendment to Resolution 2003-62 to approve on condition of reviewing communication received tonight from Chuck Shied. Failed 2-5 (Green, Sullivan-YES)**  
 (2) **Adopt Resolution 2003-62. Approved 6-1 (Sullivan-NO)**

#### H-4a. **Submitted by Councilmember Pam Houchen**

**City Council) Direct Staff to Initiate and Return to Council with Recommendations for a Phase II of the Huntington Beach Zoning and Subdivision Ordinance and Specific Plan Amending the Entitlement Permit Streamlining Process ( . )**

Communication from Councilmember Pam Houchen transmitting the following **Statement of Issue:** In January 2002, the City Council approved Zoning Text Amendment No. 01-04 by adopting Ordinance Nos. 3502 and 3532 and amending the HBZSO (Huntington Beach Zoning and Subdivision Ordinance) and implementing the first phase of the entitlement permit streamlining process. The Phase I amendment contained approximately 20 revisions to the HBZSO to streamline the entitlement process for these select users. To date, these amendments have streamlined the entitlement process, decreased processing times, created cost savings and improved customer service by allowing the review of an entitlement by a lower hearing body.

In times of budget reductions, staff cutbacks, and tough economic times, I believe it is the appropriate time to re-visit streamlining the entitlement process contained in the City’s zoning and subdivision ordinance. The continued effort to streamline and expedite the entitlement permit process will continue to benefit both the City as well as the private sector.

I also believe that the Phase I approach may have been too limited in its scope by only focusing on the HBZSO. To expand on the streamlining effort, I’d like to see the continued analysis of the HBZSO and possible amendments to select specific plans. Therefore, I recommend the City Council consider the following motion:

**Recommended Action:** Motion to:

Direct the Director of Planning to initiate a zoning text amendment to amend the HBZSO and any specific plans as deemed necessary to streamline the entitlement permit process and return to the City Council with a recommendation as soon as possible **following Planning Commission Review.**

**Approved as amended 7-0**

**Council Comments - (Not Agendized)**

***Councilmember Gil Coerper announced that two Police Officers had saved a life, preventing drowning.***

***Congratulations to Fire Chief Olson who was sworn in today as Huntington Beach Fire Chief.***

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, August 25, 2003, at 4:00 p.m., in the Council Chambers*, 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**

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