

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**

TUESDAY, SEPTEMBER 2, 2003

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

Staff commenced the Slide Presentation prior to quorum of City Council. A quorum of Council was present at 5:15 pm.

5:00 P.M. –Room B-8

The Council Meeting was called to order and roll call taken at 5:15 P.M.

Call City Council/Redevelopment Agency Meeting to Order At 5:15 p.m.

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

Present (Sullivan arrived 5:15 p.m., Houchen arrived 5:17 p.m; Green, Boardman 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 Study Session and 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>

(City Council/Redevelopment Agency) Study Session – Presentation by the Economic Development Department on “Redevelopment Agency Financial Issues (.)

Economic Development/Deputy Executive Director David Biggs will present an update on the current status of Redevelopment Agency financial issues, address outstanding debt and financial history, outline issues and policy questions, and seek general direction from City Council/Redevelopment Agency members.

Communication and a PowerPoint presentation titled *Redevelopment Agency Financial Issues* from the Economic Development Department are included in the Agenda Packet. *Economic Development Director Biggs provided background info and commenced with the PowerPoint presentation at 5:05 p.m. before meeting began (no quorum).***

Call Closed Session of City Council/Redevelopment Agency

Recommended Action: Motion to recess to Closed Session on the following items:
Approved 5-2 (Green, Boardman absent)

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 city is a party. The title of the litigation is **James Poe v. City of Huntington Beach**, WCAB Case No. ANA 0360912; Claim No. COHB-02-0003. Subject: **James Poe V. City of Huntington Beach** (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** - Pursuant to Government Code Section 54956.9(b)(3)(B). (Facts and circumstances, including, but not limited to, an accident, disaster, incident, or transactional occurrence that might result in litigation against the agency and that are known to a potential plaintiff or plaintiffs, which facts or circumstances shall be publicly stated on the agenda or announced.) Southern California Water Company has notified the city it intends to purchase or condemn an easement in order to provide water service to Bolsa Chica Mesa. Subject: **Potential Eminent Domain Action by Southern California Water Company against City of Huntington Beach.** (120.80)
4. **(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)

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 (Boardman arrived at 7:45 p.m., Green absent)

Pledge of Allegiance - Led by ~~Mayor Connie Boardman~~ Councilmember Jill Hardy.

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

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.)

City Clerk announced Late Communications on C-1a; D-1; D-2.

Presentation - ~~Mayor Connie Boardman~~ Councilmember Jill Hardy will conduct the ceremony to swear in Marine Safety Chief Kyle Lindo. (160.40)

Presentation - ~~Mayor Connie Boardman~~ Councilmember Jill Hardy to present a commendation to Police Officers Pilot Jack Paholski and Police Officer Pilot Brandon Reed for being named "Air Crew of the Year" by the National Airborne Law Enforcement Association. (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 agendaized.

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

PUBLIC COMMENTS:

1. ***Representative of Council on Aging presented \$18,000 check to City to pay one year's salary for a recurrent social worker. Invited all to participate in the Senior Saturday Community Festival to be held at Pier Plaza on Saturday, September 13, 2003 from 9:00 a.m. to 2:00 p.m.***
2. ***Speakers requested that wetlands surrounding Cabrillo Mobilehome Park remain as currently zoned and not be rezoned per Mills Land and Water Company request. Speakers stated the mobile home park is also known as "Cabrillo Wetlands Village at Big Shell."***
3. ***Speaker informed Council of the poor quality of water off the coast, which he believes to be the cause of throat infections***
4. ***Past Mayor Ralph Bauer reported on recent article re: the Colorado River in relation to how the MWD (Metropolitan Water District) draws from the lower Colorado. Dr. Bauer spoke regarding MTBE contaminants in water and effects on fetuses and thyroid and presented a copy of the article and his comments.***
5. ***Speaker requesting high level salaried positions in City be reduced and positions such as electricians be retained.***
6. ***Speakers opposed to proposed desalination plant.***
7. ***Representative of Project Self-Sufficiency (PSS) Foundation stated intent to donate \$11,000 toward the PSS Coordinator, Susan Edwards's salary, to be delivered by September 30, 2003. Speaker cited communication submitted to Council, which states proceeds to come from joint fundraising events to take place.***
8. ***Speaker requested that City cease negotiations with Mills Land Water Company relative to property that should serve as affordable housing.***
9. ***Speaker spoke in opposition to contaminants stated as caused by the AES Power Plant; also requested that NESI Toxic Waste site be priority as funds are now available.***
10. ***Speaker requesting assistance with obtaining a permit to construct his wall relative to revisions to Conditions of Approval of Tract Map 15690.***

C-1. Council Committee/Council Liaison Reports**C-1a. (City Council) Approve Removal of City Owned Surplus Parcel of Land (Located Next to Irby Park) from List of Parcels for Possible Sale for the Purpose of Pursuing Grant Funding for the Treatment of Urban Run Off from the Wintersburg Channel (.)**

Communication from Mayor Connie Boardman, on behalf of the Economic Development Committee transmitting the following **Statement of Issue**: On July 14, 2003, the Council's Economic Development Committee reviewed information regarding the development potential of parcel of city-owned property adjacent to Irby Park. This item was presented by the Public Works Department in response to a local developer's interest in developing part of the site for housing and using a portion of the site to treat run off from the neighborhood.

Previously, on August 27, 2001, the City Council had provided direction to staff regarding the sale of excess city and Redevelopment Agency owned parcels. At that time, the surplus portion of the Irby Park site was listed as a property to remain in the city's inventory and reserved for a possible Public Works project like the urban runoff natural treatment system. However, it was noted at the time that these second tier parcels might be reviewed again for possible sale in the future.

Following the staff presentation and discussion, with Council Member Cook and me in attendance, the Economic Development Committee voted to remove the property from the list of possible surplus property sales. We wish to preserve this property in city ownership to continue to explore the idea of using this undeveloped area of Irby Park as an area to naturally treat run off from the Wintersburg Flood Control Channel, rather than just the immediate neighborhood.

We also discussed the necessity of a Measure C vote by the people of the City if this land were ever to be sold and developed for housing.

The recommendation of the Economic Development Committee is to remove the City owned parcel of land next to Irby Park for the list of parcels for possible sale, so that staff can pursue funding to use the land to treat urban run off.

Recommended Action:

To approve a motion to remove the City owned parcel of land next to Irby Park from the list of parcels for possible sale, so that staff can pursue grant funding to use the land to treat urban run off.

Approved 6-0-1 (Green absent)

C.-2. City Administrator's Reports

None

D. PUBLIC HEARINGS

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

D-1. (City Council) Public Hearing Continued Open from 8/25/03 to Consider Revisions to the City's Comprehensive Fee Schedule – Adopt (1.) Resolution No. 2003-63 (Repealing Res. No. 5159); (2.) Resolution No. 2003-64 (Repealing Res. No. 2002-94); and (3.) Resolution No. 2003-65 (Re: Facility Rentals) (.)

Communication from the Administrative Services Director.

Public hearing for the purpose of considering revisions to the City Comprehensive Fee Schedule as set forth in City Council Resolution No. 5159 adopted on October 4, 1982, and amendments thereto.

The revisions to be considered are for cost recovery purposes and charges for services, and fall under the responsibility of the following City Departments.

- Building and Safety Department
- Planning Department
- City Clerk

Straw Vote Approved 6-0-1 (Green absent)

- City Treasurer
- Economic Development Department
- Fire Department
- Library Department
- Police Department
- Public Works Department
- Community Services Department
- Administration

A complete report detailing the proposed revisions to City fees, along with appropriate schedules, is available for review by the public at City Hall, 2000 Main St., in the City Clerk's Office between the hours of 8:00 AM to 5:00 PM., Monday through Friday.

All interested persons (especially senior citizens and handicapped individuals) are invited to attend the budget hearing to express opinions for, or against, the proposed fee revisions with written or oral comments. Written communications to the City Council also may be mailed to the City Clerk. Further information may be obtained from the Office of the City Clerk, 2000 Main St. Huntington Beach, CA 92648 – Phone 714 536-5227.

The City of Huntington Beach endeavors to accommodate persons of handicapped status in admission, access, treatment, employment, City programs and 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

(Continued on the Next Page)

**The following communications presented at the 8/25/03 opened and continued open Public Hearing are being included in the Agenda Packet: (1.) *Benchmark Fees and Charges*; (2.) *Responses to Council's Questions on Fees*; and *Late Communication Regarding Resolution No. 2003-64; Item 9 (Attachment No. 3) Related to Building Department Fees.*

Recommended Action: Motion to:

1. Adopt **Resolution No. 2003-63 as amended** – “A Resolution of the City Council of the City of Huntington Beach Establishing a Citywide User Fee Schedule and Repealing Resolution No. 5159 entitled, ‘A Resolution of the City Council of the City of Huntington Beach Establishing a City Fee Schedule’ and Certain Supplemental Amendments Thereto;”

and

2. Adopt **Resolution No. 2003-64 as amended** - “A Resolution of the City Council of the City of Huntington Beach Establishing a Citywide User Fee Schedule and Repealing Resolution No. 2002-94;”

and

3. Adopt **Resolution No. 2003-65 as amended** – “A Resolution of the City Council of the City of Huntington Beach Establishing a Citywide User Schedule for Charges for Facility Rentals and Recreation Services.”

Resolutions amended as follows:

1. **Pg. D-1.17 – City Clerk - fees to remain as current and not as proposed by CBIZ consultant except for City Code mailing service fee to increase to fully burdened cost of \$32 per subscription;**
2. **Pg. D-1.26 - Police Department - fingerprinting fees to \$13.00 for residents and non-residents;**
3. **Late Communication - City Attorney;**
4. **Pg. D-1.28 – Public Works - residential parking permit fee of \$43 and \$15 each additional guest permit if purchased at the same time.**

Planning Department will return to Council re: fees associated with the Design Review Board process

Approved 5-1-1 (Sullivan abstain, Green absent)

D-2. (City Council) Open Public Hearing and Continue Open to September 15, 2003 to Consider Adoption of Draft Resolution on the Proposed City Budgets for Fiscal Year 2003-04 and Fiscal Year 2004-05 (.)

Communication from the Administrative Services Director.

Public hearing for the purpose of considering the City budget for Fiscal Years 2003-04 and 2004-05.

The proposed budget for Fiscal Year 2003-04 totals \$291,969,190 including General Fund Expenditures of \$138,623,701. The proposed budget for FY 2004/05 totals \$290,402,525 including General Fund Expenditures of \$147,184,846. The complete Preliminary, Two-Year Budget proposal can be reviewed by the public from 8:00 AM to 5:00 PM, Monday through Friday in the City Clerk's Office at City Hall, 2000 Main Street, Huntington Beach after Wednesday, August 27, 2003. Copies of the proposed budget are also available for public review at the City's Central Library located at 7111 Talbert Avenue (Goldenwest Street and Talbert Avenue) and all branch libraries. Copies of the **Preliminary Budget Message and Summaries** may be obtained by the public from the City's website at <http://www.surfcity-hb.org>.

All interested persons (especially senior citizens and handicapped individuals) are invited to attend the budget hearing to express their opinions for, or against, the proposed budget with written or oral comments. Written communications to the City Council also may be mailed to the City Clerk. Further information may be obtained from the Office of the City Clerk, 2000 Main Street, Huntington Beach, CA. 92648 – Phone # (714) 536-5227.

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

**A draft Resolution titled "A Resolution of the City Council of the City of Huntington Beach adopting a Budget for the City for Fiscal Year 2003/04" is included in the packet for Council consideration.

Recommended Action: Motion to:

Open public hearing on the proposed \$347,434,922 new appropriations for the fiscal year 2003/2004 city budget as outlined in the budget document and **continue open until September 15, 2003.**

Overhead for sewer and water be incorporated.

Accept \$11,000 donation from Project Self-Sufficiency to fund PSS staff position.

Accept \$18,000 one year donation for Senior Center Social Worker from Council on Aging

Approved 5-1-1 (Sullivan abstain, Green absent)

D.3 (City Council) Public Hearing to Consider Adoption of Resolution No. 2003-66 Approving Annual Assessment for Fiscal Year 2003-2004 to Fund Improvements Within Huntington Beach Hotel/Motel Business Improvement District (BID) (.)

Communication from the Economic Development Director.

Public hearing pursuant to Resolution of Intention No. 2003-60 adopted on August 18, 2003 to hear all interested persons for or against the continuation of the Huntington Beach Hotel/Motel Business Improvement District (BID) Assessment and the furnishing of specified types of improvements or activities. Said hearing is for the purpose of hearing all interested persons for or against levying of the assessment, and the furnishing of specified types of improvements or activities. Protests may be made orally or in writing; but, if written, shall be filed with the City Clerk at or before the time fixed for the hearing and contain sufficient documentation to verify business ownership and validate the particular protest.

The Huntington Beach Hotel/Motel Business Improvement District requires a 1% levy be assessed on overnight room stays in Huntington Beach. These funds are collected as a separate itemization with monthly Transient Occupancy Taxes paid to the City of Huntington Beach. The Board of Directors for the Huntington Beach Conference and Visitors Bureau also serve as the BID Advisory Board. BID revenues supplement the annual City contract with the Conference and Visitors Bureau.

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 27, 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:

1. Conduct Public Hearing;

and

2. Adopt **Resolution No. 2003-66** – *“A Resolution of the City Council of the City of Huntington Beach Approving an Annual Assessment for Fiscal Year 2003-04 to Fund Improvements within the Huntington Beach Hotel/Motel Business Improvement District.”*

Adopted 6-1 (Green absent)

D-4. (City Council) Public Hearing to Consider Adoption of Resolution No. 2003-67 Approving Annual Assessment for Fiscal Year 2003-2004 to Fund Improvements Within Huntington Beach Auto Dealers Business Improvement District (BID) (.)
Communication from the Economic Development Director.

Public hearing pursuant to Resolution of Intention No. 2003-61 adopted on August 18, 2003 to hear all interested persons for or against the continuation of the Huntington Beach Auto Dealers Business Improvement District (BID) Assessment and the furnishing of specified types of improvements or activities. Said hearing is for the purpose of hearing all interested persons for or against levying of the assessment, and the furnishing of specified types of improvements or activities. Protests may be made orally or in writing; but, if written, shall be filed with the City Clerk at or before the time fixed for the hearing and contain sufficient documentation to verify business ownership and validate the particular protest. If written protests are received by the owners of businesses within the District, which will pay 50% or more of the total assessments to be levied, no further proceedings to levy the proposed assessment shall be taken for a period of one year from the date of the finding of a majority protest by the City Council. If the majority protest is only against the furnishing of a specified type or types of improvements or activity within the District, those types of improvements or activities shall be eliminated.

Fiscal Year 2003-2004 dealer assessments are based upon \$775/month for each of the 13 member dealers. The Huntington Beach Auto Dealers Association is the Board of Directors for the BID and they propose assessments for the BID for City Council review and approval. The Huntington Beach Auto Dealers Association unanimously approved the 2003-2004 BID budget at their July 8, 2003 meeting.

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 27, 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:

1. Conduct Public Hearing;

and

2. Adopt **Resolution No. 2003-67** – “A Resolution of the City Council of the City of Huntington Beach Approving an Annual Assessment for Fiscal Year 2003-04 to Fund Improvements within the Huntington Beach Auto Dealers Business Improvement District.”

Adopted 6-1 (Green absent)

E. CONSENT CALENDAR

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

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

- E-1. (City Council/Redevelopment Agency) Minutes** (120.65) - Approve and adopt the minutes of the City Council/Redevelopment Agency Regular Meetings of June 16, 2003 and June 23, 2003 as written and on file in the Office of the City Clerk. Submitted by the City Clerk.

Approved 6-0-1 (Green absent)

- E-2. (City Council) Approve Additional Appropriation Requested for Sales Tax Auditing Services to be provided by the City's Consultant, HdL Companies (Fiscal Impact Statement No. 2003-32)** (.) – Approve appropriation of \$31,000 requested for sales tax auditing services. Submitted by the Administrative Services Department. Funding Source: General Fund Unreserved Fund - \$31,000. (The appropriated requested is offset by additional revenue generated by the sales tax audit.)

Administration requested to provide Council with report clarifying amounts in staff report re: HdL invoice.

Approved 5-2 (Cook out of room, Green absent)

- E-3. (City Council) Authorize the City Administrator to Approve Exceptions to the Hiring Freeze for the Positions of Senior Planner and Part Time Department Analyst (Current Planning and Advance Planning Divisions for Fiscal Year 2003-2004)** (.) – Authorize the City Administrator to approve the positions of Senior Planner and Part Time Department Analyst as exceptions to the current hiring freeze to maintain productivity in the Planning Department. Submitted by the Planning Director. Funding Source – Budgeted within the Fiscal Year Planning Department Permanent Salaries Account.

Approved 6-0-1 (Green absent)

- E-4. (City Council) Accept Annual Review of the Flood Management Plan (FMP) and Authorize Submittal to the Federal Emergency Management Agency (FEMA)** (.) Accept the annual review of the Flood Management Plan as adequate and complete and forward it to the Federal Emergency Management Agency. Submitted by the Planning Director. Funding Source: Not applicable.

Approved 6-0-1 (Green absent)

- E-5. (City Council) Approve Amendment No. 7 to Cooperative Agreement No. C-95-975 between the City and the Orange County Transportation Authority (OCTA) for Roadway Improvements through the Combined Transportation Funding Program (CTFP)** (.) – Approve and authorize the Mayor and City Clerk to execute *Amendment No. 7 to Cooperative Agreement No. C-95-975 between the Orange County Authority and the City of Huntington Beach.* Submitted by the Public Works Director. Funding Source: None required.

Approved 6-0-1 (Green absent)

E-6. (City Council) Accept Bid by and Award Construction Contract to Los Angeles Engineering, Inc. for the Murdy Park Reconfiguration Project, Phase One; CC-1176 (Includes Reconfiguration into a Youth Sports Complex of Park View School in the Ocean View School District per Section 612, Measure C Requirements) (.) 1.

Accept the lowest responsive/responsible bid submitted by Los Angeles Engineering, Inc. in the amount of \$785,124.80 for the Murdy Park Reconfiguration Project, Phase One, CC-1176; and 2. Authorize the Mayor and City Clerk to execute a construction contract with Los Angeles Engineering, Inc. in substantially the same form as the attached sample construction contract. Submitted by the Community Services Director and the Public Works Director. Funding Source: Park Acquisition and Development Fund, Murdy Park Reconfiguration. A reimbursable grant has been approved under the Safe Neighborhood Parks, Clean Water, Clean Air, and Coastal Protection Bond Act of 2000 for \$550,000 and \$450,00 from the park in-lieu fees paid to the Park Acquisition and Development Fund from the Catellus Meadowlark residential project. The Engineer's Estimate is \$750,000.

Approved 6-0-1 (Green absent)

E-7 (City Council) Approve Grant Agreement for Public Relations Services between the City and the Huntington Beach Conference & Visitors Bureau, Inc. (HBCVB) for Fiscal Years 2003-04 and 2004-05 (.) -

Approve and authorize execution by the Mayor and City Clerk of the *Grant Agreement between the City of Huntington Beach and the Huntington Beach Conference and Visitors Bureau for Public Relations Services.* Submitted by the Economic Development Director. Funding Source: Fiscal Year 2003-04 and 2004-05 City budgets account.

Approved 6-0-1 (Green absent)

E-8 (City Council/Redevelopment Agency) Approve Cooperation Agreements between the City and the Redevelopment Agency Related to Certain Capital Improvements within or of Benefit to the Southeast Coastal Redevelopment Project – Adopt Council Resolution No. 2003-68 and Agency Resolution No. 345 (.)

City Council Action: Adopt **Resolution No. 2003-68** - "*City Council Resolution Approving a Cooperation Agreement with the Redevelopment Agency of the City of Huntington Beach Related to Certain Capital Improvements within or of Benefit to the Southeast Coastal Redevelopment Project and Making Certain Determinations and Findings;*" and

Approved 6-0-1 (Green absent)

Redevelopment Agency Action: Adopt Agency **Resolution No. 345** -

"Redevelopment Agency Resolution Approving a Cooperation Agreement with the City of Huntington Beach Related to Certain Capital Improvements within or of Benefit to the Southeast Coastal Redevelopment Project and Making Certain Determinations and Findings." Submitted by the Administrative Services Director and the Economic Development/Deputy Executive Director. Funding Source: Property Tax Increment to be received from the Southeast Coastal Redevelopment Project Area.

(The resolutions include the *Cooperation Agreement between the City of Huntington Beach and the Redevelopment Agency of the City of Huntington Beach Regarding Certain Capital Improvements within or of Benefit to the Southeast Coastal Redevelopment Project.* The agreement is to assist in the elimination of blighting conditions within the Redevelopment Project Area and implement the Community Redevelopment Law provisions (Health & Safety Code § 33000 *et seq.*).

Approved 6-0-1 (Green absent)

F. Administrative Items - None

G. Ordinances

G-1. Ordinances for Adoption

G-1a. (City Council) Adopt Ordinance No. 3614 Amending Huntington Beach Municipal Code Chapter 14.55 Relating to Rates, Charges, Annual CPIU (Consumer Price Index for All Urban Consumers, Adjustments and Billing Methodology for the Sewer Service Charge (640.10) - **Ordinance No. 3614** - “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.” (Introduction approved as amended (multi-family dwelling rate \$5.1808) on August 18, 2003.)

Recommended Action: After City Clerk reads by title, adopt **Ordinance No. 3614** by roll call vote.

Adopted 6-0-1 (Green absent)

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

G-1b. (City Council) Adopt 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.” (Introduction approved August 18, 2003.)

Recommended Action: After City Clerk reads by title, adopt **Ordinance No. 3615** by roll call vote.

Adopted 6-0-1 (Green absent)

G-1c. (City Council) Adopt Ordinance No. 3616 Amending the Huntington Beach Municipal Code Chapter 8.68 Relating to the City’s Firemed Program) (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.” (Introduction approved August 18, 2003.)

Recommended Action: After City Clerk reads by title, adopt **Ordinance No. 3616** by roll call vote.

Adopted 6-0-1 (Green absent)

G-1d. (City Council) Adopt Ordinance No. 3617 Amending the Huntington Beach Municipal Code Chapter 17.65 Relating to Fair Share Traffic Impact Fees Annual Program Review – Reporting Requirements (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.” .” (Introduction approved August 18, 2003.)

Recommended Action: After City Clerk reads by title, adopt **Ordinance No. 3617** by roll call vote.

Adopted 6-0-1 (Green absent)

G-2. Ordinance for Introduction

G-2a. (City Council) Approve for Introduction Ordinance No. 3618 Amending Huntington Beach Municipal Code Chapter 5.44 Relating to Entertainment (Adds Definition of Ambient Music) (640.10) - Ordinance No. 3618 - "An Ordinance of the City of Huntington Beach Amending Chapter 5.44 of the Huntington Beach Municipal Code Relating to Entertainment."

Recommended Action: After City Clerk reads by title, approve introduction of **Ordinance No. 3618** by roll call vote.

***Police Chief presented staff report. City Attorney reported.
Continued to September 15, 2003.***

H. City Council/Redevelopment Agency Items

Councilmember Sullivan – thanked EDD for their work on the SE Redevelopment Project Area Committee and the Committee with Mayor Pro Tem Green and Councilmember Hardy.

Councilmember Sullivan announced two forthcoming 9-11 Remembrance Events.

Council Comments - (Not Agendized)

At this time Councilmembers may report on items not specifically described on the agenda which are of interest to the community. No action or discussion may be taken except to provide staff direction to report back or to place the item on a future agenda.

Council/Agency Adjournment to Monday, September 15, 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, 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.

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