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.

AGENDA
CITY COUNCIL/REDEVELOPMENT AGENCY
CITY OF HUNTINGTON BEACH

TUESDAY FEBRUARY 22, 2005

4:30 P.M. - Room B-8
6:00 P.M. - Council Chambers
Civic Center, 2000 Main Street
Huntington Beach, California 92648

4:00 P.M. - Room B-8
The City Clerk will recess the 4:00 P.M. portion of the Meeting due to an anticipated lack of quorum.

4:30 P.M. - Room B-8

Call City Council/Redevelopment Agency Meeting to Order

Roll Call Hansen, Coerper, Sullivan, Hardy, Green, Bohr, Cook

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.)

Public Comments Regarding 4:00 P.M. Portion of Council Meeting for Study Session and Closed Session Agenda Items

(City Council/Redevelopment Agency) Joint Study Session Between City Council and Finance Board - Submitting the 2004 Finance Board Annual Report and Calendar for 2004 (110.10)

Roll Call – Finance Board – Falzon, Geddes, Bussiere, Domingo, Lograsso, Chapman

A presentation will be given regarding the *City of Huntington Beach Finance Board Annual Report – 2004* which is included in the agenda packet.

PowerPoint presentation titled *HB City Council/Finance Board Study Session* is included in agenda packet.

Call Closed Session of City Council/Redevelopment Agency

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

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 **Marcelino Morales Paniagua, an incompetent, by and through his Guardian ad Litem, Adela Paniagua v. Brandon Lee Clark; City of Huntington Beach, The Orange County Fire Authority; and The City of Westminster, et al.;** Orange County Superior Court Case No. 809007. **Subject**: Paniagua v. City of Huntington Beach, et al. (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).

6:00 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 Hansen, Coerper, Sullivan, Hardy, Green, Bohr, Cook

Pledge of Allegiance/Flag Salute – To be led by Boy Scout Den #10, Pack 101.

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

Invocation – To be determined by Mayor

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

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

Presentation - Mayor Jill Hardy to call on Rotary Club of Huntington Beach President Marleen Meyer and Huntington Beach Sunrise Rotary Club President Jim Xerikos to accept proclamations recognizing the 100th anniversary of Rotary International. (160.40)

Presentation - Mayor Jill Hardy to call on Ralph Bauer and Ron Shenkman to present checks to the Human Relations Task Force. Karen Jackle and Allen Chancellor will represent the Human Relations Task Force. (160.40)

Mayor's Award - Mayor Jill Hardy to call on Planning Director Howard Zelefsky to present the Mayor's Award to Code Enforcement Officer Nancy Blacksher. (160.40)

B. PUBLIC COMMENTS

This is the time of the meeting for the Council to receive comments from the public regarding items of interest or agenda items OTHER than Public Hearings. Generally, Council will not enter into a dialogue during this period.

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

Each speaker is allowed 3 minutes and time may not be donated to others. No action can be taken by Council/Agency on this date unless the item is agendized.

Complete the attached pink form and give to the Sergeant-At-Arms (the Police Officer located near the speaker's podium.)

C-1. Council Committee/Council Liaison Reports

C-1a. (City Council) Continued from February 7, 2005 Council Meeting - Councilmember Don Hansen to Announce His Individual Appointment to the Investment Advisory Board (110.20)

C-2. City Administrator's Report

C-2a. (City Administrator's Report) Receive and File Information on Membership in the Orange County Division of the League of California Cities (150.40)
Communication submitted by the City Administrator transmitting the following **Statement of Issue:** At the City Council meeting of February 7, staff was asked to outline the benefits the city receives from maintaining membership in the Orange County Division of the League of California Cities (the Division).

Communication titled *C-Item: Membership in the Orange County Division of the League of California Cities* with attachment titled *The Division's Annual Report* is included in the agenda packet.

Recommended Action: Motion to:
Receive and file.

PUBLIC HEARING

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 Re-Advertised and Re-Scheduled to February 22, 2005 from February 7, 2005 – Consider Approval of Negative Declaration No. 04-02 with Findings and Adopt Resolution No. 2005-10 Approving General Plan Amendment No. 04-02 Amending the General Plan Land Use for Three Existing Residential Areas along Beach Boulevard (Beach Boulevard Residential) (440.50)

Public Hearing for the purpose of considering amending the General Plan land use designation to match the current zoning designation for three existing residential areas along Beach Boulevard.

Applicant: City of Huntington Beach

Property Owner: Various

Request: Negative Declaration (ND): To analyze the potential environmental impacts associated with the implementation of the proposed project.

General Plan Amendment (GPA): To amend the General Plan land use designation to match the current zoning designation for three areas along Beach Boulevard as follows:
Area A – Amend from CG-F2-a-d (Commercial General – Maximum Floor-Area-Ratio of 0.50 – Auto District Overlay – Design Overlay) to RMH-25 (Residential Medium High Density – Maximum 25 Dwelling Units Per Net Acre) or RM-15 (Residential Medium Density – Maximum 15 Dwelling Units Per Net Acre) for properties along portions of Stark Ave., Holt Ave., MacDonald Ave., Glencoe Ave., and Alhambra Ave., west of Beach Blvd.
Area B – Amend from CG-F2-a-d (Commercial General – Maximum Floor-Area-Ratio of 0.50 – Auto District Overlay – Design Overlay) to RM-15 (Residential Medium Density – Maximum 15 Dwelling Units Per Net Acre) for properties south of Terry Drive, east of Viewpoint Lane, and along Moonshadow Circle.
Area C – Amend from CG-F2-a-d (Commercial General – Maximum Floor-Area-Ratio of 0.50 – Auto District Overlay – Design Overlay) to RM-15 (Residential Medium Density – Maximum 15 Dwelling Units Per Net Acre) for properties along portions of A Street and B Street, south of Warner Ave. and north of Blaylock Drive.

Notice is hereby given that the initial environmental assessment for this item was processed and completed in accordance with the California Environmental Quality Act. It was determined that this item would not have any significant environmental effect and, therefore, a negative declaration is warranted. Negative Declaration No. 04-02 is on file at the City of Huntington Beach Planning Department, 2000 Main Street, and are available for public inspection and comment by contacting the Planning Department, or by telephoning (714) 536-5271.

On file: A copy of the proposed request is on file in the City Clerk's Office, 2000 Main Street, Huntington Beach, California 92648, for inspection by the public. A copy of the staff report will be available to interested parties at the City Clerk's Office on Thursday February 17, 2005.

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 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

PowerPoint presentation titled *Negative Declaration No. 04-02 General Plan Amendment No. 04-02 (Beach Blvd. Residential)* is included in the agenda packet.

Recommended Action: Motion to:
Planning Commission and Staff Recommendation:
1. Approve Negative Declaration No. 04-02 with findings (Attachment No. 2);

and

2. Approve General Plan Amendment No. 04-02 by adopting **Resolution No. 2005-10 –** *"A Resolution of the City Council of the City of Huntington Beach Approving General Plan Amendment No. 04-02 Regarding the Redesignation of Certain Real Property."* (Attachment No. 3)

D-2 (City Council) Public Hearing to Consider Appeal Filed by Applicant Mike Padian, Padian Team Consulting, of the Planning Commission's Approval of Mitigated Negative Declaration No. 03-08 - Good Shepherd Cemetery, 8301 Talbert Avenue (N/E Corner of Beach Boulevard and Talbert Avenue) (420.40)

Public Hearing to consider appeal of the Planning Commission's Approval of Mitigated Negative Declaration No. 03-08 (Good Shepherd Cemetery).

Appellant/Applicant: Mike Padian

Request: To analyze the potential environmental impacts associated with a proposed expansion of Good Shepherd Cemetery. The expansion includes three phases of construction over a seven to ten year period. The proposed improvements consist of an 85,000 square foot three-story mausoleum, a 10,000 square foot maintenance facility, one-story garden crypt buildings totaling 100,000 square feet, and construction of approximately 1,850 lineal feet of perimeter fencing.

Location: 8301 Talbert Avenue (northeast corner of Beach Blvd. and Talbert Ave.)

Environmental Status: Notice is hereby given that the initial environmental assessment for this item was processed and completed in accordance with the California Environmental Quality Act. It was determined that this item, with mitigation, would not have any significant environmental effects and that a mitigated negative declaration is warranted. Mitigated Negative Declaration No. 03-08 is on file at the City of Huntington Beach Planning Department, 2000 Main Street, and is available for public inspection and comment by contacting the Planning Department, or by telephoning (714) 536-5271.

On file: A copy of the proposed request is on file in the City Clerk's Office, 2000 Main Street, Huntington Beach, California 92648, for inspection by the public. A copy of the staff report will be available to interested parties at the City Clerk's Office on Thursday February 17, 2005.

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 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

PowerPoint presentation titled *Good Shepherd Cemetery Expansion Appeal of Mitigated Negative Declaration No. 03-08* is included in the agenda packet.

Recommended Action: Motion to:

A. Planning Commission Recommendation:

Approve Mitigation Negative Declaration No. 03-08 with Findings and Mitigation Measures (5:1 slopes) (Attachment No. 1)

OR

B. Staff Recommendation:
Approve Mitigation Negative Declaration No. 03-08 with Findings and Modified Mitigation Measures (2:1 slopes) (Attachment No. 2)

D-3 (City Council) Public Hearing to Consider Whether the City Council Shall Grant a Water Pipeline Franchise to Southern California Water Company Pursuant to Resolution of Intention No. 2005-7 Adopted on January 18, 2005 – Introduction of Ordinance No. 3701 – Approve Agreement Regarding Construction of a Water Pipeline (600.45)

Notice is hereby given that on January 18, 2005, the City Council of the City of Huntington Beach adopted a Resolution entitled "A Resolution of the City Council of the City of Huntington Beach Declaring Its Intention To Grant a Water Pipeline Franchise to Southern California Water Company." The City Council of the City of Huntington Beach hereby gives notice as follows:

On Tuesday, February 22, 2005, at 6:00 p.m. or as soon thereafter as the matter may be heard, in the regular meeting place of this City Council, City Council Chambers, City Hall, 2000 Main Street, Huntington Beach, California, the City Council will conduct a public hearing on whether to adopt "An Ordinance Of The City Council Of The City Of Huntington Beach Granting A Pipeline Franchise For Transmitting Water In, Under, Along And Across Streets In The City Of Huntington Beach," If adopted, this ordinance will grant Southern California Water Company a water pipeline franchise to provide water service to the Bolsa Chica Mesa, pursuant to Decision No. 00-10-029 of the California Public Utilities Commission. If granted, the franchise will terminate in fifteen (15) years, and provides that Southern California Water Company will pay to the City of Huntington Beach an annual fee consistent with Section 6231(c) of the California Public Utilities Code, as amended from time to time, and that, in the event such payment is not made, the franchise may be forfeited.

At the above-mentioned time and place any person interested will be heard on the proposed ordinance. A copy of the proposed ordinance is on file in the City Clerk's office. Any questions on the proposed ordinance may be directed to Scott Field, Assistant City Attorney, (714) 536-5555.

Any person may make written protest stating objections against granting the franchise by delivering the written protest signed by the protestant to the City Clerk at a time not later than 3:00 p.m. on February 22, 2005.

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.

and

2. Approve for Introduction **Ordinance No. 3701** – *"An Ordinance of the City Council of the City of Huntington Beach Granting a Pipeline Franchise for Transmitting Water In, Under, Along and Across Streets, in the City of Huntington Beach."*

and

3. Approve and authorize the Mayor to execute an Agreement entitled: *An Agreement Between the City of Huntington Beach and Southern California Water Company Regarding Construction of a Water Pipeline.*

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) Adopt Automatic Aid Agreement for Exchange of Fire, Rescue, and Emergency Medical Services with the Orange County Fire Authority (600.25) – Approve and authorize the Mayor and City Clerk to execute the *Automatic Aid Agreement for Exchange of Fire, Rescue, and Emergency Medical Services Between the Orange County Fire Authority and the City of Huntington Beach*. (This agreement includes an MOU [Memoranda of Understanding] between the Orange County Fire Authority and the City of Huntington Beach.) Submitted by the Fire Chief. Funding Source: None required.

E-2. (City Council) Receive and File the City Clerk's Annual Passport Acceptance Facility Report for Calendar Year 2004 (100.30) Receive and file the Annual Passport Acceptance Facility Report for calendar year 2004, as prepared and submitted by the Office of the City Clerk. Submitted by the City Clerk. Funding Source: Not applicable.

E-3. (City Council) Receive and File City Clerk's Report Listing Professional Services Agreements Filed in the City Clerk's Office Between August 1, 2004 through December 31, 2004 (100.30) – Receive and file the *List of Professional Services Contracts Approved by Department Heads Pursuant to Huntington Beach Municipal Code Chapter 3.03* and submitted to the City Clerk's Office for the period August 1, 2004 through December 31, 2004. Submitted by the City Clerk. Funding Source: Not Applicable.

E-4. (City Council) Authorize Staff to Subscribe to the eCivis Grants Locator Service and Approve Appropriation to Cover the Cost of the Service for One Year (600.10) – **1.** Authorize staff to subscribe for one year to the eCivis Grants Locator Service; and **2.** Approve an appropriation from the unexpended General Fund Budget of $21,250 to cover the cost of the one-year subscription. Submitted by the City Administrator. Funding Source: Appropriate $21,250 from the unexpended General Fund Budget to Account 10030201 (Intergovernmental Relations).

E-5. (**City Council) Approve the Community Services Department's 2005 Project Self-Sufficiency (PSS) Action Plan** (570.50) – Approve the Community Services Department's *Huntington Beach Project Self-Sufficiency Action Plan 2005.* Submitted by the Community Services Director. Funding Source: None.

E-6. (City Council) Approve Termination of Volunteers of America Lease of Huntington Youth Shelter for Cause and Direct Staff to Solicit Proposals from Nonprofit Agencies to Reopen and Operate the Shelter (280.10) – **1.** Approve the termination of the Volunteers of America lease of the Huntington Youth Shelter for cause; and **2.** Direct staff to solicit proposals from nonprofit agencies to reopen and operate the Huntington Youth Shelter. Submitted by the Community Services Director. Funding Source: Not applicable.

E-7. (City Council) Approve Concept of Inflatable, Acoustic Shell for the Huntington Central Park Bandstand (160.40) – Approve the donation of a portable and inflatable acoustic shell at the Huntington Central Park Bandstand. Funds for said band shell are to be raised through a donation program spearheaded by the Rotary Club of Huntington Beach. Submitted by the Community Services Director. Funding Source: Not applicable.

E-8. (City Council/Redevelopment Agency) Approve Modifications to the City's 2004-05 Budget, Adopt Agency Resolution No. 355 Electing to Remit to the City Transient Occupancy Tax (TOT) Revenues for the Hyatt Regency Huntington Beach Allocated to the Redevelopment Agency and Approve Modifications to the Redevelopment Agency 2004-05 Budget (340.55) – **City Council Action**: **1**. Approve the following modifications to the City's 2004-05 Budget: Increase the amount of Transient Occupancy Tax revenue budgeted by $1,800,000; and Decrease the Debt Payment Transfer In by $1,800,000. **Redevelopment Agency Actions: 1.** Adopt Agency **Resolution No. 355** – *"A Resolution of the Redevelopment Agency of the City of Huntington Beach Electing to Remit to the City of Huntington Beach Transient Occupancy Tax Revenues for the Hyatt Regency Huntington Beach Allocated to the Redevelopment Agency Pursuant to Redevelopment Agency Ordinances Nos. 1 and 2;"* and **2.** Approve the following modifications to the Redevelopment Agency 2004-05 Budget: Eliminate Transient Occupancy Tax revenue in the amount of $1,800,000; and Decrease the debt repayment to the General Fund by $1,800,000, from $4,295,000 to $2,495,000. Submitted by the Economic Development/Deputy Executive Director and the Finance Officer. Funding Source: The recommended actions will not result in any reduction in Redevelopment Agency or City resources, but will reduce the amount of funds categorized as debt repayment, which is part of the Agency's debt management strategy.

E-9. (City Council) Approve Amendments to Agreements for Deferred Compensation Plans (ICMA Retirement Corporation and Nationwide Retirement Solutions) (600.10) – Approve the amendments to the Administrative Services Agreements with the ICMA Retirement Corporation for Plans numbered 107578 (401a for City Administrator), 107694 (401a for appointed Department Directors), 107695 (401a for elected Department Directors) and 301516 (457 Deferred Compensation Plan). Submitted by Acting Assistant City Administrator. Funding Source: Not applicable.

E-10. (City Council) Adopt Resolution No. 2005-13 Requesting the Orange County Board of Supervisors to Designate All City of Huntington Beach Municipal Fire Stations as "Safe-Surrender" Sites for Newborns (.) – Adopt **Resolution No. 2005-13 –** *"A Resolution of the City Council of the City of Huntington Beach Requesting the Orange County Board of Supervisors to Designate All City of Huntington Beach Municipal Fire Stations as "Safe-Surrender Sites" for Newborns."* Submitted by the Fire Chief. Funding Source: None required.

E-11. (City Council) Accept Bid and Award Construction Contract to Gantry Constructors, Inc. for the Sewer Lift Station "D"; CC-1182 – Authorize Construction Change Order Expenditures (600.60) – **1.** Accept the lowest responsive and responsible bid submitted by Gantry Constructors, Inc. in the amount of $4,142,900 for Sewer Lift Station "D" Improvements, CC-1182; and **2.** Authorize the Mayor and City Clerk to execute a construction contract in substantially the same form as the sample contract attached: and **3.** Authorize the Director of Public Works to expend up to fifteen percent (15%) in construction change orders. Submitted by the Acting Public Work Director. Funding Source: Funds are budgeted in the Sewer Service Fund, Lift Stations, Sewer Improvements 51189001.82600. Funding for this project includes Sewer Service Charge User Fees and an EPA grant of $873,000. The engineer's cost estimate for this project was $4,764,000.

E-12. (City Council) Adopt Resolution No. 2005-14 Finding and Declaring Weeds and Rubbish a Public Nuisance and Fixing the Council Meeting of *April 18, 2005 as the Administrative Public Hearing* Date for Protests and Objections to the Abatement Thereof (520.80) - Adopt **Resolution No. 2005- 14** - *"A Resolution of the City Council of the City of Huntington Beach Finding and Declaring That Certain Weeds Growing in the City, and Rubbish and Refuse Deposited on Public Ways and Private Property are a Public Nuisance; and Fixing the Time for Hearing Protests and Objections to the Abatement Thereof"* for the **April 18, 2005** Council Meeting**.** Submitted by the Acting Public Works Director. Funding Source: No funds are required at this time.

E-13. (City Council) Appropriate Grant Funds from the California State Department of Conservation for Recycling and Recycling Education Programs (810.60) – Appropriate grant funds in the amount of $54,657 to the Refuse Education Fund budget. Submitted by the Acting Public Works Director. Funding Source: Funds received from the California Department of Conservation, Division of Recycling, in the amount of $54,657 will be appropriated from the Refuse Education Fund (509) undesignated balance to the Refuse Education Fund budget account 50985103.63000 (Refuse Education Fund/Supplies and Equipment).

E-14. (City Council) Accept State of California Homeland Security Grant between the City and the City of Santa Ana for Urban Areas Security Initiatives (UASI) and Approve Funding for Training (.) – **1.** Accept the Urban Area Security Initiative Grant between the City of Santa Ana and the City of Huntington Beach for funding cycle year 2004/2005; and **2.** Authorize the Chief of Police and the Fire Chief to expend funds to cover the overtime costs for training their respective personnel; and **3.** Establish one new fund to track the costs and two business units in the Police and Fire Departments; and **4.** Authorize the Mayor and City Administrator to execute the agreement; and **5.** Approve the appropriation of $50,251 to be reimbursed by the grant from the State of California Department of Homeland Security through the City of Santa Ana. Submitted by the Chief of Police and the Fire Chief. Funding Source: Funds, estimated to be $50,251, will be fully reimbursed by the grant from the State of California Department of Homeland Security. No other matching or in-kind City funds are required for this grant.

E-15. (City Council) Approve Amendment of Employment Agreement with Robert F. Beardsley (600.10) – Approve an amendment to the June 29, 1998 employment contract between the City and Robert F. Beardsley. Submitted by the City Administrator. Funding Source: Not applicable.

F. Administrative Items - None

G. Ordinances

G-1. Ordinances for Adoption

G-1a. (City Council) Adopt Ordinance No.3695 Amending Chapters 13.54 and 12.32 of the Municipal Code Relating to the 4th of July Parade Viewing (960.30) – **Ordinance No. 3695**– *"An Ordinance of the City of Huntington Beach Amending Chapters 13.54 and 12.32 of the Huntington Beach Municipal Code Relating to 4th of July Parade Viewing."* (Approved for introduction as amended February 7, 2005.)
Recommended Action: After the City Clerk reads by title, adopt **Ordinance No. 3695**, by roll call vote.

G-1b. (City Council) Adopt Ordinance No.3696 Amending Chapter 7.12 of the Huntington Beach Municipal Code Relating to the Killing or Maiming of Wild Birds (520.15) - **Ordinance No. 3696** – *"An Ordinance of the City of Huntington Beach Amending Chapter 7.12 of the Huntington Beach Municipal Code Relating to the Killing or Maiming of Wild Birds."* (Approved for introduction February 7, 2005.)
Recommended Action: After the City Clerk reads by title, adopt **Ordinance No. 3696**, by roll call vote.

G-1c (City Council) Adopt Ordinance No.3698 Amending Ordinance No. 3117 and Modifying the Franchise Agreement between the City and the Southern California Gas Company (Sempra Energy Corporation) Relative to Lay and Use of Pipes and Appurtenances for Transmitting, Distributing and Measuring Gas for Any and All Purposes (600.45) – **Ordinance No. 3698** – *"An Ordinance of the City of Huntington Beach Amending Ordinance No. 3117 which Granted to Southern California Gas Company the Franchise to Lay and Use Pipes and Appurtenances for Transmitting, Distributing and Measuring Gas for Any and All Purposes."* (Approved for Introduction February 7, 2005.)
Recommended Action: After the City Clerk reads by title, adopt **Ordinance No. 3698**, by roll call vote.

Interim Ordinance for Adoption

G-1d. (City Council) Adopt Interim Ordinance No. 3700 Imposing a 45 Day Moratorium on Permit Issuance to Medical Marijuana Dispensaries (570.10) Communication from the City Attorney, the Police Chief and the Planning Director transmitting - **Ordinance 3700 -** *"An Interim Ordinance of the City of Huntington Beach Imposing a Moratorium on Medical Marijuana Dispensaries.*
Recommended Action: After the City Clerk reads by title; adopt **Interim Ordinance No. 3700**, with specific findings regarding the detriment to the public's health, safety and welfare, by roll call vote.

G-2. Ordinance for Introduction

G-2a. (City Council) Approve for Introduction Ordinance No. 3699 Amending Section 10.44 of the Huntington Beach Municipal Code Regulating Parking Time Limits of Oversized Vehicles, Recreational Vehicles and Detached Trailers on City Streets (560.20)
Communication from the Chief of Police transmitting the following **Statement of Issue:** The Police Department receives numerous calls daily from citizens regarding oversized vehicles, recreational vehicles and detached trailers parked on City streets. The general issue is the length of time that these vehicles are parked in the same location on public streets. The complaining residents believe the recreational vehicles parked on the streets negatively impact the quality of life in their neighborhoods, creates a safety hazard, are unsightly and clutter the streets.

The Municipal Code, in its present form, is not only difficult to enforce, but is also time consuming and often times does not resolve the original issue for the complaining resident. This is discouraging for the resident and leaves them believing the Police Department is not adequately responding to their requests in a timely manner. The vagueness of certain aspects of the code results in numerous traffic hearings for those who wish to challenge the citations. The combination of these issues taxes the resources of the Police Department and reduces the time available to focus on other problem areas in the city.
Recommended Action: After City Clerk reads by title, approve introduction of **Ordinance No. 3699** – *"An Ordinance of the City of Huntington Beach Amending Chapter 10.44 of the Huntington Beach Municipal Code Relating to Oversized Vehicle Parking,*" by roll call vote.

PowerPoint titled *Recreational Vehicle Parking City Council Meeting February 22, 2005* is included in the agenda packet.

Two communications in opposition are included in the agenda packet.

H. City Council/Redevelopment Agency Items

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, March 7, 2005 at 4:00 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.

JOAN L. FLYNN, CITY CLERK
City of Huntington Beach
2000 Main Street - Second Floor
Huntington Beach, California 92648

COMPUTER INTERNET ACCESS TO CITY COUNCIL/REDEVELOPMENT AGENCY AGENDA WITH STAFF REPORTS IS AVAILABLE PRIOR TO CITY COUNCIL MEETINGS
http://www.surfcity-hb.org