

**Minutes
City Council/Redevelopment Agency
City of Huntington Beach**

Monday, August 12, 2002
3:00 P.M. – Council Chambers
Civic Center, 2000 Main Street
Huntington Beach, California 92648

A videotape of the 3:00 p.m. meeting
is on file in the Office of the City Clerk.

Call to Order

Mayor Cook called the adjourned regular meetings of the City Council and the Redevelopment Agency of the City of Huntington Beach to order at 3:00 p.m. in the Council Chambers.

City Council/Redevelopment Agency Meeting Roll Call

Present: Green, Dettloff, Boardman, Cook, Bauer
Absent: Houchen, Winchell

Motion to Recess to Closed Session – Approved

A motion was made by Boardman, second Dettloff, to recess to Closed Session on the following items. The motion carried by the following roll call vote:

AYES: Green, Dettloff, Boardman, Cook, Bauer
NOES: None
ABSENT: Houchen, Winchell

(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 **Mills Land & Water Company v. City of Huntington Beach, et al.**, Court of Appeal Case No. G0205490, Orange County Superior Court Case No. 739412 (“Mills I”); **Mills Land & Water Company v. City of Huntington Beach, et al.**; Orange County Superior Court Case No. 763624 (“Mills II”). Subject: **Mills Land & Water Company v. City.** (120.80)

Reconvened City Council/Redevelopment Agency Meeting – 4:00 P.M. – Council Chambers.

City Council- Redevelopment Agency Roll Call

Present: Green, Dettloff, Boardman, Cook, Houchen, Winchell, Bauer
Absent: None

No Actions Taken Which Require a Reporting Pursuant to Government Code §54957.1(a) (3) (B)).

The City Clerk Announced Late Communications

Pursuant to the Brown (Open Meetings) Act, the City Clerk announced Late Communications regarding agenda items that had been received by her office following distribution of the agenda packet:

Communication dated August 8, 2002 from Shirley Carey of the Substance Abuse and Violence Education Task Force (S.A.V.E.) regarding reductions in the D.A.R.E. program. Communication titled *A Reduction in the Anti-Drug Anti-Violence Education Program in Public and Private Schools*.

Communication dated August 12, 2002 from the Police Department proposing an alternative to keep D.A.R.E. intact rather than eliminating the program. Communication titled *D.A.R.E. Alternatives*.

The Following Additional Late Communications Were Submitted During the Meeting:

Communication from the Public Works Director – PowerPoint report titled *City of Huntington Beach Public Works Department Capital Improvement Projects FY 2002-03* and attached line item report detailing projects also titled *City of Huntington Beach Proposed Capital Improvement Budget FY 2002/03*.

The following are Agenda Items Continued from the August 5, 2002 Meeting:**(City Council) Public Hearing Continued Open from August 5, 2002 - Adopted Resolution No. 2002-71 Relating to the City's FireMed Emergency Medical Services Cost Recovery Fee Schedule (340.20)**

Mayor Cook announced that this was the time scheduled for a public hearing to consider a communication from the Fire Chief/Information Systems Director Dolder. Public hearing was continued open from August 5, 2002 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. It is estimated that approximately \$310,000 of additional revenue would be generated in FY 2002/03 as a result of the revised rate schedule.

The type of fees under consideration for revision include 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.

Mayor Cook introduced City Administrator Ray Silver who informed Council that these fees were being considered individually but are included in next year's budget. Fire Chief/Information Systems Director Michael Dolder stated that FireMed was established to fund emergency services without using the General Fund. Chief Dolder presented the PowerPoint report titled *Fire Department* dated August 12, 2002 that was included in agenda packet.

Chief Dolder replied to Mayor Pro Tem Boardman's inquiry about emergency service insurance coverage by briefly reporting on the FireMed program insurance billing procedures for members and non-members as well as Medicare coverage.

Mayor Cook declared the public hearing open.

As there were no persons present to speak on the matter and there were no protests filed, either written or oral, Mayor Cook declared the public hearing closed.

A motion was made by Green, second Dettloff to adopt **Resolution No. 2002-71** amending Resolution No. 97-54 titled "*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.*" The motion carried by the following roll call vote:

AYES: Green, Dettloff, Boardman, Cook, Houchen, Winchell, Bauer
NOES: None

(City Council) Public Hearing Continued Open from August 5, 2002 - Approved Revised Comprehensive Fee Schedule for the Building and Safety and the Fire Departments and Automation Fee for all Development and Business License Service Fees – Adopted Resolution No. 2002-75 (340.20)

Mayor Cook announced that this was the time scheduled for a public hearing to consider a communication from Building & Safety Director Ross Cranmer and Fire Chief/Information Systems Director Dolder.

The public hearing was continued open from August 5, 2002 for the purpose of considering new and revisions to City fees. Fees under consideration are under the jurisdiction of the Building & Safety and Fire Departments.

The staff report sets forth that a new automation fee was proposed on all development and business license service fees. The new fee will offset the annual maintenance for the new city-wide permit system.

New Fire Department fees were proposed for new business fire clearance inspections; fire company safety inspections; emergency access gates, pedestrian or vehicle, plan reviews and inspections; fire lanes, plan reviews and inspections; fire extinguisher training; emergency evacuation trainings; and miscellaneous other public education training.

City Administrator Ray Silver introduced Building & Safety Director Ross Cranmer. Director Cranmer presented the Building & Safety Department portion of a PowerPoint report titled *Building & Safety and Fire Departments* dated August 12, 2002 included in the agenda packet. Fire Chief/Information Systems Director Michael Dolder presented the portion of the presentation relating to the Fire Department.

Mayor Cook inquired about fire access gate inspections. Chief Dolder explained the proposed fee would be for access and inspection to ensure code compliance. Councilmember Bauer asked about oil well operations and if fees are paid for inspections to which Chief Dolder replied the City does collect fees for this service. Further discussion followed regarding offshore oil wells. Chief Dolder stated there are two offshore oil wells under City jurisdiction, which are serviced by the Coast Guard which has primary responsibility.

Mayor Cook declared the public hearing open.

As there were no persons present to speak on the matter and there were no protests filed, either written or oral, the Mayor Cook declared the public hearing closed.

A motion was made by Houchen, second Green to adopt **Resolution No. 2002-75** – *“A Resolution of the City Council of the City of Huntington Beach Amending Resolution No. 5159 Entitled, ‘A Resolution of the City Council of the City of Huntington Beach Establishing a Fee Schedule,’ and Specifically Establishing New Development and Business License Service Fees (Supplemental Fee Resolution No. 88).”* The motion carried by the following roll call vote:

AYES: Green, Dettloff, Boardman, Cook, Houchen, Winchell, Bauer
NOES: None

Public Comments

Chuck Scheid requested information regarding the number of City employees who would be adversely impacted and current employee positions that would be eliminated by the current budget shortage.

Don Thomas informed Council that he is a city and county park ranger and described his duties. Mr. Thomas spoke regarding how much park rangers help law enforcement. He also presented his view on why he believes replacing rangers with police officers, as proposed previously, is not feasible.

Nancy Donovan, member, Friends of Shipley Nature Center, stated her opinion that with increased volunteer help the Shipley Nature Center can survive and improve in spite of the budget shortfall. Ms. Donovan gave her suggestions as to how to maintain and improve the site. She requested that the Shipley Nature Center not be closed.

Jean Nagy, affiliate, Friends of Shipley Nature Center, expressed her opinion about how much work can be done when dedicated people work together. Ms. Nagy described Shipley Nature Center as “a little jewel of our city” and asked that it remain open.

Paul Tuzzolino stated his support of the Shipley Nature Center and asked that it not be closed due to budget constraints. Mr. Tuzzolino suggested enlisting Boy Scout volunteer support.

Pam Clifford spoke in favor of keeping the Shipley Nature Center open. She stated her opinion that to keep it open would maintain and support “hands-on” contact with nature and educational opportunities for children.

Dave Sullivan spoke in favor of retaining the benefits of the Shipley Nature Center and stated his opposition to an admission fee. Dr. Sullivan also presented his opinion regarding reasons that the City has budget problems, including the failure of the Council to rescind payment of prevailing wages for contractors.

Jill Hardy stated her support for the Shipley Nature Center to remain open. She cited reasons including historical preservation of the site and the benefits of nature education provided to the people who visit.

(City Council) Continued from August 5, 2002 – Adopted Resolution No. 2002-74 Amending the City’s Full Cost Recovery Fee Resolution Pertaining to Community Services Department Fees (Clubhouse – Recreational – Cultural and Special Events Activities) (340.20)

The City Council considered a communication from the Community Services Director requesting Council approval of the amendment of certain Community Services Department recreational fees to provide full cost recovery for delivering recreational services. Each year, the Community Services Department reviews fees that are charged for recreational classes, activities, parking, rental of facilities, specific events, etc., designed to provide the city with full cost recovery with regard to direct program costs for the services being delivered. The department looks at actual costs of services from the previous year and any anticipated increase in those costs, e.g., staff costs or levels, supplies, equipment rental or purchase, gas, electricity, water, security, contractual services, maintenance, transportation, etc., and adjusts the fees accordingly.

The changes to the Community Services Department fees are listed in the staff report.

A PowerPoint presentation titled *Community Services Department Recommended Fees for 01/02* was included in the agenda packet.

Community Services Director Ron Hagan presented the PowerPoint presentation. He informed Council that the date in the title of the PowerPoint had a typographical error and should read for the years of 2002/2003, rather than the years of 2001/2002. Director Hagan highlighted changes to the fee schedule as detailed in the PowerPoint.

Mayor Pro Tem Boardman suggested the possibility of charging for parking at Shipley Nature Center to help cost issues. Mr. Silver suggested staff return to Council August 26, 2002 workshop meeting regarding the matter.

A motion was made by Dettloff, second Green to adopt **Resolution No. 2002-74 – “A Resolution of the City Council of the City of Huntington Beach Amending Resolution No. 5159 Entitled, ‘A Resolution of the City Council of the City of Huntington Beach Establishing a City Fee Schedule’ as to Services Offered by the City’s Community Services Department (Supplemental Fee Resolution No. 87).”** The motion carried by the following roll call vote:

AYES: Green, Dettloff, Boardman, Cook, Houchen, Winchell, Bauer
NOES: None

End of Items Continued from the August 5, 2002 Meeting

(City Council/Redevelopment Agency) Study Session Held – Presentation of FY 2002/2003 Preliminary Budget and Overview – Budget Material Presented by the Administrative Services Department - Directed Staff to Return 8/26/02 Re: Shipley Nature Center and Cost Allocation Fee Study (320.20)

The City Council considered a communication from the Administrative Services Department including a PowerPoint presentation: *Balanced Budget FY 2002-2003; Overview FY 2001-2002; General Fund Overview FY 2002-2003; Major Changes to General Fund FY 2002-2003* which was included in the agenda packet. Also available for public review in the City Clerk's Office is the Preliminary Budget Accounting Detail (Modifications to 2nd Year of Two-Year Budget).

City Administrator Ray Silver presented the aforementioned PowerPoint presentation and an overview of expenditures and revenue for the Preliminary 2002-03 City Budget. He summarized the information for Council. He informed Council that a two-year budget was adopted last year however, due to many changes since last year, Council review is again necessary. City Administrator Silver announced that the Shipley Nature Center and the Cost Allocation Fee Study will be discussed at the August 26, 2002 Budget Workshop.

Discussion was held regarding PowerPoint slide No. 7 titled *All Funds Infrastructure Commitment*.

Public Works Director Robert F. Beardsley reported on the Late Communications titled *Proposed Capital Improvement Budget FY 2002/03* distributed at the meeting.

Councilmember Green received confirmation from staff that 15% of the General Fund is being set aside for infrastructure improvements.

City Administrator Silver informed Council of the amount the City will incur in revenue losses due to the State budget cuts and cuts from other sources.

Mayor Pro Tem Boardman expressed concern over water quality issues, including drainage needed, important due to urban run-off.

Mayor Pro Tem Boardman referred to Slide No. 18 of the PowerPoint report titled *Fiscal Year 2002/2003 Preliminary Budget Overview, City Council Study Session, August 12, 2002*, regarding reduction of the Scientific Investigative Unit (SIU) in the Police Department – Police Chief Lowenberg responded that it will take longer turnaround times to process evidence.

City Administrator Silver reported there would be approximately 25 employee positions vacated due to the new retirement program, in answer to public speaker Mr. Scheid's question. He referred to reductions listed on the printed materials provided to Council.

City Administrator Silver stated the main purpose of this meeting was to receive Council input for the upcoming August 26, 2002 Council meeting.

Mayor Pro Tem Boardman inquired about the aforementioned Slide No. 18 of the PowerPoint presentation relative to the Police Department. Police Chief Lowenberg replied that there might be an option of outside funding for the D.A.R.E. Program, but the DNA lab would be eliminated with the budget cuts.

In response to Mayor Pro Tem Boardman's question, Fire Chief/Information Systems Director Dolder listed the positions to be eliminated in the Fire Department.

Mayor Pro Tem Boardman referred to Slide No.19 of the PowerPoint report and asked how transferring the Oak View area operation to non-profit would affect the level of service to the community. Community Services Director Ron Hagan responded his department is compiling the requested information and will return to Council at the August 26, 2002 meeting.

Councilmember Bauer suggested alternate methods to generate funds such as charging rent to the Surf Museum and implementing a smaller rent subsidy at Emerald Cove. He stated his opinion that the City has underutilization of public facilities which could be rented for income.

Councilmember Dettloff inquired about D.A.R.E. alternatives. Chief Lowenberg described varying degrees under which the program could operate under depending on the budget.

Councilmember Dettloff also addressed tree trimming reductions, inquiring if the reductions will primarily be in parks or neighborhoods. Director of Public Works Robert F. Beardsley replied it would mostly affect street tree trimming.

Councilmember Dettloff addressed the proposed city planner position reductions of two staff members. Planning Director Howard Zelefsky stated these positions cannot be eliminated or services would be greatly reduced in the Planning Department.

Councilmember Dettloff noted all the great work that has been done at Shipley Nature Center and urged a budget solution for the Center.

Councilmember Green stated his support for the D.A.R.E. Program and Shipley Nature Center and suggested the City try to acquire outside funding to ease budget constraints.

Councilmember Winchell inquired about D.A.R.E. Program grants and suggested implementing an educational task force to save the program.

Councilmember Winchell inquired if the City could maintain a full service police lab considering the budget cuts. Police Chief Lowenberg replied that the lab would be significantly reduced under the budget reductions. He stated reports would be forthcoming at the August 26, 2002 City Council meeting.

Mayor Cook informed Council that she was recently in Sacramento and reported on the state budget crisis. There was discussion held regarding the critical status of the City budget and the State's great reduction of funds to the City, which will be ongoing.

Adjournment – City Council/Redevelopment Agency

Mayor Cook adjourned the adjourned regular meeting of the City Council/Redevelopment Agency of the City of Huntington Beach to Monday, August 26, 2002, at 4:00 p.m. in the Council Chambers, Civic Center, 2000 Main Street, Huntington Beach, California.

City Clerk and ex-officio Clerk of the City Council of the City of Huntington Beach and Clerk of the Redevelopment Agency of the City of Huntington Beach, California

ATTEST:

City Clerk-Clerk

Mayor-Chairman