

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 call: **Building Maintenance Department (714) 536-5534**.

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, JANUARY 16, 2001

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

5:05 P.M. - Room B-8

Call City Council/Redevelopment Agency Meeting To Order

Roll Call Green, Boardman, Cook, Julien Houchen, Garofalo, Dettloff, Bauer
[Present – Boardman arrived 5:10 p.m.]

[Deputy City Clerk announced Late Communication]

Public Comments Regarding Study Session & Closed Session Agenda Items

- (1) Speaker presenting information relating to alternative health plan preferred by the Police Officers Association***
- (2) Speakers spoke dissenting City's assertion that offer on table would place police officers in the 75 percentile county-wide***

[City Administrator Ray Silver announced that the City and the Police Officers' Association will go into mediation on January 23, 2001]

**COMPUTER INTERNET ACCESS TO CITY COUNCIL/REDEVELOPMENT AGENCY
AGENDAS IS AVAILABLE PRIOR TO CITY COUNCIL MEETINGS
<http://www.ci.huntington-beach.ca.us>**

(City Council/Redevelopment Agency) Study Session - Presentation of Competitive Services Model (800.10) – Presentation to be made by Clay Martin, Director of Organizational Effectiveness re: The Competitive Services Model: (1) Report on the First Year's Competitive Services Analysis of Side-by-Side Street Sweeping; (2) Report on the Twice-a-month Street Sweeping Parking Enforcement Program **(See Agenda Items E-13 and E-14)**

[Director of Organizational Effectiveness presented PowerPoint slide presentation as a Late Communication. Peter Grant, Sr. Administrative Analyst presented side-by-side street sweeping and street sweeping parking citation programs. Displayed larger new signage suggested for visual impact. Managed Competition Subcommittee recommendation announced to suspend issuance of parking tickets between Christmas and New Year's Day (in the future) (Agenda Item E-14)]

Call Closed Session Of City Council/Redevelopment Agency

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

[Approved 7-0]

(City Council) Closed Session – Pursuant to Government Code Section 54957.6 to meet with its designated representatives, Agency Negotiators: William Workman, Assistant City Administrator; William Osness, Personnel Director; and Daniel Cassidy, Esquire of Liebert, Cassidy, and Frierson regarding **labor relations matters – meet and confer** with the following employee organization: HBPOA. (120.80)

(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 **Charles Nowotny v. Johnson, City of Huntington Beach, et al.**; U.S. District Court Case No. CV 99-13098-FMC. (120.80)

(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 **Michael Mills v. City of Huntington Beach**; Workers' Comp Case Nos. AHM 0029678, 0029679, 0029680, 0076206, 0076203, 0076204, 0073451, 0073480, and AHM unassigned; City Claim No. COHB 93-0085, 91-0286, 88-0386, 96-0072, 98-0006, 99-0035, and 99-0119. (120.80)

(City Council) Closed Session – Pursuant to Government Code Section 54956.9(b)(2)(B) to confer with its city attorney regarding pending litigation. The facts and circumstances that might result in litigation against the city or its current or former officers are that the Orange County Grand Jury is investigating whether city officials violated Water Code § 13271 and/or Health & Safety Code § 5411.5 by allegedly failing to report sewer leaks to the County Environmental Health Officer, the Regional Water Quality Control Board, or other officials. Subject: **In re Grand Jury Investigation into Sewer Leaks** (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.

7:00 P.M. - Council Chamber

Reconvene City Council/Redevelopment Agency Meeting – 7:15 p.m.

- ** **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)).**

[No action to report out]

Roll Call Green, Boardman, Cook, Julien Houchen, Garofalo, Dettloff, Bauer
[Present]

Flag Ceremony and Pledge of Allegiance – Led by Bob Kakuk

Invocation – Pastor Bill Crouch, Fountain Spring Church, Huntington Beach

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

(1) Copies of late communications submitted by City Councilmembers or City Departments are available for the public at the City Clerk's desk. (2) Late communications submitted by members of the public will be made available to the public at the City Clerk's Office on the morning after the Council meeting.

[City Clerk announced Late Communications relating to: study session item; C-3; E-10; E-11; E-15; F-2; F-4; and H-1a]

Presentation – By Mayor Pam Julien Houchen to David Biggs, Director, Economic Development, Gus Duran, Housing/Redevelopment Manager and Steve Holtz, Assistant Project Manager, a plaque from the Habitat for Humanity in appreciation for the assistance given in the recent building of homes in Huntington Beach.

Presentation – By Mayor Pam Julien Houchen to Mr. Perry Cain, Manager, Community Relations, Boeing Company presentation of a proclamation recognizing the Boeing Company for their hard work and community spirit by taking the lead and organizing the First Annual Holiday Light Display and Vehicular Drive Through, ***Holiday D'Lights***.

Presentation – By Alex Osman, Lynn Gutierrez, Tony Dennis, John Fornenez, Ronnie Paco and Tony Huizing of Burlington Coat Factory, checks in the amount of \$1,000 each to Mayor Pam Julien Houchen and Project Self Sufficiency, Soroptimist International and the Boys and Girl's Club of Huntington Beach. Accepting the check for Project Self Sufficiency will be Ron Hagen, Director, Community Services, Shari Freidenrich, President, Soroptimist International and a representative from the Boy's and Girl's Club of Huntington Beach **and to Linda Cohen on behalf of the Hebrew Academy.**

Presentation – The Mayors Award

[Leonie Crouch, Customer Service Supervisor, City Treasurer's Office for developing automated systems to replace manual system; preparation of a valuable procedures manual]

City Administrator to Report on Street Sweeping Program Findings from the earlier 5:00 p.m. Study Session Portion of this Council Meeting.

[Assistant City Administrator William Workman presented an oral report]

B. PUBLIC COMMENTS

The City Council welcomes public comments on all items on this agenda or of community interest. We respectfully request that this public forum be utilized in a positive and/or constructive manner. Please focus your comments on the issue or problem that you would like to bring to the attention of the City 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

- (1) Speaker in support of approval of agenda items E-16 and F-2.**
- (2) Speaker urged televised study session and public hearing on proposed sewer fee (agenda item H-1a). Questioned why of staff requesting a grant on gun range item and also testing on ocean study to follow after a period of minimum use by the AES (Edison Plant) to determine if the plant is responsible.**
- (3) Speaker stating that current Tank Farm site is better suited for residential use & that Nesi-Ascon site be used.**
- (4) Speaker in support of waiver of parking fines during holidays. He stated concern that block walls will crumble in an earthquake. He stated sidewalks in Southeast area of city (Adams – Newland) are dirty and a disgrace & need to be cleaned.**
- (5) Speaker request item E-11 be removed from consent calendar and contract awarded to Insituform Technologies, Inc.**
- (6) Speaker, attorney representing Insituform Technologies, Inc., stated reasons why a bidder on item E-11 can be rejected. He informed Council of a case that shows that the City Council can award the bid to another company.**

[Brief oral report presented on item E-11 by Department of Public Works]

- (7) Speakers stating his opinion that all veterans be honored and not to single out a single hero relative to the proposal to do a single memorial to Colonel Arthur Poindexter, war hero. He also requested a replacement to the veterans meeting hall that was demolished in the 1970's.**

- (8) Owner of Burlington Coat Factory thanked Council for not condemning Burlington Coat Factory; stated they plan to absorb as many of Montgomery Wards' employees from Huntington Beach as they can.**
- (9) Speaker stating the commitment of Burlington Coat Factory to work with the Huntington Center developer.**
- (10) Speaker expressing disappointment a "The Crossings" Huntington Center development decision by Council. He expressed opposition to Burlington Coat Factory remaining and requested it be relocated to the western section of the development.**
- (11) Speaker representing CHARG (Committee for an Honest and Responsible Government) and explained committee's goals. She presented recommendation for ocean testing.**
- (12) Speaker in opposition to "301-H" waiver to O.C. Sanitation District and requested its repeal.**
- (13) Speaker requesting NASA TV Channel in Huntington Beach stating there are 9,000 Boeing employees. He requested that Time Warner be requested to provide it.**

[Councilmember Garofalo stated he would bring this up at a PCTA (Public Cable Television Authority) meeting.]

- (14) Speaker presenting history of city street sweeping stating Fountain Valley has a sidewalk sweeper and Huntington Beach does not. He stated that he believes the street sweeping program of the city is working as the Bolsa Chica is cleaner.**
- (15) Several speakers requesting Council reconsider and give serious thought to approving "The Crossings" at Huntington Center.**
- (16) Speaker questioning how Ezralow planned to build "The Crossings" with Burlington Coat Factory there. Opposition to various facets of governmental structure**

[Economic Development Director Biggs responded to Mayor Pro Tem Cook regarding which stores do or do not have restrictions to move into Huntington Center stating the city does not know this information as it is private information. Councilmember Bauer spoke re: matter of "The Crossings"]

- (17) Speaker requested that Burlington Coat Factory be taken under eminent domain now that Montgomery Wards, which was one of the landowners is gone and Burlington Is not a land owner.**

[Councilmember Bauer spoke regarding reconsideration. The City Administrator stated that he could provide Council with information on the Ezralow lease at a later time.]

[Councilmember Green reported on the 301-H waiver to the O.C. Sanitation District spoke about by a speaker during public comments. He reported on matters relating to the "plume" of pollution. He commented on the possibilities of Talbert Marsh and he stated that he believes ocean run-off is the problem.]

C-1. Council Committee/Council Liaison Reports**C-1a. (City Council) Approve Councilmember Ralph Bauer's Recommendation of the Use of the Huntington Beach City Council Chamber at 2000 Main Street on March 15, 2001 to Conduct a Light Rail Symposium Under the Auspices of the West Orange County Cities Association (WOCCA) (200.30)**

Communication from Councilmember Ralph Bauer, Acting Chairman of the Intergovernmental Relations Committee recommending Council approval for the use of the City Council Chambers to offer a Rail Symposium to all Orange County cities. Representatives from OCTA (Orange County Transportation Authority), MTA System, Amtrak, Metrolink, the High Speed Rail Task Force and others will be invited to speak on various subjects.

Recommended Action: Motion to:

1. Approve use of the City Council Chambers on March 15, 2001 by the West Orange County Cities Association to offer a Rail Symposium to all Orange County Cities;

and

2. Authorize staff time to assist in organizing and carrying out this event.

[Approved 7-0]

C-1b. (City Council) Approve Position on Legislation Pending Before the State Legislature as Recommended by the City Council Intergovernmental Relations Committee – Assembly Bill 15 (Tom Harman) – Storm Water Discharge (120.70)

Communication from Councilmember Ralph Bauer, Acting Chairman of the Intergovernmental Relations Committee submitting the Intergovernmental Relations Committee recommendation of support for Assembly Bill 15 authored by Assemblyman Tom Harman.

Recommended Action: Motion to:

Approve the City Council Intergovernmental Relations Committee's recommendation that the City Council take a position in support of Assembly Bill 15 (Harman), "Storm Water Discharge" – which would provide funding for capital costs related to diverting storm water runoff through the sewage treatment facility during dry weather months.

[Approved 7-0]

C-1c. (City Council) Approve Reappointment of Robert Eberle to the Planning Department's Design Review Board (110.20)

Communication from the Planning Director submitting the proposed appointment of Robert Eberle to the Design Review Board for a four year term to expire December 31, 2004.

Recommended Action: Motion to:

Appoint Robert Eberle to a second full term on the Design Review Board which will expire on December 31, 2004.

[Approved 7-0]

C-1d. (City Council) Approve Recommendation of Mayor Pro Tem Debbie Cook and Councilmember Shirley Dettloff to Form an Environmental Board Subcommittee for a Restoration Study of the Shipley Nature Center at Huntington Central Park
(110.20)

Communication received from Environmental Board Council Liaisons Mayor Pro Tem Debbie Cook and Councilmember Shirley Dettloff submitting the following **Statement of Issue**: The Environmental Board has become concerned with the future of the Shipley Nature Center and is requesting that City Council support the formation of an Environmental Board Subcommittee. The purpose of the Subcommittee would be to work on plans to restore the Center to its full potential. The Shipley Nature Center was envisioned to be an educational area of Central Park where different habitat areas of coastal California would be recognized. However, over the years, due to budget constraints, the city has not always had the ability to maintain the site as well as it should have been. We had also planned on an extensive wetland restoration project, but due to changes in the mitigation requirements for the Waterfront project, those restoration monies are no longer available.

Recommended Action: Motion to:

1. Approve the formation of a Shipley Nature Center Environmental Board Subcommittee;

and

2. Direct staff to provide support as required to implement the proposed scope of work;

and

3. Direct the subcommittee to present the results of their review to City Council for approval;

and

4. Approve, **as amended**, the members of the subcommittee as listed below:
 - Frank Capone – Chair of the Environmental Board
 - Jean Nagy – Member of the Environmental Board
 - John Scandura – Member of the Environmental Board
 - Dave Winkler – Naturalist/Shipley Nature Center
 - Don Thomas – Volunteer, **Friends of Harbors, Beaches & Parks**
 - Vic Leipzig – Former Mayor and Biologist
 - City Council Liaisons to the Environmental Board – Shirley Dettloff, Debbie Cook
 - Planning Commissioner member to be appointed by the Environmental Board Subcommittee**
 Staff members as required

[Approved 7-0]

C-2. City Administrator's Report – ***[Assistant City Administrator William Workman presented an oral report on the stage alerts I-III issued by the power company to the city and how the city is coping. He reported on the 15-minute warnings to the city of shutdowns. He reported on the city's conservation efforts and the city's 18-point plan. He reported that other ideas will be presented to Council. The City Administrator reported further update on the AES Power Plant and the plans to activate units 3 and 4.]***

C-3. (City Council) Review and Accept City Treasurer's November 2000 Investment Summary Report (310.20)

Communication from the City Treasurer transmitting the Monthly Investment Report for November 2000.

Recommended Action:

Review and accept the monthly report. Following review of the report, by motion of Council, accept the Monthly Investment Report Summary of Investment Portfolio for November 2000, pursuant to Section 17.0 of the Investment Policy of the City of Huntington Beach.

[Approved 6-0-1 (Cook out of room)]

[Councilmember Bauer distributed material re: proposed public artwork for the city's past and present Olympians to come back as an H-item]

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) Open Public Hearing and Continue Open to Tuesday, February 20, 2001 to Consider Appeal Filed by Councilmember Ralph Bauer of the Planning Commission's Approval of Entitlement Plan Amendment No. 00-12/Coastal Development Permit No. 00-22 - Pierside Pavilion Surfer's Hall of Fame , 300 Pacific Coast Highway (n/e Corner of Main Street and PCH) (420.40)

Public hearing to consider:

Applicant: Bob Thornton, 250 Newport Center Drive, Suite M100, Newport Beach, CA

Appellant: Ralph Bauer, Huntington Beach City Councilmember

Request: Appeal of the Planning Commission's approval to permit the removal of the existing water feature/fountain and construction of a Surfer's Hall of Fame on the open plaza area at the northeast corner of Main Street and Pacific Coast Highway. The Surfer's Hall of Fame consists of concrete castings of surf heroes' foot and hand impressions and a central monument within the plaza, etc.

Location: 300 Pacific Coast Highway (Pierside Pavilion)

Environmental Status:

Notice is hereby given that item Coastal Development Permit No. 00-22 is categorically exempt from the provisions of the California Environmental Quality Act.

Coastal Status:

Notice is hereby given that this item is located in the non-appealable jurisdiction of the Coastal Zone and includes Coastal Development Permit No. 00-22, filed on September 1, 2000, in conjunction with the above project. The Coastal Development Permit hearing consists of a staff report, public hearing, City Council discussion and action. This item is not appealable to the California Coastal Commission.

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 Friday, January 12, 2001.

- ** Communication received from applicant, Mr. Bob Thornton dated January 9, 2001 requesting continuance to February 20, 2001 (ATTACHMENT NO. 2).
- ** Communication received from Huntington Surf and Sport dated January 8, 2001 requesting postponement (ATTACHMENT NO. 2).

(Continued on the next page)

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 Division 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

Recommended Action: Motion to:

Open Public Hearing on Entitlement Plan Amendment No. 00-12 and Coastal Development Permit No. 00-22 and continue hearing open to February 20, 2001.

[Approved continuance to 02/20/01 (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** – Approve and adopt the minutes of the City Council/Redevelopment Agency regular meetings of December 18, 2000 and regular meetings of January 2, 2001 as written and on file in the Office of the City Clerk. Submitted by the City Clerk.
[Approved 12/18/00 Minutes – 6-0-1 (Green abstain)]
[Approved 01/02/01 Minutes – 7-0]
- E-2. (City Council) Receive the Announcements by Mayor Pro Tem Debbie Cook and Councilmember Connie Boardman of the Appointments of Joe Foye and Paul Arms to the Investment Advisory Board** (110.20) – Receive the announcements by Mayor Pro Tem Cook and Councilmember Boardman of their appointments of Joe Foye and Paul Arms to the Investment Advisory Board. Submitted by Mayor Pro Tem Cook and Councilmember Boardman. (Said appointments were announced at the December 18, 2000 meeting, however were not reflected on the posted agenda for that meeting. To meet posting requirements, reaffirmation of the announcements is presented on this agenda.)
[Approved 7-0]
- E-3. (City Council) Adopt Competitive Services Model & Managed Competition Guidelines** (100.10) – Adopt the *Competitive Services Model & Managed Competition Guidelines* dated July 2000, as recommended by the Managed Competition Committee. Submitted by the Acting Administrative Services Director. Funding Source: Not Applicable.
[Approved 7-0]
- E-4. (City Council) Approve Naming the Clock Tower in the Main Street Promenade Parking Structure in Honor of Daryl D. Smith, Retired Public Works Department Employee** (275.20) – Approve naming the Main Promenade Parking Structure clock tower in honor of Daryl D. Smith, and authorize staff to expend up to \$3,000 for the purchase and installation of identification per the attached diagram. Submitted by the Community Services Director. Funding Source: General Fund, City Administrator Awards and Presentations Account not to exceed \$3,000. (Daryl Smith retired in December after 41 years of city service. Daryl was intricately involved in the Downtown Master Plan. He spearheaded the movement to include a clock tower in the Main Promenade Parking Structure. The building has received much acclaim for its architectural design and the way it integrates a public parking structure with public businesses.)
[Approved 6-1 (Cook No)]

- E-5. (City Council) Accept Low Bid from Buso Constructors, Inc. for the Intrepid Lane Storm Drain Project, CC-1139** (600.10) – **1.** Approve the lowest responsive/responsible bid submitted by Buso Constructors, Inc. for the Intrepid Lane Storm Project, CC-1139; and **2.** Authorize the Mayor and City Clerk to execute the Construction Contract in the amount of \$133,626; and **3.** Authorize the Finance Director to appropriate \$36,761 from the General Fund balance to the Intrepid Lane Storm Drain Account; and **4.** Authorize the Director of Public Works to expend a total of \$153,711 to cover the contract amount of \$133,626, estimated construction contingency of \$13,366, and supplemental expenditure of \$6,683. Submitted by the Public Works Director. Funding Source: \$116,950 is budgeted from the General Fund to the Capital Projects Fund Account, Intrepid Storm Drain. \$50,981 is available from the Unappropriated, Undesignated, General Fund Balance.
[Approved 7-0]
- E-6. (City Council) Approve Appropriation of Funds for Replacement Street Tree Planting** (320.45) – Appropriate \$35,000 to fund the purchase of replacement trees when the cost of those trees has been reimbursed by residents. Submitted by the Public Works Director. Funding Source: Unappropriated General Fund Balance into Tree Maintenance Account.
[Approved 7-0]
- E-7. (City Council) Receive Appointment by Councilmember Connie Boardman of Robin Caceres-Dujanovic to the Fourth of July Board** (110.20) – Receive the appointment by Councilmember Boardman of Robin Caceres-Dujanovic to the Fourth of July Board for a four year term commencing January 1, 2001 per HBMC §2.34 for a term to coincide with the term of elected official. Submitted by Councilmember Boardman.
[Approved 7-0]
- E-8. (City Council) Approve Amendment No. 2 to Agreement Between Psomas & Associates, Inc. (Gary Dysart, P.E.) for Professional Services to Provide Support Services for the Infrastructure Planning Committee (IPC) and the Integrated Infrastructure Management Program (IIMP)– Authorize Appropriation of Funds** (600.10) – **1.** Approve and authorize the Mayor and City Clerk to execute *Amendment No. 2 to Agreement Between the City of Huntington Beach and Psomas & Associates, Inc., for Professional Services to Provide Infrastructure Advisory Committee (IAC) Support Services and IIMP Facilitation*; and **2.** Authorize the Finance Director to appropriate \$39,500 from the General Fund balance to the IIMP Program Account. Submitted by the Director of Public Works. Funding Source: Unbudgeted expense. \$39,500 will be appropriated from General Fund undesignated fund balance and deposited into Public Works IIMP Program, Professional Services account.
[Approved 5-2 (Boardman, Cook No)]

- E-9. **(City Council) Approve Agreement with Quint & Thimmig – Bond Counsel for Future Tax Revenue Anticipation Notes – (TRANS)** (600.10) – Approve the *Agreement Between the City of Huntington Beach and Quint & Thimmig, a Limited Liability Partnership, For Legal Services for Bond Counsel for Future Tax Revenue Anticipation Notes* and authorize the Mayor to sign and the City Clerk to attest said agreement. Submitted by the City Attorney. Funding Source: Bond counsel costs are paid as a cost of issuance of the bonds, \$7,500 per bond issue from the General Fund, Non-Departmental Account.
[Approved 7-0]
- E-10. **(City Council) Approve Professional Services Contract with Tom Brohard and Associates for Interim Transportation Engineering Services – Conditioned on Approval By Settlement Committee of Insurance Modifications and Approval As to Form by City Attorney** (600.10) – Approve and authorize the Mayor and City Clerk to execute *The Professional Services Contract Between the City of Huntington Beach and Tom Brohard and Associates for Interim Transportation Manager and Related Services* upon approval of insurance modifications by the Settlement Committee, and approval as to form by the City Attorney. Submitted by the Director of Public Works. Funding Source: Funds for FY 00/01 are budgeted in professional services fund accounts Gas Tax (\$100,000), Measure M (\$150,000), AQMD (\$50,000) and General Fund (\$150,000).
[Approved 6-1 (Boardman No)]
- E-11. **(City Council) Reject All Bids and Authorize Readvertisement of Bid for the Huntington Harbour Sewer Lining Project, CC-1161** (600.60) – **1.** Reject all bids for the Huntington Harbour Sewer Lining Project, CC-1161 and direct the City Clerk to return all bid bonds; and **2.** Authorize the Director of Public Works to readvertise the Huntington Harbour Sewer Lining Project, CC-1161 for bids. Submitted by the Director of Public Works. Funding Source: Co-funded through an Environmental Protection Agency (EPA) grant and an Orange County Sanitation District (OCSD) grant. Matching grants in the amount of \$950,200 will be received for a total project budget of \$1,900,400. Project budgeted in EPA/OCSD Grant, Huntington Harbour Slipline Account.
[Approved 7-0]
- E-12. **(City Council) Approve Amendment No. 1 to Cooperative Agreement No. 9915 Between the Orange County Sanitation District and the City for the Downtown Sewer Rehabilitation Projects** (600.25) – Approve and authorize the Mayor and City Clerk to execute *Amendment No. 1 to Cooperative Projects Program Contract No. 9915* between the Orange County Sanitation District and the City providing for a time extension until April 30, 2001 for the Downtown Sewer Project. Submitted by the Director of Public Works. Funding Source: No funding source required.
[Approved 7-0]
- E-13. **(City Council) Receive and File First Annual (10 Month) Side-By-Side Street Sweeping Report** (800.10) – Receive and file the Side-by-Side Street Sweeping Report. Submitted by the Acting Administrative Services Director. Funding Source: Not Applicable. (A side-by-side comparison of the city's street sweeping operation with a private contractor. The side-by-side comparison called for the city and the contractor to share street sweeping duties with alternating street sweeping routes begun in January 2000. Report covers January 2000 through October 2000.) **(See Agenda Item E-14)**
[Approved 7-0]

- E-14. **(City Council) Receive and File Report on Street Sweeping Parking Citation Enforcement Program – January Through October 2000** (800.10) – Receive and file the Street Sweeping Parking Citations Enforcement Program Report. Submitted by the Acting Administrative Services Director. (This report deals specifically with parking citations relating to the city's return to a twice-a-month street sweeping program.) **(See Agenda Item E-13)**
[Approved 7-0]
- E-15. **(City Council) Approve Purchase of Change Machine for 5th and Walnut Streets and Appropriate Funds for Installation at Downtown Police Substation** (320.45) – Approve the purchase and installation of a new change machine in the Downtown Police Substation and appropriate \$11,000 from the General Fund Unappropriated Reserve into Account No. 100 45202 83700. Submitted by the Community Services Director and the Police Chief. Funding Source: General Fund Unappropriated Fund Balance \$11,000.
[Continued to February 20, 2001 for a Report Back to Council on the Feasibility of a Contract with Downtown Business Owners to Provide Change for Customers - Approved 6-0-1 (Green out of room) Motion denied on 5th Street Parking at Downtown Police Substation]
- E-16. **(City Council) Award Construction Contract for Weeger Bros., Inc. for the Construction of the Beach Maintenance Facility – CC-812 (e/o of Newland Street, at the end of Edison Way)** (600.10) – 1. Accept the lowest bid submitted by Weeger Bros., Inc. for the construction of the Beach Maintenance Facility and determine that the bid is responsible/responsive; and 2. Approve and authorize the Mayor and the City Clerk to execute the construction contract between the City of Huntington Beach and Weeger Bros., Inc. in the amount of \$2,329,000 for the construction of the Beach Maintenance Facility; and 3. Authorize the Director of Public Works to expend up to \$3,100,000, which includes the contract cost of \$2,329,000, estimated contingency of \$232,900, construction management fees of \$404,005 and \$134,095 in undesignated supplemental expenditures. Submitted by the Director of Community Services and the Director of Public Works. Funding Source: City of Huntington Beach Certificates of Participation (COPs), supported by parking revenue and developer advance.
[Approved 7-0]

F. Administrative Items**F-1. Call Annual Meeting of Huntington Beach Public Financing Authority to Order
(125.35)****Roll Call of the Huntington Beach Public Financing Authority Members**

Green, Boardman, Cook, Julien Houchen, Garofalo, Dettloff, Bauer

[Present – Green out of room]

Election of Officers – Motion to:

Elect Pam Julien Houchen, Chair of the Huntington Beach Financing Authority;
Debbie Cook, Vice-Chair of the Huntington Beach Financing Authority and
Connie Brockway, Secretary.

[6-0-1 (Green out of room)]

Approval of Public Financing Authority Minutes – Motion to:

Approve and adopt minutes of the June 19,2000 and October 2, 2000 meetings of the
Huntington Beach Public Financing Authority as written and on file in the Office of the
Secretary. Submitted by the Secretary.

***[Approved 3-0-3-1 (Boardman, Cook, Garofalo abstain; Green
out of room)]***

Adjourn the Huntington Beach Public Financing Authority Meeting.

**F-2. (City Council) Approve the Schedule for the Southeast Coastal Area
Redevelopment Plan Adoption Process (Encompassing Magnolia and Newland
Streets and Pacific Coast Highway and Excluding Huntington By-the-Sea
Mobilehome Park (410.05)**

Communication received from the Economic Development Department transmitting that
the Southeast Area Committee has recommended that the City Council consider
approving the Schedule for the Southeast Coast Redevelopment Plan Adoption Process.
Approving the schedule will provide a timetable for accomplishing the Redevelopment
Plan adoption.

Recommended Action: Motion to:

Approve the *Schedule for the Southeast Coastal Area Redevelopment Plan Adoption
Process* (ATTACHMENT NO. 1).

[Approved 5-2 (Boardman, Cook No)]

F-3. **(City Council) Adopt Resolution No. 2001-1 Applying for a Joint Task Force Six Authority (JTF6) Federal Grant for the Construction of a Law Enforcement Training Center** (340.70)

Communication received from the Police Chief and the Community Services Director informing Council that there is an opportunity for the city to apply for a federal grant to pay for the development of a law enforcement training center in Huntington Beach. The federal government, through funds allocated for the War on Drugs, has established a grant program entitled "Joint Task Force Six Authority" (JTF6) to help agencies build facilities for training and coordinating the efforts of federal and local law enforcement personnel.

Staff has explored two possible sites for the facility. The first is the former Randall Lumber Yard site on Gothard Street (ATTACHMENT NO. 2). The second site being considered is the former Orange County Transfer Station site located on Gothard Street (ATTACHMENT NO. 3).

A PowerPoint slide presentation titled *Huntington Beach Law Enforcement Training Center – JTF6 Support Grant Proposal* is included in the agenda packet.

Recommended Action: Motion to:

Adopt **Resolution No. 2001-1** – “A Resolution of the City Council of the City of Huntington Beach for the Approval to Submit a Grant Request for the Construction of a Full-Service, Multi-Agency Law-Enforcement Training Facility in Huntington Beach” and authorize staff to submit a grant request for support to Joint Task Force Six for the construction of a law enforcement training center in Huntington Beach.

[Adopted 5-0-2 (Bauer, Cook out of room)]

F-4. **(City Council) Review and Accept Main Promenade Parking Structure (Between Olive and Walnut Avenues and Main and First Streets) Financial Report and Direct City Attorney to Prepare a Resolution to Modify Employee Validation Fee Schedule for Oceanview Promenade (Abdelmuti) (n/w Corner of Main Street and Pacific Coast Highway) (275.10)**

Communication received from the Assistant City Administrator requesting Council to accept the Main Promenade Parking Structure Financial Report and modify the employee validation fee schedule for Oceanview Promenade.

Fees and charges represent major revenue to offset the operational and capital costs for the Main Promenade Parking Structure. Potential reduction in revenue of \$3,400 annually.

Recommended Action: Motion to:

1. Review and accept the Financial Report on the Main Promenade Parking Structure;

and

2. Direct staff to submit the next Financial Report at the conclusion of a full year of revenue capture and prepare any recommendations to modify the Main Promenade Parking Structure business plan if there is still an operating deficit;

and

3. Direct the City Attorney to prepare a Resolution to amend Resolution No. 2000-53, to modify the Community Services Fee Schedule to allow Oceanview Promenade to participate in the Employee Validation Stamp Program at a rate of 50 cents per day per stamp.

[Approved Recommended Action 5-2 (Dettloff, Bauer No)]

G. OrdinancesG-1. **Ordinance for Adoption** – NoneG-2. **Ordinance for Introduction** – None**H. City Council/Redevelopment Agency Items****H-1a. Submitted By Councilmember Ralph Bauer****(City Council) Request Staff to Prepare for the February 20, 2001 Council Meeting a Proposal to Set Up a Sewer Fee To Support Rehabilitation, Replacement, Maintenance, and Operation of the Huntington Beach Sewer System** (340.20)

Communication from Councilmember Ralph Bauer submitting the following **Statement of Issue**: According to the Infrastructure Improvement Management Plan (IIMP) of September 2000, the financial needs of the Huntington Beach sewer system for the next 20 years are as follows:

Rehabilitation and Replacement	\$ 92.6 million
Maintenance and Operations	\$ 27.9 million
Total Needs:	\$120.5 million

Of this, \$38.6 million has been identified as “immediate needs.”

Recommended Action:

It is requested that the staff return to the Council at the February 20, 2001 meeting with a proposal that sets up a sewer fee to pay for the above needs. The total needs amount may be reduced by various grants, reimbursement districts, etc., thus reducing the fees to be charged. The fee for individual users can be based on water usage.

[Approved 7-0]

[Former Councilmember Sullivan’s questions on this item submitted during public comments and Councilmember Boardman’s questions on the water fund to be answered at the February 20, 2001 meeting]

H-1b. Submitted By Councilmember Ralph Bauer

(City Council) Establish a Developer Fee Schedule to Support Parks and Playgrounds (340.20)

Communication from Councilmember Ralph Bauer submitting the following **Statement of Issue**: According to the Infrastructure Improvement Management Plan (IIMP) of September 2000, the financial needs of the Huntington Beach park and playground system for the next 20 years are as follows:

New Construction	\$ 55.5 million
Rehabilitation and Replacement	\$ 5.8 million
Maintenance and Operations	<u>\$ 51.4 million</u>
Total Needs:	\$112.7 million

A recent study established the nexus between builder fees and land costs as allowed by the Quimby Act. At the present time, only 60% of the allowable fee is being charged.

Recommended Action:

It is requested that the Council adopt a developer fee schedule that implements 100% of that allowed by the nexus study. The city in its recent history (at least 35 years) has never fully implemented a developer fee based on land value. This fee, if enacted, plus other grants like those from Proposition 12 should go a long way towards addressing the \$112.7 million need.

Current residents, many of whom are long term homeowners, have helped develop an outstanding park system. New residents should step up and pay their fair share.

[Approved & directed legally required public hearing to be scheduled 6-1 (Green No)]

H-2a. Submitted by Mayor Pro Tem Debbie Cook and Councilmember Shirley Dettloff**(City Council) Approve Proposals for Joint Bolsa Chica/Environmental Board Meeting to Formulate a City Position on the Restoration Plan for the Bolsa Chica Wetlands** (440.60)

Communication from Mayor Pro Tem Debbie Cook and Councilmember Shirley Dettloff submitting the following **Statement of Issue**: As liaisons to the Huntington Beach Environmental Board, we would like to request that the Bolsa Chica City Council Committee (City Council Members Dettloff, **Bauer (see below)** Green, and Boardman) meet with members of the Environmental Board to formulate a City position on the Restoration Plan for the Bolsa Chica Wetlands. The meeting(s) should include presentations and the opportunity for public input. The Environmental Board has prepared a response to the EIR and would like to assist the City Council in formulating an official City position.

Recommended Motion:

Approve, **as amended**, the recommendation for a joint meeting(s) of the Bolsa Chica City Council Committee and the Environmental Board to meet with members of the Environmental Board to formulate **recommend to the City Council** a city position on the Restoration Plan for the Bolsa Chica Wetlands to include presentations and opportunity for public input.

[Approved 7-0]

[Councilmember Dettloff stepped down from joint meeting as she is the Coastal Commissioner and concurred with Mayor Julien Houchen's naming of Councilmember Bauer as her replacement. Councilmember Boardman requested input from Joint Committee re: possibility of Wintersburg Channel re-routing]

H-3a. Submitted by Mayor Pam Julien Houchen**(City Council) Direct Staff to Develop a Tree Master Plan in Conjunction with City Beautification and Landscaping City Council Committee and Present a Draft Report to Council by August 2001** (440.30)

Communication from Mayor Julien Houchen submitting the following **Statement of Issue**: Recently the city was informed that 22 of our mature Eucalyptus trees were diseased and had to be removed. Many of these were on Main Street. As these trees were removed, they were replaced by various trees, including Palms Trees.

At the recent League of Cities Institute for Mayors and City Council Members held this week, I spoke with John Gelff, San Juan Capistrano City Council Member, regarding their city's approach to tree planning and preservation. He explained to me that they have developed a Tree Master Plan. This document specifies the types and sizes of trees which should be planted throughout the community according to space and size limitations, whether the tree is to be planted in the ground or in a container, etc., thus ensuring a wide variety of trees.

Recommended Action: Motion to:

1. Direct staff to develop a Tree Master Plan in conjunction with the guidance of the City Beautification & Landscaping City Council Committee;

and

2. Present a draft report to City Council for review and further direction by August 2001.

[Approved 7-0]

[Convene Council Tree Committee (Bauer, Garofalo, Cook) within 30 days and to ensure the committee meets regularly once a month]

H-3b. Submitted by Mayor Pam Julien Houchen**(City Council) Request to Appoint an Ad Hoc Committee to Review and Develop Policy Regarding the Use of the City Jail** (120.25)

Communication from Mayor Julien Houchen submitting the following **Statement of Issue**: Recently, it has come to my attention that our city jail provides certain facilities and services that may present specific safety hazards. For example, currently, we contract with other jurisdictions within the county for housing of prisoners, including Westminster, Garden Grove, Fountain Valley, Cypress, Seal Beach, and Irvine. These people are then released into the community and expected to find their way home.

Additionally, our DNA Lab provides testing for registered sex offenders that have been convicted of sexual crimes and are either on probation or parole. Again, this service is provided to various Orange County agencies. Both of these activities encourage less than desirable people to "visit" our community and may pose additional risks given our close proximity to Huntington High School.

In an effort to provide further review of these existing practices and others, I am recommending that a Council Committee be formed to develop a jail facility use policy.

Recommended Action: Motion to:

1. Appoint an ad hoc City Council Committee to review and develop a policy regarding our jail and its facilities;

[Appointed Julien, Garofalo, Cook (7-0)]

and

2. Present the results of this review to City Council by May 2001.

[Approved 7-0]

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 – at 11:45 p.m. to Monday, February 5, 2001 at 5:00 p.m., Room B-8, 2000 Main Street, Huntington Beach, California

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