

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

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

To make arrangements for an assisted listening system (ALD) for the hearing impaired, please contact: the **Sergeant at Arms (714) 536-5693** or the **City Clerk (714) 536-5227**.

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

**ACTION AGENDA**

**\*\*Revised Pages 1, 6, 8 & 20\*\***

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

**MONDAY, MAY 6, 2002**

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

**5:00 P.M. - Room B-8**

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

**Roll Call** Green, Dettloff, Bauer, Cook, Houchen, Winchell, Boardman

***Present (Bauer, Winchell arrived 5:05 p.m.; Houchen arrived 5:08 p.m.)***

**Public Comments Regarding Study Session and Closed Session Agenda Items**

***None***

**(City Council/Redevelopment Agency) Study Session – Presentation by the  
Administrative Services Director and Consultant Diehl Evans & Company, LLP to  
Review Comprehensive Annual Financial Audit (300.20)**

The Director of Administrative Services and representatives from Diehl Evans & Company, LLP will provide a summary report on the city's annual financial audit.

\*\*The following 3 communications are included in the agenda packet:

- 1) Letter from Diehl Evans & Company, LLP dated March 6, 2002;
- 2) Inter-Departmental Communication dated May 1, 2002 from the Administrative Services Director Re: *Staff Responses to Management Letter from Diehl, Evans and Company*;
- 3) PowerPoint Presentation titled *City of Huntington Beach Comprehensive Annual Financial Report For the Year Ended September 30, 2001*.

\*\*A Report dated September 30, 2001 and titled *Comprehensive Annual Financial Report – With Report on Audit by Independent Certified Public Accountants* is available for public review in the City Clerk's Office.

***Administrative Services Director Clay Martin, Finance Director Dan Villella, Principal Accountant Robert Sedlak and Diehl Evans CPA/ Partner Bob Callahan reported.***

→ ***Staff directed to reconcile issues re: trash fee, full cost recovery and Emerald Cove.***

**COMPUTER INTERNET ACCESS TO CITY COUNCIL/REDEVELOPMENT AGENCY  
AGENDAS IS AVAILABLE PRIOR TO CITY COUNCIL MEETINGS**

***<http://www.ci.huntington-beach.ca.us>***

**Call Closed Session of City Council/Redevelopment Agency – Approved by unanimous consent with all members present, none absent.**

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

**(City Council) Closed Session** – Pursuant to Government Code Section 54956.9(c) to confer with its city attorney regarding pending litigation based on existing facts and circumstances, the legislative body of the local agency has decided to initiate or is deciding whether to initiate litigation. Number of Potential Cases: One. Subject: **In the matter of the Joint Application of Southern California Edison Company (U 338-E) for Authority to Sell Fuel Oil Pipeline Facilities – Application 02-03-035.** (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 **Logan W., a minor, by and through his Guardian ad Litem, Geoffrey W., Geoffrey W. and Jerilynne W., individually, v. City of Huntington Beach, et al.**; Orange County Superior Court Case No. 01CC05234. Subject: **Logan W., a minor/Geoffrey W., et al. v. City of Huntington Beach, et al.** (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 **Tierrasanta v. City of Huntington Beach, et al.**, Orange County Superior Court Case No. 775993. Subject: **Tierrasaanta v. City of Huntington Beach.** (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 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)).**

***City Attorney reported that Council voted to discuss whether to initiate an intervention for Southern California Edison to sell oil pipeline facilities – Approved 7-0.***

**Roll Call** Green, Dettloff, Bauer, Cook, Houchen, Winchell, Boardman  
***Present***

**Pledge of Allegiance** – Girl Scout Brownies, Troop 324, Hopeview School, Huntington Beach, Sandy Smallshaw, Leader.

**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 Council Members 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 the morning after the Council meeting.

***C-2a; C-3; D-1; D-3; E-9; F-1; F-3; F-4***

**Presentation** – By Mayor Debbie Cook to Huntington Beach Police Chief Ronald E. Lowenberg, the 2001 Governor's Award for Excellence in Peace Officer Training in the Lifetime Achievement category. (160.40)

***Video of Chief Lowenberg accepting the award was presented.***

**Presentation** – By Mayor Debbie Cook to Christopher Rathkey, a Commendation for saving a 14-month old child from drowning on Sunday, February 17, 2002. (160.40)

**Presentation** – To Mayor Debbie Cook, John Tillotson and David Biggs, Director, Economic Development Department, by Susan Georgino, Board Member of the California Redevelopment Association, CRA 2002 Award of Excellence the City for the Plaza Almeria project. (160.40)

**Presentation** – To Mayor Debbie Cook by George Cross of the Huntington Beach Community Clinic, of the Mayor's Duck that will compete in the Duck-A-Thon off the Huntington Beach Pier on Saturday and Sunday May 18 and May 19, 2002. (160.40)

**Presentation** – By Mayor Debbie Cook, to Simple Green Adopt-A-Beach Participants, checks for their dedicated cleaning of the city beaches. Assisting the Mayor will be Ron Hagan, Director, Community Services, Tim Turner, Crew Leader, Beach Maintenance Division, and Fred Waterfall, Public Relations Director, Simple Green. (160.40)

Following is the list of participants:

<u>Affiliation</u>	<u>Name</u>	<u>Tower(s)</u>
Bolsa Chica Land Trust	<b>Wayne Wolf</b>	#16 to #18
Costa Mesa High/Golden West College Transition Class	<b>Patty McGehee</b>	#5 to #7
Council on Aging	<b>Don Grizwold</b>	#8 to #10
Cub Scout Pack #278	<b>Patrick Justice</b>	#5 to #7 Reassigned
Cub Scout Pack #284	<b>Lisa Campana</b>	#10 to #12
Cub Scout Pack #290	<b>Cindy Perez</b>	#7 to #9 Reassigned
Cub Scout Pack #470	<b>Rondi Nuno</b>	#2 to #4 Reassigned
Dwyer Surf Class	<b>Barry Deffenbaugh</b>	Pier to #4
HB Adult Service Dog Raisers	<b>Wilma Cotting</b>	#18 to #20
Huntington Beach Exchange Club	<b>Rick Talbot</b>	#3 to #5
Huntington Beach High School CA Scholarship Fed.	<b>Jeff Button</b>	#14 to #16
Huntington Beach High School Surf Team	<b>Andy Verdone</b>	Pier to #3
Huntington Harbour Philharmonic Juniors	<b>Michael Morton</b>	#12 to #14
IOJD/Bethel 56	<b>Susan Gant</b>	#4 to #6 / sand areas on both sides of apartments
Mesa View Middle School	<b>Linda Hayward</b>	#7 to #9
Orange Coast College DMS	<b>Lori Barman</b>	#9 to #11
Westminster High School French Club	<b>Mr. Kadmiri</b>	#6 to #8
Westminster High School Band	<b>Janet Colley</b>	Huntington Harbour Beaches
West County Family YMCA	<b>Gary Henry</b>	#16 to #18 Reassigned

**Community Services Director Ron Hagan received award from Simple Green for leadership in Adopt-A-Beach Program.**

**Assistant City Administrator reported on the procedure that will be followed for removal of the nuisance problem at the Spano property – See Item E-15.**

**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 agendized.

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

1. ***Many speakers in support of new Senior Citizen Center – Item F-2.***
2. ***Speaker objecting to the return of Agenda Item E-9.***
3. ***Many speakers requesting approval of Agenda Item E-15 and stressing urgency.***
4. ***Speaker requesting lower rent increase at mobile home park.***
5. ***Speakers requesting that dog park not be moved and that hours be extended.***
6. ***Speaker informed Council of the purpose of Surf City International Film Festival stating that sponsors and donors were still needed for their August 2002 event to which all are invited.***
7. ***Speaker favoring relocation of dog park.***
8. ***Speaker in opposition to Agenda Item E-17.***
9. ***Speaker opposed to Agenda Item F-4.***
10. ***Speaker informed Council that he is a non-union contractor and he provides health, vision, vacation, sick leave benefits and that they would have brought many more person opposed to prevailing wage rate item on last agenda.***
11. ***Speaker presented reasons he opposed to petition to put Council districts on ballot. Also stated opposition to 301-H waiver.***
12. ***Speaker opposed to reduction of Council from 7 to 5 members as proposed in the Charter Amendment petition circulating. Also opposed to expend on Item F-4.***
13. ***Speaker opposed to Council's decision on prevailing wage rates at the last meeting.***
14. ***Speaker opposed to absence of the Invocation (prayer) on the agenda.***

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

→ ***Mayor announced Police Appreciation Day and Open House on Saturday, May 18, 2002***

**C-2. City Administrator's Report****C-2a. (City Administrator's Report) Highlight on the City's Monthly Municipal Services Billing Statements and Water Meter Reading Cycles (1000.10)**

A brief summary of the proposed changes to the city's monthly Municipal Services billing statement and water meter reading cycles will be provided. (Refer to Agenda Item E-16.)

***Deputy Public Works Director Paul Emery presented PowerPoint slide report (Late Communication).***

**C-3. (City Council) Review and Accept Shari Freidenrich, City Treasurer's March 2002 Report Titled City of Huntington Beach Summary of City Investment Portfolio, Bond Proceeds, and Deferred Compensation Activity (310.20)**

Communication from City Treasurer Shari Freidenrich transmitting the Monthly Investment Report for March 2002.

**Recommended Action:** Motion to:

Review and accept the monthly report. Following review of the report, by motion of Council, accept the Monthly Investment Report *Summary of Investment Portfolio, Bond Proceeds, and Deferred Compensation Activity for March 2002*, pursuant to Section 17.0 of the Investment Policy of the City of Huntington Beach.

***Approved 7-0***

**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.

**Administrative Hearing**

D-1 is an administrative public hearing. This administrative hearing is required by Huntington Beach Municipal Code 1.18. Only property owners are entitled to speak at this administrative hearing. All other interested parties may speak during the regular *Public Comments* section of the agenda at the beginning of the meeting. Written communications to the City Council may also be mailed to the City Clerk.

- D-1. (City Council) Continued Open from April 15, 2002 – Administrative Public Hearing – Adopt Resolution No. 2002-30 – Approve Certification of Special Assessments for Delinquent Civil Fines for Municipal Code Violations** (570.60)  
Communication from the City Treasurer and the City Attorney.

Continuation from April 15, 2002 of an open Administrative public hearing as required by the California Government Code Section 38377.5 for the purpose of certifying special assessments against properties where public nuisances have occurred.

Request for Council certification of recording Notices of Special Assessments against private property for the value of unpaid civil fines, plus interest and penalties, pursuant to Ordinance No. 3397 adopted by City Council on June 15, 1998.

1. Staff Report
2. City Council Discussion
3. Open Public Hearing
4. Following Public Input, Close Public Hearing

**Recommended Action:** Motion to:

Adopt **Resolution No. 2002-30** entitled "*A Resolution of the City Council of the City of Huntington Beach Certifying Special Assessments for Collecting Delinquent Civil Fines for Municipal Code Violations.*"

**Adopted 5-0-0-2 (Cook, Boardman abstain)**

**ADMINISTRATIVE PUBLIC HEARING** – D-2 is an administrative public hearing**D-2. (City Council) Administrative Public Hearing to Hear Protests Regarding Weed Abatement – Rubbish and Refuse Abatement** (520.80)  
Communication from the Public Works Director.

Public hearing to hear objections and protests to the proposed removal of weeds, rubbish, and refuse upon certain streets, sidewalks, parkways, and private property in the city. This hearing is held pursuant to **Resolution No. 2002-15** adopted March 18, 2002.

\*\*PowerPoint Presentation submitted by the Department of Public Works titled *Annual Weed, Rubbish and Refuse Abatement Program* is included in the agenda packet.

**Recommended Actions:** Motion to:

1. Open public hearing for any objections and protests to the proposed removal of weeds, rubbish, and refuse;

and

2. Following hearing, authorize the Street Superintendent (i.e. Public Works Director) to proceed with abatement of said nuisance.

***Approved 7-0***

→ ***Staff directed to provide Wetlands Area maps (Ellis and Quarterhorse parcels).***

**D-3. (City Council) Public Hearing to Consider Approval of the Formation of and Calling for Special Election for City of Huntington Beach Community Facilities District No. 2002-1 (McDonnell Centre Business Park Improvement Areas A & B) – Adopt Resolution Nos. 2002-38 through 2002-41 Inclusive – Approve Introduction of Ordinance No. 3557 (350.50)**

Public Hearing submitted by the Economic Development Director to consider approval of Boeing's request for City assistance in the formation of a Community Facilities District (CFD) for the McDonnell Centre Business Park second phase to allow Boeing land to be marketed competitively with other industrial properties with CFDs already in place throughout the region. The area is divided into two parts, Area A and Area B, and Boeing has requested funding authority for both areas in an amount of not to exceed \$13,000,000. Boeing is the sole owner of the affected properties.

The Public Hearing notice sets forth that on April 1, 2002, 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 Incur Indebtedness of the Proposed City of Huntington Beach Community Facilities District No. 2002-1 (McDonnell Centre Business Park)." Pursuant to the provisions of Chapter 3.56 of the Municipal Code of the City of Huntington Beach and, as applicable, the Mello-Roos Community Facilities Act of 1982, the City Council of the City of Huntington Beach hereby gives notice as follows:

A. The text of said Resolution is as follows: (Res. No. 2002-27)

WHEREAS, this City Council has this date adopted its Resolution entitled "A Resolution of the City Council of the City of Huntington Beach Declaring Its Intention to Establish a Community Facilities District and To Authorize the Levy of Special Taxes Therein," stating its intention to form a community facilities district pursuant to the provisions of Chapter 3.56 (commencing with Section 3.56.010) of the Municipal Code of the City of Huntington Beach and, as applicable, the Mello-Roos Community Facilities Act of 1982 (collectively, the "Law"), for the purpose of financing a portion of the costs of certain public improvements (the "Facilities"), as further provided in said Resolution; and this City Council estimates the amount required for the financing of a portion of the costs of the Facilities to be the sum of \$11,000,000; and in order to finance said Facilities it is necessary to incur bonded indebtedness for each improvement area identified below as "Area A" and "Area B" in the amount of not to exceed \$13,000,000.

Section 2. The bonded indebtedness for each improvement area described in Section 1 is proposed to be incurred for the purpose of financing a portion of the costs of the Facilities, including costs incidental to or connected with the accomplishment of said purposed and of the financing thereof.

Section 3. This City Council, acting as legislative body for Area A, intends to authorize the issuance and sale of bonds in one or more series in the maximum aggregate principal amount of \$13,000,000, bearing interest payable semi-annually or in such other manner as this City Council shall determine, at a rate not to exceed the maximum rate of interest as may be authorized by applicable law at the time of sale of such bonds, and maturing not to exceed forty (40) years from the date of the issuance of

(Continued on Next Page)

said bonds. This City Council, acting as legislative body for Area B, intends to authorize the issuance and sale of bonds in one or more series in the maximum aggregate principal amount of \$13,000,000, bearing interest payable semi-annually or in such other manner as this City Council shall determine, at a rate not to exceed the maximum rate of interest as may be authorized by applicable law at the time of sale of such bonds, and maturing not to exceed forty (40) years from the date of the issuance of said bonds.

Section 4. Monday, May 6, 2002, at 7:00 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, be, and the same are hereby appointed and fixed as the time and place when and where this City Council, as legislative body for each improvement area described in Section 1, will conduct a public hearing on the proposed debt issue for each of the improvement areas and consider and finally determine whether the public interest, convenience and necessity require the issuance of bonds of the City of Huntington Beach for each respective improvement area.

Any person interested, including persons owning property in the area of the proposed community facilities district, will be heard upon the proposed debt issue.

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

The formation of the Community Facilities District requires various sequential steps to be taken by the City Council set forth by state law. The recommended actions are the following:

**Recommended Action:** Motion to:

1. Conduct Public Hearing;

**and**

2. Adopt **Resolution No. 2002-38** – “A Resolution of the City Council of the City of Huntington Beach of Formation of Improvement Area A and Improvement Area B of the City of Huntington Beach Community Facilities District No. 2002-1 (McDonnell Centre Business Park);”

**and**

3. Adopt **Resolution No. 2002-39** – “A Resolution of the City Council of the City of Huntington Beach Determining the Necessity to Incur Bonded Indebtedness Within Improvement Area A, and Within Improvement Area B, of the City of Huntington Beach Community Facilities District No. 2002-1 (McDonnell Centre Business Park);”

**and**

(Continued on Next Page)

4. Adopt **Resolution No. 2002-40** – “A Resolution of the City Council of the City of Huntington Beach Calling Special Election Within Improvement Area A and Within Improvement Area B of the City of Huntington Beach Community Facilities District No. 2002-1 (McDonnell Centre Business Park);”

and

5. Request the City Clerk to conduct a special election on the formation of the Community Facilities District and announce results of election;

and

6. Adopt **Resolution No. 2002-41** – “A Resolution of the City Council of the City of Huntington Beach Declaring Results of Special Election and Directing Recording of Notice of Special Tax Lien;

and

7. Introduce **Ordinance No. 3557** – “An Ordinance of the City of Huntington Beach Levying Special Taxes Within Improvement Area A and Improvement Area B of the City of Huntington Beach Community Facilities District No. 2002-1 (McDonnell Centre Business Park).”

**Hearing Opened & Continued Open to June 3, 2002 Council Meeting**

### **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 March 18, 2002, April 1, 2002, and April 15, 2002 as written and on file in the Office of the City Clerk. Submitted by the City Clerk.  
***Approved 7-0***
- E-2. **(City Council) Approve (1) Affordable Housing Declaration of Conditions, Covenants & Restrictions and (2) Deed of Trust for 31/35/39 Huntington Inc. (Three Unit Condominium Project – w/o Huntington and n/o Main Streets) (Tentative Parcel Map 01-151 – Holly-Seacliff Specific Plan) 18831 Huntington Street** (600.10) – Approve the *Declaration of Conditions, Covenants and Restrictions for Property (Resale Restrictions) (Attachment No. 1)* and the *Deed of Trust with Assignment of Rents (Long Form) (Attachment No. 2)* by and between the City of Huntington Beach and 31/35/39 Huntington Inc. and authorize the Mayor and City Clerk to sign, execute and record. Submitted by the Planning Director. Funding Source: Not Applicable.  
***Approved 7-0***
- E-3. **(City Council) Adopt Resolution No. 2002-33 for Local Coastal Program Amendment No. 02-01 and Requesting Its Certification by the California Coastal Commission (Zoning Text Amendment 97-01 – Residential District Standards – Ordinance 3410)** (440.50) – Adopt **Resolution No. 2002-33** – “A Resolution of the City Council of the City of Huntington Beach Adopting Local Coastal Program Amendment No. 02-01 and Requesting its Certification by the California Coastal Commission.” Submitted by the Planning Director. Funding Source: Not Applicable.  
***Continued to May 20, 2002 Council Meeting 7-0***
- E-4. **(City Council) Approve Fourth of July Celebration Proposed Budget and Adopt Resolution No. 2002-34 Authorizing Closure of Various City Streets and Resolution No. 2002-35 Requesting CALTrans Approval of Closure of Pacific Coast Highway** (800.60) – 1. Approve the 2002 Fourth of July proposed parade budget as presented by the Fourth of July Executive Board, not expected to exceed \$221,250; and 2. Adopt **Resolution No. 2002-34** – “A Resolution of the City Council of the City of Huntington Beach Authorizing Street Closure for the Fourth of July;” and **Resolution No. 2002-35** - “A Resolution of the City Council of the City of Huntington Beach Requesting CALTrans Approve the Closing of Pacific Coast Highway for the Huntington Beach Fourth of July Parade.” Submitted by the Community Services Director. Funding Source: Fourth of July Business Unit Account \$221,250, to be reimbursed from Fourth of July fund-raising activities. Expected revenue: \$261,000.  
***Adopted 7-0***

- E-5. (City Council) Approve Office of Criminal Justice Planning (OCJP) Grant for Fourth Year Funding for Violence Against Women/Domestic Violence Program (340.80) – 1. Accept the grant titled *Standard Agreement, Contract No. LE97016860* between the State of California, Office of Criminal Justice Planning and the City of Huntington Beach; and 2. Approve the appropriation of \$90,000 from the unreserved, undesignated General Fund Balance, to be reimbursed by the grant from the Office of Criminal Justice Planning; and 3. Authorize the expenditure of funds not to exceed \$120,000 to pay for contract counseling services, a portion of a detective's salary and some operating costs. Submitted by the Chief of Police. Funding Source: A 25% City match of \$30,000 from the Police Department's 2001-2002 budget, General Investigations-General Fund Account is required.**  
***Approved 7-0***
- E-6. (City Council) Accept Bid and Award Construction Contract to Sancon Engineering II, Inc. for the Old Town Sewer Lining Project, Phase III; CC-1180 (Community Development Block Grant Program) (600.60) – 1. Accept the lowest responsive and responsible bid submitted by Sancon Engineering II, Inc. in the amount of \$347,827.45 and the additive alternate bid in the amount of \$21,710.85 for a total of \$369,538.30; and 2. Authorize the Mayor and City Clerk to execute a contract in substantially the same form as the attached sample contract. Submitted by the Public Works Director. Funding Source: \$391,137 – Community Development Block Grant (CDBG) FY 01-02 Funds, Old Town Sewer Project, Sewer Improvements Account.**  
***Approved 7-0***
- E-7. (City Council) Approve Plans and Specifications and Authorize Advertisement of Bids for the Overmyer Reservoirs Rehabilitation Project – Phase 2; CC-1104 (600.75) – Approve the plans and specifications and authorize the Director of Public Works to request bids for the Overmyer Reservoirs Rehabilitation Project – Phase 2; CC-1104. Submitted by the Public Works Director. Funding Source: \$7,500,000 – Water Master Plan Fund, Overmyer Reservoir, Water Improvements Account.**  
***Approved 7-0***
- E-8. (City Council) Authorize Additional Funding Expenditure for Yorktown Avenue Widening Project, CC-1017 (RJ Noble Company) (600.50) – 1. Authorize the transfer of \$215,000 from the Water Main Replacement Account to Measure M Fund as repayment for water line construction costs; and 2. Authorize an additional \$110,000 in construction contingency expenditures to complete the work for the Yorktown Street Widening Project, CC-1017. Submitted by the Public Works Director. Funding Source: \$215,000 – Water Fund, Water Main Replacement Account. \$110,000 – Measure M Fund, Yorktown Widening, Street Improvements.**  
***Approved 7-0***

- E-9. **(City Council) Direct Staff to Revise Schedule and Amendments to Agreements Between the City and PLC (the Developer) for Proposed Holly-Seacliff Area Benefit District Modifications to Street Frontage/Right-of-Way Provisions – To Return to Council on June 17, 2002** (350.30) – 1. Direct staff to develop revised property owner cost spreadsheets and necessary amendments to any agreements between the City and PLC to provide for a 50-50 cost recovery agreement for street frontage improvements; and 2. Present this item at the June 17, 2002 City Council meeting. Submitted by the Public Works Director. Funding Source: Not Applicable.  
***Approved 6-1 (Boardman No)***

- E-10. **(City Council) Approve City Council Positions on Legislation Pending Before the State Legislature and/or Congress as Recommended by the City Council Intergovernmental Relations Committee** (640.90) – The City Council Intergovernmental Relations Committee has reviewed the legislation, propositions, and ruling below and is recommending that the City Council take a position on the following items, and authorize the Mayor to send letters to the legislators reflecting the approved positions: **Motion: Support AB 2070 (Johannessen)** – A bond initiative to provide funding for Water Supply and Reliability projects. **Support AB 2017 (Bates)** – Provides funding for water pollution clean up and abatement. **Support AB 2816 (Shelley)** – For purposes of workers' compensation law provides that a licensed contractor shall be the exclusive employer of the individuals they employ. **Support AB 2100 (Simitan)** – Caps Educational Revenue Augmentation Fund (ERAF) Shifts when the State has a budget surplus of 3% or greater. **Oppose AB 2333 (Nakano)** – Ties transportation funding to providing regional airports. **Oppose AB 3052 (Pescetti)** – Sales tax exemption for energy efficient appliances. Submitted by Shirley Dettloff, Council Member, Chair Person Intergovernmental Relations Committee for Mayor Debbie Cook and Council Member Ralph Bauer. Funding Source: None Required.  
***1. Need for action arose to include AB 1969 – Maddox – Wastewater discharge by Orange County Sanitation District on Agenda 7-0; 2. Vote on AB 1969 6-1 (Green abstain); 3. Vote on remainder of Bills 7-0; 4. Councilmember Houchen requested a correction to staff report to show that Harman is co-author of Bill.***

- E-11. **(City Council) Adopt Resolution No. 2002-37 Granting Wage Increase for Non-Permanent Employees Effective May 11, 2002** (720.20) – Adopt **Resolution No. 2002-37** – “A Resolution of the City Council of the City of Huntington Beach Granting Wage Increases to Non-Permanent, Unclassified Employees, Effective May 11, 2002.” Submitted by the Administrative Services Director. Funding Source: Fiscal year 2001/ 2002 budget; annual cost is dependent on seasonal hours worked, estimated at approximately \$80,000.  
***Adopted 7-0***

- E-12. **(City Council) Approve a Reimbursement Agreement with Makallon Atlanta Huntington Beach, LLC for Preparation of the Entitlement and Environmental Documentation for the Pacific City District 7 & 8a Project (31-Acres Bounded by Pacific Coast Highway/First Street/Huntington Street/Atlanta Avenue)** (600.10) – Approve and authorize the Mayor and City Clerk to execute the Reimbursement Agreement with Makallon Atlanta Huntington Beach, LLC for Preparation of Environmental Documentation for the Pacific City Project – *Reimbursement Agreement between the City of Huntington Beach and Makallon Atlanta Huntington Beach, LLC for Costs Incurred for Pacific City Project Entitlement and Environmental Processing.* Submitted by the Planning Director. Funding Source: Not Applicable.

**Approved 7-0**

- E-13. **(City Council) Approve Acceptance of Grant Award – County of Orange Supplemental Law Enforcement Service Fund Grant (SLESF-FY-2001-02) – Police Department Computer Aided Dispatch/Records Management System (CAD/RMS)** (340.70) – 1. Accept the grant award of \$387,771.73 from the County of Orange SLESF for funding cycle year 2001/2002; and 2. Authorize the Chief of Police to expend \$387,771.73, plus any accrued interest on technology associated with the Computer Aided Dispatch/Records Management System (CAD/RMS) for the Police Department. Submitted by the Chief of Police. Funding Source: No match is required for this grant.

**Approved 7-0**

- E-14. **(City Council) Adopt Resolution No. 2002-42 to Approve the Application for Grant Funds from the Solid Waste Disposal Site Cleanup Trust Fund for Water Quality Improvements to the Bolsa Chica Wetlands** (340.80) – Adopt Resolution No. 2002-42 – *“Resolution of the City Council of the City of Huntington Beach Approving the Application for Grant Funds from the Solid Waste Disposal Site Cleanup Trust Fund.”* Submitted by the Public Works Director. Funding Source: No funds are required at this time.

**Adopted 7-0**

- E-15. **(City Council) Approve Additional Funding to the Nuisance Property Abatement Fund and Authorize the Execution of a Contract (in Substantially the Same Form as Sample Contract) to Facilitate the Abatement of a Nuisance Property (Spano Residence – 16911 Bolsa Chica Street)** (570.60) – 1. Appropriate \$20,000 from the Unreserved General Fund, account number 100.31.100.1999 to the Nuisance Property Abatement Fund, account number 10060301.64900; and 2. Approve and authorize the Assistant City Administrator to execute a services contract in substantially the same form and upon approval as to form by the City Attorney as the attached sample between the City of Huntington Beach and a contractor to be selected for Nuisance Abatement Services at 16911 Bolsa Chica Street. Submitted by the Planning Director. Funding Source: Unreserved General Fund in the amount of \$20,000.

**Approved 7-0**

- E-16. (City Council) Approve Monthly Municipal Services Billing Statements and Monthly Meter Reading – Approve Water Fund Appropriation – Amend Public Works Department Table of Organization** (1000.10) – **1.** Direct staff to implement monthly Municipal Services Billing Statements based on monthly meter readings; and **2.** Appropriate a total of \$100,000 from the undesignated, unappropriated fund balance of the Water Fund to the following Public Works Water Division accounts: \$28,000 in Personnel Account 50685805.51110 for salaries and \$10,000 in Personnel Account 50685805.55000 for benefits; \$12,000 in Equipment Account 50685805.83700, for meter reading equipment and \$50,000 in Equipment Account 50685805.85100 for vehicles; and **3.** Amend the Water Division Table of Organization increasing the number of meter readers by two. Submitted by the Director of Public Works, Fire Chief/Information Systems Director and the City Treasurer. Funding Source: \$100,000 – undesignated, unappropriated Water Fund balance to the Public Works Water Division’s personnel and operating accounts is recommended to provide monthly billing statements based on monthly meter readings.

***Approved 7-0***

- E-17. (City Council) Authorize Contract with Camp Dresser & McKee, Inc. (CDM) for Development of a City Wide Stormwater Utility** (600.10) – Authorize the City Administrator to execute a contract with CDM for professional services leading to formation of a citywide stormwater utility. Submitted by the Director of Public Works. Funding Source: \$75,600 – General Fund – Coastal Remediation Program, Professional Services Account.

***Approved 7-0***

***The Mayor will recess the City Council/Redevelopment Agency***

**F. Administrative Items**

**Call to Order a Joint Meeting of the City Council, the Redevelopment Agency, and the Huntington Beach Public Financing Authority ( . )**

**Roll Call of the Huntington Beach Public Financing Authority Members**

Green, Dettloff, Bauer, Cook, Houchen, Winchell, Boardman

***Present (Green absent)***

**(Public Financing Authority) Approve and Adopt Minutes** – Motion to:

Approve and adopt minutes of November 5, 2001 meeting of the Huntington Beach Public Financing Authority as written and on file in the Office of the Secretary. Submitted by the Secretary.

***Approved 5-0-1-1 (Green absent from room; Winchell abstain)***

The Mayor will convene to meet on an Administrative Item of the Huntington Beach City Council, the Redevelopment Agency, and the Public Financing Authority.

**F-1. (City Council/Redevelopment Agency/Public Financing Authority) Adopt Resolutions for Refunding Bonds for Redevelopment Agency Merged Project Area – Adopt Council Resolution No. 2002-36; Agency Resolution No. 335; and Public Financing Authority Resolution No. 16 (330.60)**

Communication from the Economic Development Director/Agency Director informing Council/Agency/Authority members that the balance of the 1992 Redevelopment Agency Tax Allocation Refunding Bonds are now eligible for refinancing at a more favorable interest rate. A portion of the bonds was refinanced in 1999. The bonds were originally issued in 1992 to provide funds to enable the Agency to prepay a portion of the Agency's 1992 Loans and refund the outstanding Huntington Beach Public Financing Authority's 1992 Bonds, to establish a reserve account under the Indenture, and to pay the expenses of the Agency in connection with the issuance of the Bonds.

**Recommended Motions:**

**City Council:**

Adopt **Resolution No. 2002-36** approving proceeding with the issuance by the Redevelopment Agency of 2002 tax allocation refunding bonds and approving related documents and actions – *“A Resolution of the City Council of the City of Huntington Beach Approving the Issuance of Tax Allocation Refunding Bonds by the Redevelopment Agency of the City of Huntington Beach in the Maximum Principal Amount of \$23,000,000.”*

***Adopted 7-0***

(Continued on Next Page)

**Redevelopment Agency:**

Adopt **Resolution No. 335** approving proceeding. Redevelopment Agency Board with the issuance of 2002-tax allocation refunding bonds and approving related documents and actions – *“A Resolution of the Redevelopment Agency of the City of Huntington Beach Authorizing the Issuance and Sale of Not to Exceed \$23,000,000 Principal Amount of 2002 Tax Allocation Refunding Bonds to Refund Outstanding 1992 Tax Allocation Revenue and Related Loan Agreements, and Approving Related Documents and Actions.”*

**Adopted 7-0**

**Public Financing Authority:**

Adopt **Resolution No. 16** approving documents related to the refinancing of its 1992 Revenue Bonds – *“A Resolution of the Huntington Beach Public Financing Authority Approving Documents and Actions Relating to Refunding of 1992 Tax Allocation Revenue Bonds.”*

**Adopted 7-0**

**Adjournment**

The Mayor will adjourn the Joint Meeting of the City Council, the Redevelopment Agency, and the Huntington Beach Public Financing Authority and reconvene the City Council/ Redevelopment Agency meeting.

F-2. **(City Council) Approve *In Concept* the Plans for a New Senior Citizen Outreach/Multi-Service Center and Execute Contract with Pulse Marketing for Financial Analysis and Development Plan – Direct Staff to Develop Fund Raising Proposal with the Council on Aging** (225.10) (600.10)

Communication from the Community Services Director requesting Council direction on whether to pursue entitlements for the development of a new senior citizen multi-service center in Huntington Beach.

**Recommended Actions:** Motion to:

1. Conceptually approve the prototype senior citizen multi-purpose center, and direct staff to pursue the next steps in the entitlement process as follows:
  - a) Put together a complete funding scenario based on the results of consultant studies for Council consideration;
  - b) Develop a proposal for a joint fund-raising effort with the Council on Aging;
  - c) Conduct a series of community meetings through the Community Services Commission to inform the public, and gain input into the final space allocations for users in the multi-service center;

**and**

2. Approve the *Professional Service Contract Between the City of Huntington Beach and Pulse Marketing* to perform a financial analysis and proforma, and authorize the Mayor and City Clerk to execute same.

***Approved 7-0***

**F-3. (City Council) Approve Temporary Location and Revised Hours of Operation at Current Edwards Street Site for Huntington Central Park Dog Park – Direct Staff to Study Area for Noise Mitigation – Approve Best Friend Dog Park Foundation Memorandum of Understanding ( . )**

Communication from the Community Services Director informing Council that pursuant to City Council direction, alternative locations for Huntington Central Park Dog Park have been analyzed for recommendation to Council.

**Recommended Action:** Motion to:

**Community Services Commission Recommendation** (Attachment No. 1)

1. Allow Dog Park to remain at its current Edwards Street site with the following revised hours of operation on an interim basis until the former gun range site can be considered as a permanent site; and direct staff to explore the use of a sound barrier, such as additional vegetation between the Dog Park and Edwards Street and between the parking lot and Edwards Street,

	Small Dog Area	Big Dog Area	Big Dogs allowed in Small Dog Area
Weekdays	7am-8pm	8am-8pm	7am-8am
Weekends	7am-8pm	10am-8pm	7am-10am

and

2. Approve Best Friend Dog Park Foundation signing an operational memorandum of understanding **before** revised hours are implemented.

**OR**

**Staff Recommendation**

Allow Dog Park to remain at its current Edwards Street site until the City Council selected an alternative site.

***Motion FAILS to move to Goldenwest 3-4 (Dettloff, Bauer, Houchen, Cook No)***

***Motion APPROVED as amended to extend hours 4-3 (Winchell, Boardman, Green No)***



	<b><i>Small Dog Area</i></b>	<b><i>Big Dog Area</i></b>	<b><i>All Dogs allowed in Small Dog Area</i></b>
<b><i>Weekdays</i></b>	<b><i>9am-7pm</i></b>	<b><i>9am-6pm</i></b>	<b><i>6pm-7pm</i></b>
<b><i>Weekends</i></b>	<b><i>10am-7pm</i></b>	<b><i>10am-5pm</i></b>	<b><i>5pm-7pm</i></b>

**F-4. (City Council) Adopt Resolution No. 2002-43 to Establish a Charter Revision Committee to Study Councilmanic Districting Re: Proposed City Charter Amendment to Reduce Number of Council Members from Seven to Five to be Elected by Districts (610.20)**

Communication from the City Attorney's Office transmitting that at its April 15, 2002 meeting, the City Council directed the City Attorney to provide information on how the Council could form a citizen's committee to study the proposed City Charter amendment reducing the number of council members from seven (7) to five (5), and to establish district elections.

The staff report sets forth that the Council establish a committee to study the following City Charter provisions and issue a report addressing whether:

1. Council seats should be by district or at-large, and if by district, should Councilmembers be residents of their district and should voting be by district or at-large;
2. The number of Council seats should remain at seven, or be reduced or expanded; and,
3. The existing term limit that no Councilmember serve more than two consecutive terms with no prohibition on running again for election after retiring for one election cycle is retained.

If the Committee recommends one or more of these Charter amendments, it would also submit a specific Charter amendment that could be submitted to the electorate at the November 2002 election.

**Recommended Action:** Motion to:

- ~~1. Adopt **Resolution No. 2002-43** titled "A Resolution of the City Council of the City of Huntington Beach Establishing a Committee to Study Councilmanic Districts;" (Section 4 of Resolution No. 2002-43 sets forth that the Committee shall consist of seven members who shall be residents of the City. Any member of the City Council or officer of the City may be a member of the Committee. Each member of the City Council shall appoint one member to the Committee.)~~

**and**

- ~~2. Appropriate \$50,000 from the unreserved, undesignated General Fund balance;~~

**and**

- ~~3. Authorize the City Administrator to execute a professional services agreement according to established procedures set forth in Municipal Code Section 3.03.~~

**No Action Taken**

**G. Ordinances****G-1. Ordinance for Adoption**

- G-1a. (City Council) Adopt Ordinance No. 3555 – Adopts Speed Limit Ordinance – For Varsity Drive from Edwards Street to Talbert Avenue and for Gothard Street from Main Street to Garfield Avenue** (580.60) – **Ordinance No. 3555** – *“An Ordinance of the City of Huntington Beach Amending Chapter 10.12 of the Huntington Beach Municipal Code Relating to Speed Limits.”* Submitted by the Public Works Director. (Introduction approved April 15, 2002.)

**Recommended Action:** After City Clerk reads by title, adopt **Ordinance No. 3555**, by roll call vote.

***Adopted 7-0***

- G-1b. (City Council) Adopt Ordinance No. 3556 – Amends Bicycle License Fees** (640.10) – **Ordinance No. 3556** – *“An Ordinance of the City of Huntington Beach Amending Chapter 10.84 of the Huntington Beach Municipal Code Regulating Bicycles.”* Submitted by the Chief of Police. (New license and registration certificate not to exceed \$4; transfer of ownership not to exceed \$2; reissue not to exceed \$2; renewal not to exceed \$2 per year.) (Introduction approved April 15, 2002.)

**Recommended Action:** After City Clerk reads by title, adopt **Ordinance No. 3556**, by roll call vote.

***Adopted 7-0***

**G-2. Ordinances for Introduction****G-2a. (City Council/Redevelopment Agency) Approve Introduction of Ordinance No. 3558 and 3559 and Agency Ordinance No. 2 to Amend City/Agency Transient Occupancy Tax Allocation (TOT) Split (Main Pier Redevelopment Subarea)  
(340.55)**

The Administrative Services Director and the Economic Development Director/Deputy Executive Director have transmitted their request to amend the City and the Agency Transient Occupancy Tax Allocation:

In 1988, the City and Redevelopment Agency provided for a 40/60% split of the 10% Transient Occupancy Tax (TOT) in order to assist in the Agency's financing of certain obligations related to the hotels to be developed on the Waterfront site in the Main Pier Redevelopment Subarea. This allocation of TOT is proposed to be expanded to the entire Main Pier Redevelopment Subarea.

**Recommended Action:** Motion to:

After the City Clerk reads by titles approve, by roll call vote, introduction of the following ordinances:

**City Council Actions:**

1. Approve introduction of **Ordinance No. 3558** – *“An Ordinance of the City of Huntington Beach Amending Chapter 3.28 of the Huntington Beach Municipal Code Relating to Credit for Transient Occupancy Taxes.”*
2. Approve introduction of **Ordinance No. 3559** – *“An Ordinance of the City of Huntington Beach Amending Ordinance No. 2974 to Provide a Credit for the Payment of Transient Occupancy Taxes to the Huntington Beach Redevelopment Agency.”*

**Redevelopment Agency Action:**

Approve introduction of Agency **Ordinance No. 2** – *“An Ordinance of the Redevelopment Agency of the City of Huntington Beach Amending Ordinance No. 1 and Levying a Tax on the Privilege of Occupying a Room or Rooms in a Hotel, Inn, Tourist Home or House, Motel, or Other Lodging Located Within the Main Pier Redevelopment Sub-Area of the Huntington Beach Redevelopment Project.”*

**Continued to May 20, 2002 7-0**

**H. City Council/Redevelopment Agency Items****H-1a. Submitted By Mayor Pro Tem Ralph Bauer****(City Council) Accept Mayor Pro Tem Ralph Bauer's Tender of Resignation and Approve Appointment of Council Member Connie Boardman for His Replacement to Serve the Remainder of Term Through November 2002 as Mayor Pro Tem**

(120.10)

Communication from Mayor Pro Tem Ralph Bauer transmitting the following **Statement of Issue**: In order to smooth the transition for Connie Boardman to become Mayor in December 2002, I should like to tender my resignation as Mayor Pro Tem and suggest that the Council vote to appoint City Council Member Connie Boardman as Mayor Pro Tem, effective as soon as possible.

**Recommended Action:**

I move that the Council accept my resignation as Mayor Pro Tem and elect Connie Boardman as Mayor Pro Tem.

***Approved 7-0*****Council Comments - (Not Agendized)**

At this time Council Members 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, May 20, 2002, at 5:00 p.m., in Room B-8, Civic Center, 2000 Main Street, Huntington Beach, California.

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**CONNIE BROCKWAY, CITY CLERK  
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