

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

Monday, August 22, 2005
4:00 P.M. - Council Chambers
Civic Center, 2000 Main Street
Huntington Beach, California 92648

An audiotape of the 4:00 p.m. portion of this meeting
is on file in the Office of the City Clerk.

Call to Order

Mayor Hardy called the adjourned regular meetings of the City Council/Redevelopment Agency of the City of Huntington Beach to order at 4:00 p.m. in the Council Chambers.

City Council/Redevelopment Agency Meeting Roll Call

Present: Hansen (arrived 4:05 p.m.), Coerper, Sullivan, Hardy, Green (arrived 4:05 p.m.),
Bohr, Cook
Absent: None

Public Comments Regarding Closed Session Portion of Meeting

None

The City Clerk Announced Late Communications

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

None

Motion to Recess to Closed Session – Approved

A motion was made by Sullivan, second Cook to recess to Closed Session on the following items. The motion carried by the consensus of all present, none absent.

(City Council) Closed Session – Pursuant to Government Code Section 54956.9(b)(3)(B) to confer with its attorney regarding pending litigation (facts and circumstances, including but not limited to, an accident, disaster, incident, or transactional occurrence that might result in litigation against the agency and that are known to a potential plaintiff or plaintiffs, which facts or circumstances shall be publicly stated on the agenda or announced). Subject: **Potential Litigation – Verizon Wireless Public Right-of-Way Facility; 18652 Edwards Street, Huntington Beach, CA** (120.80)

Reconvened City Council/Redevelopment Agency Meeting – 4:35 P.M. – Council Chambers.

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

(City Council/Redevelopment Agency) Approved Public Speakers Option to Speak Before or After Staff Report (520.70)

A motion was made by Cook, second Coerper to allow public speakers the option of speaking before or after the staff report is given. The motion carried by the following roll call vote:

AYES: Hansen, Coerper, Sullivan, Hardy, Green, Bohr, Cook
NOES: None
ABSENT: None

The Following Late Communications Were Submitted During the Meeting:

Communications submitted by Conner Everts dated July 13, 2001 titled *Update: CEC Action on AES* and dated July 11, 2001 titled *CEC Action*, which are copies of Council-Administrator Communications from William P. Workman, former Assistant City Administrator to the Mayor and City Council.

Communication submitted by Conner Everts dated May 2001 titled *Huntington Beach Generating Station Retool Project, Application for Certification 00-AFC-13 Orange County, California Energy Commission, Commission Decision*.

Communication submitted by Conner Everts dated April 2005 titled *AES Huntington Beach L.L.C. Generating Station Entrainment and Impingement Study, Final Report* and excerpts thereof.

Communication submitted by Joe Geever, undated, which is a written version of his public comments given at this meeting.

Communication submitted by Topper Horach, undated, titled *Responses to Comments for the Seawater Desalination Project at Huntington Beach*.

Public Comments

Conner Everts, working with a statewide coalition of organizations, asked to submit comments on impingement and entrainment. He stated his opinion that Huntington Beach shouldn't be the first city in the state to try this type of project. Mr. Everts announced the three documents he would be submitting: July 2001 memos from the Assistant City Administrator, April 2005 report from AES study, and May 2001 California Energy Commission report.

Joe Geever, Southern California Regional Manager, Surfrider Foundation, spoke regarding questions he has about the proposed desalination plant and asked Council to slow down and reschedule the September 6 public hearing. He gave examples of perceived inadequacies in the Environmental Impact Report (EIR) including an inadequate job describing alternatives. Mr. Geever also submitted a written copy of his comments.

Pete Minko spoke in opposition to the proposed Poseidon desalination project stating concerns regarding land-based turbines and property devaluation that may result from adding another industrial plant in the area.

Rich Kolander, twenty-seven year resident and retired Boeing engineer voiced opinions on water shortage and support for the proposed desalination plant. Mr. Kolander stated there are 200 desalination plants in operation worldwide and refuted allegations made by individuals who oppose the plant.

Jeff Phillips, resident of southeast Huntington Beach, voiced his opposition to the proposed plant citing de-watering and toxic chemical concerns. Mr. Phillips listed other plants in the area and other projects, which he stated are incomplete.

Suzanne Beukema, local business owner and southeast Huntington Beach resident, spoke regarding her choice to purchase a home in the area, having received disclosures. Ms. Beukema voiced her support for new water and power sources and thanked Council for its time to consider the project carefully.

John F. Scott alleged 64 residences in southeast Huntington Beach have foundation and other problems due to a City-approved plan to install a sewer pipe. He voiced concerns with de-watering of the area in conjunction with the proposed desalination project. Mr. Scott also spoke regarding the Ascon-Nesi site concerns, asking Council to consider residents and taxpayers when making a decision.

William Yarchin voiced his appreciation for the Huntington Beach coastal area and its value to the City. Mr. Yarchin voiced his opinion that 8.5 miles of beach and wetlands should not be further industrialized, and asked Council to vote "No" on the proposed project.

Todd Palombo stated his opposition to the Poseidon project, spoke regarding pride in the community, referred to the City's mission statement and asked Council to make decisions in the best interest of the residents.

Scott Smith, resident of southeast Huntington Beach, voiced concerns about whether the proposed project would succeed. Mr. Smith asked Council to let some other city try this type of project first.

(City Council/Redevelopment Agency) Study Session Held – Presentation Made by the Planning Department Providing Overview of New Information and Revisions of Draft Recirculated Environmental Impact Report for Seawater Desalination Project (Poseidon) (520.70)

Principal Planner Mary Beth Broeren gave a PowerPoint report that reviewed background of the project and gave an overview of the Recirculated Environmental Impact Report (REIR) including impingement and entrainment impacts, potential growth inducing impacts, compatibility of the desalination facility's product water, and other issues. She announced that responses to comments received by the deadline are available on the City's website.

Discussion ensued amongst Council and staff relative to the acreage needed for the project, the heat treatment process at the AES plant, benefits of the Poseidon project, differences in size of pipes used by the Sanitation District and for the proposed project, concerns about turbines and insulated tanks, funding for building the project, mitigation for dumping of brine, specifics on the trenches for the pipelines and on the survey for de-watering impacts, the process of approval or denial of the EIR and the CUP, method in which the pipeline will cross streets, and additional permitting required regarding the Ascon-Nesi site.

Further inquiries were made and discussion was held regarding the end-user of the desalinated water, comments received post-deadline, potential Findings for Denial, research on activities with desalination conducted by other agencies such as Metropolitan Water District and potential subsidies, development agreements, agreements between AES and Poseidon, and potential outfall discharge.

Staff to address all Council inquiries in a staff report to be presented at the September 6, 2005 public hearing.

Public Comments

Topper Horach gave a PowerPoint report that detailed some of the comments that were submitted to the REIR and the associated staff responses. Mr. Horach voiced his opposition to the project, stating that pollution in the air cannot be mitigated.

Larry Porter spoke in opposition to the proposed desalination project stating concerns with intake pipes and with the use of the word "watershed." Mr. Porter asked Council to find the EIR inadequate.

Dean Albright stated he attended Metropolitan Water District meetings and found them informative. He announced that a representative from the Water District, Michelle Tuchman, was present in the audience and available to answer questions. Mr. Albright questioned the need for additional water sources in the area, and voiced his opposition to the proposed plant.

Tim Geddes, southeast Huntington Beach resident thanked Councilmembers for allowing citizens to speak after the staff report. He suggested anyone who believes the staff report conclusion that the EIR complies with the California Environmental Quality Act (CEQA) should rethink the issues. Mr. Geddes stated his opinion that the EIR does not begin to mitigate the impacts.

Monica Ruzich Hamilton spoke regarding a Metropolitan Water District of Orange County (MWDOC) meeting and complimented the presentation given. She highlighted data from the report including an opinion that existing water programs are sufficient for the next 25 years. She voiced her opinion that there is no water crisis and no need to rush to judgment on this project. Ms. Hamilton announced that MWDOC would also do a presentation for the City Council, if requested.

Steve Ray addressed process questions posed earlier by Councilmembers. He stated his opinion that the EIR may be certified, CUP and CDP may be approved, but the Statement of Overriding Considerations (SOC) must also be approved for the project to move forward. Mr. Ray advised that discretion and judgment may be reflected in the SOC.

Adjournment – City Council/Redevelopment Agency

Mayor Hardy adjourned the adjourned regular meetings of the City Council/Redevelopment Agency of the City of Huntington Beach at 6:17 p.m. to a Special Meeting Tuesday, August 23, 2005, at 5:30 p.m., in Council Chambers, Civic Center, 2000 Main Street Huntington Beach, California.

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

ATTEST:

City Clerk-Clerk

Mayor-Chair