

## Minutes

### City Council/Public Financing Authority City of Huntington Beach

Monday, April 18, 2016  
4 00 PM - Council Chambers  
6 00 PM - Council Chambers  
Civic Center, 2000 Main Street  
Huntington Beach, California 92648

**A video recording of the 4:00 PM and 6:00 PM portion of this meeting  
is on file in the Office of the City Clerk, and archived at  
[www.surfcity-hb.org/government/agendas/](http://www.surfcity-hb.org/government/agendas/)**

#### **4:30 PM - COUNCIL CHAMBERS**

#### **CALLED TO ORDER — 4:30 PM**

#### **ROLL CALL**

Present     Posey, O'Connell, Sullivan, Katapodis, Hardy, Delgleize, and Peterson  
Absent     None

#### **ANNOUNCEMENT OF SUPPLEMENTAL COMMUNICATIONS** (Received After Agenda Distribution)

Pursuant to the Brown "Open Meetings" Act, City Clerk Joan Flynn announced supplemental communications that were received by her office following distribution of the Council Agenda packet

PowerPoint Presentation from Planning Manager Jane James and Steven O'Kane, Director of Sustainability and Compliance, AES Huntington Beach, entitled *Huntington Beach Energy Project*, for Study Session #1

#### **PUBLIC COMMENTS PERTAINING TO STUDY SESSION / CLOSED SESSION ITEMS** (3 Minute Time Limit) — None

#### **STUDY SESSION**

- 1. Staff reviewed and provided feedback to California Energy Commission regarding revised visual and architectural screening plans for Amended Huntington Beach Energy Project.**

Planning Manager Jane James and Steven O'Kane, Director of Sustainability and Compliance, AES Huntington Beach, provided a PowerPoint entitled *Huntington Beach Energy Project* that included the following titled slides *Huntington Beach Energy Project (AES), Background, Approved Project Status, Existing Beach View, Existing & New - Scale Comparison, Approved Visual Screen, Existing View from Magnolia, New Plant with Landscape Enhancement, Approved Visual Screen, Existing KOP-5, Landscape Enhancement KOP-5, Approved Visual Screen, Revised Project Status, Requires Amendment to CEC License, Site Plan with Screening - Phase 1, Phase II, Screen Wall, San Jose Airport Parking Structure, Proposed Architectural Screen, Proposed Architectural Screen, Proposed Magnolia Screen, Project Attributes, and Council Resolution,*

Councilmember Posey and Manager James discussed the differences between 80-foot and 120-foot stack gas turbines which operate exactly the same but are different dimensions and the larger turbines require a larger stack

Councilmember Delgleize and O'Kane discussed Phase I and II - Site Plan with Screening Phase II may not be built if there is no buyer, i e , need for the additional power it would generate, and the site would be cleaned up and the boiler stacks would be removed to ensure the visual is appropriate

**Mayor Katapodis Announced** Pursuant to Government Code § 54957.6, the City Council takes this opportunity to publicly introduce and identify designated labor negotiator, City Manager Fred Wilson, who will be participating in today's Closed Session discussions regarding labor negotiations with Huntington Beach Firefighters' Association (HBFA), Management Employees' Organization (MEO), Huntington Beach Police Officers' Association (POA), Marine Safety Management Association (MSMA), and/or Surf City Lifeguard Employees' Association (SCLEA)

#### **RECESSED TO CLOSED SESSION — 4:50 PM**

A motion was made by Posey, second O'Connell to recess to Closed Session

The motion carried by the following vote

AYES	Posey, O'Connell, Sullivan, Katapodis, Hardy, Delgleize, and Peterson
NOES	None

#### **CLOSED SESSION**

- 2. Pursuant to Government Code § 54956.9(d)(1), the City Council recessed into Closed Session to confer with the City Attorney regarding the following lawsuit: Sunny Kang v. City of Huntington Beach/William Brownlee, Orange County Superior Court Case No. 30-2013-00626834. Automobile accident involving City police officer William Brownlee and Plaintiff Sunny Kang at the intersection of Newland Street and Atlanta Avenue.**
- 3. Pursuant to Government Code § 54956.9(d)(1), the City Council recessed into Closed Session to confer with the City Attorney regarding the following lawsuit: The Kennedy Commission, et al. v. City of Huntington Beach, Orange County Superior Court Case No. 30-2015-00801675, which concerns a challenge to the City Council action amending the Beach and Edinger Corridors Specific Plan.**
- 4. Pursuant to Government Code § 54956.9(d)(2) the City Council recessed into Closed Session to confer with the City Attorney regarding potential litigation. Number of cases, two (2).**
- 5. Pursuant to Government Code § 54957.6, the City Council recessed into Closed Session to meet with its designated labor negotiators and Fred Wilson, City Manager regarding the following: Huntington Beach Firefighters' Association (HBFA), Management Employees' Organization (MEO), Marine Safety Management Association, (MSMA),**

**Huntington Beach Police Officers' Association (POA), and/or Surf City Lifeguard Employees' Association (SCLEA).**

**6.00 PM – COUNCIL CHAMBERS**

**RECONVENED CITY COUNCIL/PUBLIC FINANCING AUTHORITY MEETING — 6:09 PM**

**CLOSED SESSION REPORT BY CITY ATTORNEY — None**

**ROLL CALL**

Present               Posey, O'Connell, Sullivan, Katapodis, Hardy, Delgleize, and Peterson  
Absent               None

**PLEDGE OF ALLEGIANCE — Led by Councilmember Peterson**

**INVOCATION - Led by Charles "Bud" Lung of the First Church Christ Scientist and member of the Greater Huntington Beach Interfaith Council**

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

**AWARDS AND PRESENTATIONS**

Mayor Katapodis called on Victoria Alberty and Gisela Campagne who presented Olivia, a four-year old Chihuahua/Dachshund mix who is very sociable, as the Adoptable Pet of the Month. Check out [www.waggintrails.org](http://www.waggintrails.org) for more information about adoptable pets as well as the upcoming Wags-N-Wine fundraiser on June 26, 2016.

Mayor Katapodis presented a proclamation to the members of the Greater Huntington Beach Interfaith Council who have organized numerous community service projects for Saturday, April 23, as Huntington Beach Community Service Day. Charles Niederman, Council President, thanked the City Council for recognizing their Community Service Days scheduled this year for April 23 and 24, 2016, in Huntington Beach and surrounding cities. Janine Johnson explained how to sign-up to volunteer online at [www.justserve.org](http://www.justserve.org).

Mayor Katapodis called on representatives from The Climate Registry and Southern California Edison and the Cool Planet Energy Efficiency program who recognized the City's achievements in energy and carbon reductions with a "ClimateEfficient" certificate.

Mayor Katapodis called on Finance Director Lori Ann Farrell who presented the Mayor's Award to Senior Accounting Technician, Carolyn Kowalewski. Director Farrell described Carolyn's employment with the City, how she started as a Customer Service Rep in the Treasury Department when everything was done manually, become responsible for vault operations, and then moved to the Finance Department as a Senior Accounting Tech. Carolyn currently has a staff of two plus a temp for overseeing the Utility Billing Division. Director Farrell recognized efforts to respond to nearly 2,000 calls per month, and customers at the counter.

**Per Resolution 2016-01 Section C, Mayor Katapodis called on City Clerk Joan Flynn and Huntington Beach Princess Lauren Limbach who presided over the lottery drawing for fireworks stands by selecting five qualified non-profit organizations from applications submitted in each of the following categories: Youth Sports and Civic Organizations. The winners of the five high school booths were also announced**

City Clerk Flynn shared a PowerPoint entitled *2016 Non-Profit Firework Stand Lottery*

Private High School Lottery Winner Brethren Christian High School

High School Winners (1 school/2 groups per stand)

- 1 Edison High School Boys' Cross Country Booster Club
- 2 Edison High School Men's Basketball Booster Club
- 3 Marina High School Girls' Soccer Booster Club
- 4 Marina High School Cheer
- 5 Huntington Beach High School Lacrosse Boosters
- 6 Huntington Beach High School Girls' Basketball Boosters
- 7 Ocean View High School Boys' Basketball
- 8 Ocean View High School Girls' Water Polo
- 9 Brethren Christian High School Band
- 10 Brethren Christian Basketball

Youth Sports Lottery Winners

- 1 HB Pop Warner
- 2 Team 90, Inc , dba California Rush
- 3 South HB Girls' Fastpitch Softball
- 4 Huntington Valley Little League
- 5 HB Water Polo Club

Youth Sports Lottery Alternates

- 1 Ocean View Little League
- 2 Vanguard Aquatics
- 3 Seaview Little League

Civic Organizations Lottery Winners

- 1 Cross Point Church
- 2 Shorelife Church
- 3 Elks Lodge, No 1959
- 4 HB Reads One Book
- 5 Grace Lutheran Church

Civic Organizations Lottery Alternates

- 1 Resurrection Lutheran Church
- 2 McKenna Claire Foundation
- 3 American Legion Post 133

**ANNOUNCEMENT OF SUPPLEMENTAL COMMUNICATIONS** (Received After Agenda Distribution)

Pursuant to the Brown "Open Meetings" Act, City Clerk Joan Flynn announced supplemental communications received by her office following distribution of the Council Agenda packet

Awards and Presentations — PowerPoint communication entitled *2016 Non-Profit Firework Stand Lottery*

Consent Calendar, Item #11, acknowledgement of error in agenda title — vote count for Ordinance No 4086 to read "Approved for introduction April 4, 2016 Vote 6 - 1 (Peterson - No)"

Administrative, Item #14, revised PowerPoint received from Community Services Director Janeen Laudenback dated April 18, 2016, entitled *Huntington Beach Airshow*

Council Member, Items #16 and #17, six electronically submitted communications received from Gloria Alvarez, Kim Kramer, Kirk and Mary Nason, Richardson Gray, Amory Hanson, and Barbara Robinson

**PUBLIC COMMENTS** (3 Minute Time Limit) — 24 Speakers

*The number [hh mm ss] following the speakers' comments indicates their approximate starting time in the archived video located at <http://www.surfcity-hb.org/government/agendas>*

Stephanie Deagle, American Cancer Society representing HB Relay for Life, spoke regarding the upcoming fundraiser to be held on Saturday, April 30th at Huntington Central Park (00 54 56)

Brigette Beisner, Project Self-Sufficiency (PSS), spoke regarding a wine and cheese fundraiser at Seacliff Country Club on Saturday, May 7th Further details can be found at [www.winecheeseandchocolateplease.com](http://www.winecheeseandchocolateplease.com) (00 58 15)

Barbara Robinson spoke in support of Councilmember Item No 16, and in opposition to Councilmember Item No 17 (Disposition of Rodgers Seniors' Center) (01 00 00)

Tim Geddes spoke in opposition to Councilmember Item Nos 16 and 17 (Disposition of Rodgers Seniors' Center) (01 03 25)

Amory Hanson, candidate for City Council in 2016 and downtown resident, spoke in support of Councilmember Item No 16, and in opposition to Councilmember Item No 17 (Disposition of Rodgers Seniors' Center) (01 06 18)

Bridget Kaub spoke neutrally about Councilmember Item No 16, and in opposition to Councilmember Item No 17 (Disposition of Rodgers Seniors' Center) (01 09 10)

David Twiss spoke in opposition to the planned OC Vector Control aerial spraying of mosquitoes (01 12 29)

Michelle M. Marciniak spoke in support of Councilmember Item No. 16, and in opposition to Councilmember Item No. 17 (Disposition of Rodgers Seniors' Center) (01 15 39)

Bernie Fish spoke in opposition to Councilmember Item Nos. 16 and 17 (Disposition of Rodgers Seniors' Center) (01 17 53)

Nathalie Wong spoke neutrally about Councilmember Item No. 16, and in opposition to Councilmember Item No. 17 (Disposition of Rodgers Seniors' Center) (01 18 38)

Andi Kowal spoke in opposition to the planned OC Vector Control aerial spraying of mosquitoes (01 20 52)

Kelly Miller, President/CEO Visit Huntington Beach, spoke in support of Administrative Item No. 14 (Surf City USA Air Show) (01 24 09)

Brett Barnes, Duke's Restaurant, spoke in support of Administrative Item No. 14 (Surf City USA Air Show) (01 27 18)

Curt Castagna spoke in support of Administrative Item No. 14 (Surf City USA Air Show), and also in support of Councilmember Item No. 17 (Disposition of Rodgers Seniors' Center) (01 28 27)

Scott O'Hanlon, Waterfront Beach Resort at Hilton Hotel, spoke in support of Administrative Item No. 14 (Surf City USA Air Show) (01 30 12)

Jeff Snow, Rotary Club of Huntington Beach, spoke in support of Administrative Item No. 14 (Surf City USA Air Show) (01 31 58)

Catherine Johnson spoke in support of Councilmember Item No. 16, and in opposition to Councilmember Item No. 17 (Disposition of Rodgers Seniors' Center) (01 34 28)

Rick Walker spoke in support of Councilmember Item No. 16, and in opposition to Councilmember Item No. 17 (Disposition of Rodgers Seniors' Center) (01 36 01)

Caryl Strong spoke in opposition to the planned OC Vector Control aerial spraying of mosquitoes (01 37 09)

Jonathan Finemel spoke in opposition to the planned OC Vector Control aerial spraying of mosquitoes (01 40 46)

Matthew Finemel spoke in opposition to the planned OC Vector Control aerial spraying of mosquitoes (01 41 26)

Maureen discussed meeting space options for the Rodgers Seniors' Center (01 42 20)

Robert Johnson voiced concerns about the City's affordable housing program (01 43 45)

John Briscoe spoke in support of Rodgers Seniors' Center as a park, made a California Public Records Act (CPRA) request for inspections for dust, odor, noise, parking space, water runoff and storage, and a CPRA regarding inspections of the compressed natural gas (CNG) refilling facility 300 feet away from the pre-school on Nichols at the Oak View site (01 47 12)

## **COUNCIL COMMITTEE - APPOINTMENTS - LIAISON REPORTS AND ALL AB 1234 DISCLOSURE REPORTING**

Councilmember Peterson reported attending a Southern California Association of Government (SCAG) meeting for the final vote on the Regional Transportation Plan - Sustainable Communities Strategy Councilmember Peterson, Mayor Munzing from Aliso Viejo, and our own Mayor Katapodis were the only ones to vote "No" Councilmember Peterson voted against the Plan primarily because of the vehicle per mile tax proposed to fix a one-and-a half trillion shortfall

Mayor Katapodis reported attending meetings of the League of California Cities Policy Committee on Public Safety in San Diego, the Orange County Transportation Authority (OCTA), and SCAG

## **CITY MANAGER'S REPORT**

- 1. Presentation made by Lily Guerrero, Office of Human Resources, entitled Navigating NEOGOV – How to apply for employment with the City of Huntington Beach.**

Ms Guerrero proceeded to give a live demonstration which started on the City's website and linked to NEOGOV for the final steps of the process It was reported that the on-line process has been used since 2008 and has made a huge impact on the number of applications received for each position Prior to the on-line process Human Resources would receive from 50 to 100 applications, but now they regularly receive 300 to 500 applications per entry-level classification Last year they received about 15,000 applications for available positions

## **CITY CLERK'S REPORT**

- 2. Appointed Assistant City Clerk, Robin Estanislau, to the position of City Clerk to fill the vacancy which will be created when the current City Clerk retires, effective at the City Council Meeting of June 6, 2016, and set the starting salary for the new appointed City Clerk**

City Clerk Joan Flynn announced her retirement and as requested provided a PowerPoint entitled *Introduction to the Responsibilities of the City Clerk* with the following pages *Charter Section 310 Qualifications, Charter Section 310 Duties, Representation of Municipal Legislative Action, Statutory Duties, Records, Passports, Notary, Oaths and Attestations, Huntington Beach City Clerk Legislative and Administrative Support, Elections, Records Management, Outreach and Training, and Other Non-Statutory Duties*

Councilmember O'Connell thanked Clerk Flynn for all of her years of service and expressed what a pleasure it has been for him to work with her and that her service has been a real asset to the City

Councilmember Peterson thanked Clerk Flynn for her compassion and support, especially for the 4th of July lottery procedure

Mayor Pro Tem Sullivan expressed his appreciation for the integrity and responsiveness exhibited by City Clerk Flynn, and she can retire knowing that her job was more than well done. He also expressed his confidence in the abilities of Ms. Estanislau to step into the position.

Councilmember Posey thanked City Clerk Flynn for her patience especially as he stumbled through some processes as a new candidate, and ensuring that Council members and staff follow procedures. He also thanked Ms. Estanislau for her reminders about paperwork deadlines and believes that the Office of City Clerk is being left in very capable hands.

Councilmember Hardy shared her appreciation for City Clerk Flynn both professionally and personally. She also expressed that having worked with Ms. Estanislau since Planning Commission days, she knows her great capabilities and is expecting a smooth transition.

Councilmember Delgleize shared that with her service through the years on various commissions and committees, opportunities to interact with City Clerk Flynn have been the highlights, and she proved to always be a trusted source. The City will be better because of the commitment she made. She also thanked Ms. Estanislau for her dedication and preparation to step into this very busy position.

Mayor Katapodis shared his amazement at how much responsibility the City Clerk has as was evident during the PowerPoint presentation. He knows City Clerk Flynn deserves her retirement after a feat of surviving 24 Council members and 12 Mayors. He also stated his appreciation to City Clerk Flynn and Ms. Estanislau for their guidance in following proper procedures.

A motion was made by O'Connell, second Posey to accept City Clerk Flynn's letter of resignation effective on the evening of June 6, 2016, direct the City Attorney to draft a resolution codifying the salary and benefits for the new City Clerk to be returned for adoption at the June 6th City Council meeting, and, appoint Assistant City Clerk Robin Estanislau to the position as of the June 6, 2016, City Council meeting. The term of the appointment is until the November 8, 2016 election results are certified in December 2016.

The motion carried by the following vote:

AYES	Posey, O'Connell, Sullivan, Katapodis, Hardy, Delgleize, and Peterson
NOES	None

Councilmembers, Mayor Pro Tem Sullivan, Human Resources Director Michele Warren and Mayor Katapodis discussed the fact that regardless of which salary level Ms. Estanislau is started at in June, the salary issue could be revisited and adjusted for the individual elected in November.

A motion was made by Delgleize, second Sullivan to set the starting salary at the control point for the new City Clerk who will assume office on June 6<sup>th</sup>.

The motion failed by the following vote:

AYES	Posey, Sullivan, and Delgleize
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NOES O'Connell, Katapodis, Hardy, and Peterson

A motion was made by Peterson, second O'Connell to set the starting salary from the previously adopted range for the new City Clerk who will assume office on June 6th, as amended to revisit at the time the November 8, 2016, election results are certified by the Registrar of Voters

The motion carried by the following vote

AYES O'Connell, Katapodis, Hardy, Delgleize, and Peterson  
NOES Posey, and Sullivan

City Clerk Flynn broke protocol and provided some facts about her salary history and benefits as a Department Head to document how important it will be to ensure this topic is revisited for this position after the November 8, 2016, election results are certified in December 2016, and a process needs to be put in place for merit increases

Ms Estanislau thanked Council members for their support and appreciative comments, and shared that she is excited to move into the position of City Clerk

### **CONSENT CALENDAR**

Councilmember Delgleize pulled Item #6 Parks and Recreation Master Plan for further discussion, and Councilmember Peterson pulled Item #10 Professional Services Contracts for Fire Prevention Inspection and Plan Review Services, and Item #11 Department Name and Title Changes of Department Head Positions for further discussion

#### **3. Approved and adopted minutes**

A motion was made by Hardy, second O'Connell to review and adopt the City Council/Public Financing Authority regular minutes dated April 4, 2016, as written and on file in the office of the City Clerk

The motion carried by the following vote

AYES Posey, O'Connell, Sullivan, Katapodis, Hardy, Delgleize, and Peterson  
NOES None

#### **4. Received and filed City of Huntington Beach Six-Month Strategic Plan Updates**

A motion was made by Hardy, second O'Connell to receive and file the Six-Month Strategic Objectives

The motion carried by the following vote

AYES Posey, O'Connell, Sullivan, Katapodis, Hardy, Delgleize, and Peterson  
NOES None

#### **5. Approved appointment to the Human Relations Task Force (HRTF) as recommended by City Council liaisons Mayor Katapodis and Councilmember Hardy**

A motion was made by Hardy, second O'Connell to approve the appointment of Michelle Gale-Nelson for a term to expire December 31, 2019, as recommended by City Council Liaisons Mayor Katapodis and Councilmember Hardy

The motion carried by the following vote

AYES	Posey, O'Connell, Sullivan, Katapodis, Hardy, Delgleize, and Peterson
NOES	None

**6. Approved the City of Huntington Beach Parks and Recreation Master Plan and directed the Community Services Commission to review every five years**

Councilmember Delgeize and Director Laudenback discussed that the Community Services Commission has reviewed and approved this Master Plan, and if adopted they will review again in another five years. The Master Plan lists amenities based on community-gathered information, and community members should look at the Community Services Commission agendas in order to become aware of priorities. The Master Plan is available on-line and at the end is a summary of all the park needs.

Councilmember Posey and Director Laudenback discussed funding sources for park needs, as well as where the City could put an Olympic-size pool if it were approved. Director Laudenback stated that this Master Plan encourages the development of partnerships, and a relationship with the High School District could allow for a sharing agreement of their aquatic amenities.

A motion was made by Delgleize, second Hardy to approve the "Parks and Recreation Master Plan" as presented with direction to have the Plan reviewed by the Community Services Commission every five years.

The motion carried by the following vote

AYES	Posey, O'Connell, Sullivan, Katapodis, Hardy, Delgleize, and Peterson
NOES	None

**7. Adopted Resolution No. 2016-22 amending the City's Classification Plan by adding the classification of Police Administrative Division Services Manager**

A motion was made by Hardy, second O'Connell to adopt Resolution No. 2016-22, "A Resolution of the City Council of the City of Huntington Beach Amending the City's Classification Plan by Adding the Classification of Police Administrative Division Services Manager."

The motion carried by the following vote

AYES	Posey, O'Connell, Sullivan, Katapodis, Hardy, Delgleize, and Peterson
NOES	None

**8. Approved a Memorandum of Understanding (MOU) between the City and the Huntington Beach Council on Aging (HBCOA) to enhance the dignity and quality of life for the City's senior citizens**

A motion was made by Hardy, second O'Connell to approve and authorize the Mayor and City Clerk to execute an updated "Memorandum of Understanding Between the City of Huntington Beach and the Huntington Beach Council on Aging "

The motion carried by the following vote

AYES Posey, O'Connell, Sullivan, Katapodis, Hardy, Delgleize, and Peterson  
NOES None

**9. Approved and authorized execution of a License Agreement with Signal Landmark to provide Landscaping and Other Improvements in the Public Right-of-Way at the Brightwater Project**

A motion was made by Hardy, second O'Connell to approve and authorize the Mayor and City Clerk to execute and record the "License Agreement Between the City of Huntington Beach and Signal Landmark to provide Landscaping and Other Improvements in the Public Right-of-Way" at the Brightwater Project

The motion carried by the following vote

AYES Posey, O'Connell, Sullivan, Katapodis, Hardy, Delgleize, and Peterson  
NOES None

**10. Requested continuance to May 2, 2016 - Approve and authorize execution of Professional Services Contracts for Fire Prevention Inspection and Plan Review Services with Bureau Veritas North America, Inc. in the amount of \$720,000 and with Jensen Hughes, Inc. in the amount of \$180,000; and, approve additional appropriation in the amount of \$325,000 for As-Needed General Environmental Engineering and Plan Check /Fire Inspection Services (Continued from March 21, April 4, and April 18, 2016)**

Councilmember Peterson pulled this item to provide an update that he and Mayor Katapodis met with Fire Department staff, and they are still working on the final report which requires that the item be continued to May 2, 2016

A motion was made by Peterson, second Delgleize to request for continuance to the May 2, 2016 City Council meeting

The motion carried by the following vote

AYES Posey, O'Connell, Sullivan, Katapodis, Hardy, Delgleize, and Peterson  
NOES None

**11. Adopted Ordinance No. 4086 amending the Huntington Beach Municipal Code (HBMC) by modifying Chapters 2.14, 2.15 and 2.33 relating to change of a department name and title changes of department head positions  
Approved for introduction April 4, 2016 - Vote: 6-1 (Peterson-No)**

Councilmember Peterson and Director Warren discussed that all appointed department head positions are exempt from the Civil Service rules and therefore do not go through the Personnel Commission Councilmember Peterson revisited his opinion that using the title of CIO is appropriate for a public sector position but not a City position and therefore he will not be supporting this item

Councilmember Posey and Director Warren discussed other municipalities that are making these changes and that this was also the recommendation of the recruiter used for the position Director Warren explained continuing to use "older" position titles can indicate to potential candidates that the City is not making progress in that particular area

Councilmember O'Connell and Director Warren discussed that these title changes will have no impact on job responsibilities or salary

Mayor Katapodis and Director Warren discussed that the department name change was really the spark that started the review process for this item

A motion was made by O'Connell, second Delgleize to adopt Ordinance No 4086, "An Ordinance of the City of Huntington Beach Amending the Huntington Beach Municipal Code by Amending Chapters 2 15, 2 30, 2 33, 2 56, 2 86 and 2 114 Thereof" relating to the change of a Department Name and Title Changes of Department Head Positions

The motion carried by the following vote

AYES	Posey, O'Connell, Sullivan, Katapodis, Hardy, and Delgleize
NOES	Peterson

## **PUBLIC HEARING**

### **12. Adopted Resolution No. 2016-18 approving and authorizing execution of a Interstate 405 Freeway Agreement with Caltrans and a Cooperative Agreement with Orange County Transit Authority (OCTA) for upcoming freeway improvement project**

Transportation Manager Bob Stachelski presented a PowerPoint presentation dated April 18, 2016, entitled *Freeway Agreement Cooperative Agreement I-405 Improvement Project* that included the following titled slides *I-405 Freeway Agreement, Public Hearing, I-405 Cooperative Agreement, and Recommended Action* (02 44 00)

Councilmember Hardy and Manager Stachelski discussed the utility relocations referred to in the presentation which are owned by the City, or that which the City is partnered in There are also three owned water lines and several joint-owned with West Orange County Water Board There will be a different agreement to cover these items Councilmember Hardy added that there is no way the people would have voted for Measure M2 if they knew how much the City will have to pay to move the water pipes

In response to a question from Councilmember O'Connell, regarding the time frame of the project (when it will start and when it will end) and the impact it will have on the City, Orange County Transportation Authority (OCTA) representative Jeff Mills replied that during construction it will be painful because of the required road closures because of the delays OCTA will try to minimize the

impact, but when the project is completed traffic flow will be much better. The construction is expected to begin in late 2017 and will take about 4 1/2 years for the whole 16 mile corridor. Regarding moving water lines, Mr. Mills continued by stating that according to current research there most likely will be an approximately \$5 million cost for moving two of the lines which will be paid for by OCTA or the project. The third line involves a minor modification that would fall to the City to pay of about \$200,000, and \$3 to \$5 million for the West Orange County Water Board's share.

Councilmember O'Connell asked how overruns would be handled for the \$600,000 reimburseable. Mr. Mills replied that the language in the cooperative agreement allows for an amendment so it can be changed in the future. As for what the local citizens will get in exchange for four years of travel disruption, Mr. Mills replied there will be improvements to the on and off ramps. They are being upgraded to facilitate pedestrian and bicycle movement. Expect a \$5 million to \$6 million improvement for the City's local streets at the end of this project. The \$600,000 reimburseable cost in tonight's agreement is mostly for staff time, consulting time, developing the traffic management and design review.

Councilmember O'Connell asked where the HOV Express Lane exits will be. Mr. Mills replied that if you are traveling from the south, both the 405 Freeway and 73 Freeway will have a connection, Magnolia would have an exit, and Bolsa would have an exit, access to and from at the 22 Freeway, and the final exit will have access at the 605 Freeway, or continue on the 405 Freeway. Beach Boulevard is a key crossing that carries volumes of local traffic, and state and federal guidelines require at least a mile after Express Lane egress to move the five lanes to an exit, and there wasn't that much room to allow a Beach Boulevard ingress or egress. Councilmember O'Connell asked if any of the fees from the HOV lanes will come to Huntington Beach. Mr. Mills stated that if or when there are ever excess funds collected, they could become available to assist with Huntington Beach corridor project improvements. The Traffic & Revenue study is currently underway, so there is no answer at this point as to when this project could be expected to produce excess revenue.

### **Public Hearing**

Mayor Katapodis opened the public hearing.

City Clerk Joan Flynn announced there were no public speakers, nor was there any supplemental communication on this item.

The Public Hearing was closed.

A motion was made by Delgleize, second Posey to adopt Resolution No. 2016-18, "A Resolution of the City Council of the City of Huntington Beach Approving a New Freeway Agreement" between Caltrans and the City of Huntington Beach for Interstate 405, and, authorize the Mayor and City Clerk to execute "Cooperative Agreement No. C-5-3614 between Orange County Transportation Authority and City of Huntington Beach for I-405 Improvement Project."

The motion carried by the following vote:

AYES	Posey, O'Connell, Sullivan, Katapodis, Hardy, Delgleize, and Peterson
NOES	None

## ADMINISTRATIVE ITEMS

- 13. Approved two-week continuation of Tentative Agreement and introduction of proposed Memorandum of Understanding (MOU) between the Huntington Beach Management Employees' Organization (MEO) and the City for the period November 1, 2015 through October 31, 2017**

City Manager Wilson asked that Administrative Item 13 be continued for two weeks to allow time to make the changes to the contract that the Huntington Beach Management Employees' Organization has requested

A motion was made by Peterson, second O'Connell to continue for two weeks approval of the "Tentative Agreement" and the introduction of the proposed "Memorandum of Understanding Between the Huntington Beach Management Employees' Organization and City of Huntington Beach" for the period November 1, 2015 through October 31, 2017

The motion carried by the following vote

AYES	Posey, O'Connell, Sullivan, Katapodis, Hardy, Delgleize, and Peterson
NOES	None

- 14. Approved and authorized execution of a three-year agreement between the City and AirSupport LLC to promote and manage the air show above Huntington City Beach, authorized staff to work with AirSupport LLC to permit the air show through the Specific Event permitting process and approved waiver of \$3,425 in Specific Event fees, authorized the Finance Director to approve an increase in appropriations and projected revenues cover staffing costs, and approved a \$10.00 daily parking surcharge for the inaugural year**

Janeen Laudenback, Director of Community Services, introduced Mike McKay with Airsupport LLC, who jointly presented a PowerPoint dated April 18, 2016, entitled *Huntington Beach Airshow* that included the following titled slides *Statement of Issue, About Airsupport LLC, City/State Air Box, Featured Performers, Financial Impacts, Preliminary Staffing Costs, Beach Parking Proposal, and Sponsorships/Partnerships*

Councilmember Peterson reported that he believes this event will bring in a very different crowd from the surf competition. He is very excited to see Breitling's major involvement and expects this to bring people to our City at a perfect time of the year. He also thanked Mike McKay for his efforts on this project, and voiced his wholehearted support of this event.

Councilmember Delgleize asked for a bit more detailed schedule of events. Mr. McKay stated that Friday is usually a "rehearsal" day, and there will probably be some spectators, but the main event is Saturday and Sunday, with the flying portion from noon to 4 PM. Mr. McKay stated that meetings already are planned with Police, Fire, and Emergency Response to properly plan for the event. Local, state and federal agencies will be involved in this event as well.

Councilmember Posey expressed that he definitely supports and appreciates the diversity this event will provide and asked what other activities will be planned in addition to the free air show. Mr. McKay

replied that some of the sponsors are participating in to be looking for hospitality facilities for their other functions for their clients, other sponsors want to make their product or brand visible to the public and will have booths set up, there will be opportunities for other local area exhibitors, plus food and beverage sales

Councilmember O'Connell expressed his support for this event

Mayor Katapodis shared that from the beginning he has been supportive of this event and Huntington Beach has the perfect facilities for Recreational Vehicle owners to come and watch this event. He also thanked City staff as well as Mr McKay for all of their efforts

Mr McKay shared his appreciation for how dedicated and professional all of the City's staff have been through the process

A motion was made by Delgleize, second Posey to authorize the Mayor and City Clerk to execute a three-year "Agreement Between the City of Huntington Beach and AirSupport LLC to Promote and Manage the Air Show in Huntington City Beach," authorize staff to work with AirSupport LLC by appropriately permitting the Surf City USA Air Show through the Specific Events permitting process, approve the City's support of the Surf City USA Air Show for 2016, approve a \$10 00 surcharge to the daily parking rates for the Main Promenade Parking Structure, south beach lots, and Pier Plaza lots for the inaugural year, authorize staff to collect and deposit the day-of-event \$10 00 surcharge into Fund 101, Specific Events parking accounts to offset the various staffing costs that will be charged to this fund, approve the waiver of \$3,425 in Specific Event application and permit fees for the inaugural year of the Surf City USA Air Show, and, authorize the Finance Director to approve an increase of \$194,915 in appropriations and \$96,000 in projected revenues in the FY16/17 budget, Fund 101 budget to cover Fire, Marine Safety, Police, and Beach Maintenance staffing costs in their respective business units

The motion carried by the following vote

AYES	Posey, O'Connell, Sullivan, Katapodis, Hardy, Delgleize, and Peterson
NOES	None

## COUNCILMEMBER ITEMS

**15. Approved Request Submitted by Councilmember Sullivan - Direct City Manager's Office to bring back for City Council consideration the formal adoption of the 3rd Battalion/1st Marines**

Councilmember Sullivan stated that the City's employees are the real supporters of the 3rd Battalion/1st Marines

A motion was made by Sullivan, second Katapodis to direct the City Manager to bring back for consideration a Resolution formally adopting the 3rd Battalion/1st Marine Regiment, providing for nominal in-kind City support of events and programs, defining our relationship with the Huntington Beach 3/1 Marines Foundation, as well as providing for the use of the City's website to provide access for interested residents, businesses, schools, and community groups to support the 3rd Battalion/1st Marine Regiment

The motion carried by the following vote

AYES	Posey, O'Connell, Sullivan, Katapodis, Hardy, Delgleize, and Peterson
NOES	None

**16. Approved as Amended Request Submitted by Councilmember Peterson - Re-designation of Rodgers Seniors' Center**

Councilmember Peterson stated that after considering the questions and public comments, he feels the best way to proceed is to send this matter to the Community Services Commission for further evaluation and to allow for more public input. He voiced concerns about the property getting locked up allowing for deterioration to start.

Councilmember Hardy asked if it were possible for the Community Services Commission (CSC) to be a bit less formal in this instance and facilitate a "charrette" to allow for more than three minutes for the community to provide their input. She also suggested that in part B) "an option for" be added between "including" and "indoor" so it would read "including an option for indoor" to which Councilmember Peterson agreed. Councilmember Hardy also suggested that for part C) the CSC should include a 10 PM curfew, and stipulate a no alcohol policy.

Councilmember Posey shared that he will support this item, as he sees it as a companion to Item 17. He also wants clarity on the need for a thorough and complete fiscal analysis, costs for a retrofit including cleanup of asbestos and lead, etc., potential rental income, and sponsorships to ensure the existing Senior Center is not cannibalized to better determine if it truly makes fiscal sense.

Councilmember Peterson said he was assuming those issues would be addressed, and he would expect that all options would be looked at. He believes that Director Laudenback thoroughly understands the issues that need to be addressed.

Mayor Katapodis and Councilmember Delgleize voiced their support for this item and totally support the suggestions of Councilmember Posey.

A motion was made by Peterson, second Sullivan to direct the Community Services Department to follow the public process under the purview of the Community Services Commission to determine appropriate uses for the two-acre parcel of parkland, including opportunities for open space, park amenities, and a dedicated veterans' memorial hall on the property, direct the City Manager to work with the Community Services Commission and the Community Services Department to present to the City Council a plan for the use of the parkland, including ***an option for*** indoor space for a dedicated veterans' memorial hall, and, direct Community Services Staff to continue to program the Seniors' Center and Senior Outreach Center for community programs and veterans activities in the interim. ***As amended to encourage CSC to consider restricting issuance of alcohol permits and adhering to a 10:00 pm curfew. Also to provide a fiscal analysis with potential revenues and expenditures to include rental income (without taking away from existing rentals at the new Senior Center) and costs for cleanup of any asbestos, lead, etc. And to consider a charrette format versus a 3 minute public comment format when meeting with the community and stakeholders***

The motion carried by the following vote

AYES Posey, O'Connell, Sullivan, Katapodis, Hardy, Delgleize, and Peterson  
NOES None

**17. Item Submitted by Councilmember Posey Withdrawn - No Action Taken on November 2016 Advisory Vote on future disposition of Rodgers Seniors' Center**

In response to a statement made during Public Comments, Councilmember Posey stated that the Municipal Code does allow for an Advisory Vote, and it would cost \$8,500. He is asking that before a commitment is made on this City asset, that the entire voting population be allowed to vote. He presented a four-point PowerPoint presentation. Ballot clearly identified as an "Advisory Vote", must be Council adopted no later than August 11th to be on the ballot in November, Arguments/Rebuttal guidelines, and Important Election Dates. He asked his fellow Council members if they support having the City's voting population weigh-in on the disposition of the Rodgers Seniors' Center. This process is simply asking for the opinion of the voters.

Councilmember Hardy questioned what the two choices are for an Advisory Vote. Councilmember Posey said the choices are selling the space, or making a dedicated park. City Clerk Flynn explained the Registrar of Voters (ROV) office confirmed it is possible to have a ballot item that does not require a "Yes" or "No" response and the City Attorney will craft the proper language to make the options clear to the voters.

Councilmember Hardy and City Attorney Gates discussed that if the voter majority was to approve the sale of the land, a Measure C Vote would then be necessary. Councilmember Hardy stated that in her opinion this process is a giant waste of money, and all the City's parkland needs to be preserved. She also noted that three potential developers have already passed on the opportunity to build because she believes they understood very well that the people do not want more housing in that neighborhood.

Councilmember Peterson understands that since keeping the Rodgers Seniors' Center for community use was part of the vote for building the new Senior Center in the Park, he feels the people have already had the opportunity to vote and doesn't support this item. Councilmember Posey responded that one of the arguments made for the new Senior Center in the Park was that the Rodgers Seniors' Center would remain for community use, but that statement was not on the ballot. He thinks that since circumstances are a bit different today than they were in 2006, \$8,500 is not a big cost to use democracy and allow today's voters to provide their input.

Councilmember Delgleize voiced her support of what Councilmember Posey stated, and that she supports both Item 16 and Item 17. She explained that residents have asked her why not vote on the matter when plastic bags and fireworks were voted on?

Mayor Pro Tem Sullivan shared that three Council members recently observed a meeting at the Rodgers Seniors' Center where the room was full with at least 300 people, and it was obvious that the people in that area want a park in their neighborhood. For that reason he will not support Item 17.

Councilmember Hardy stated that the cost of an Environmental Impact Report (EIR) will be the City's cost. The EIR needs to be completed before the Measure C vote can be taken. Any developer who agrees to reimburse the City will just deduct the cost of the EIR from their price. Further, we have a republic system where the people elect the officials to represent their view and she has not heard a single speaker say they support the sale of the Rodgers Seniors' Center.

Councilmember Peterson stated that the people did not vote directly for the plastic bag or fireworks issues, but voted for the people (Council members) who would represent them on those issues, and he believes the public has already been very vocal on this issue

Councilmember Delgleize voiced her opinion that she loves all the parks the City has, and is interested in asking the voters if this is a way to pay for costs of operating those parks. Situations have changed in ten years and it is important to her to allow the voters to voice their opinion again

Mayor Katapodis shared his opinion that this is an interesting situation, particularly since there have already been three developers back out of a development deal. He supports letting people vote, but the way this Item is worded he cannot support it

Councilmember Posey asked Mayor Katapodis if he should withdraw Item 17 and come back later with different language. Mayor Katapodis agreed that would be a good idea and also stated there was good discussion of the topic tonight

Councilmember Posey withdrew Item 17

#### **COUNCILMEMBER COMMENTS (Not Agendized)**

Councilmember O'Connell reported attending the Huntington Beach Chamber of Commerce 29th Annual Economic Conference, and the Huntington Beach Library Volunteer Appreciation Event

Mayor Pro Tem Sullivan attended the General Meeting of the Orange County Senior Citizens Advisory Council and the Huntington Beach Chamber of Commerce Economic Conference where he gave the Welcome on behalf of Mayor Katapodis

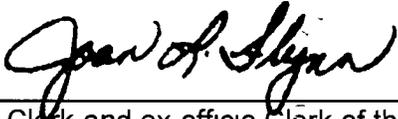
Councilmember Delgleize also attended the Huntington Beach Chamber of Commerce Economic Conference and thanked the local businesses who shared their stories and insights. She also attended the Assistance League fundraiser at the Hyatt

Councilmember Posey attended "Beyond the Beach" Chamber of Commerce Economic Conference, the H B Library Volunteer Appreciation Event where he sat beside a woman who has volunteered 4,000 hours of the total of 57,000 volunteer hours, and AM Connect

Councilmember Peterson reported that many scouts get involved in the Day of Service event, and for those who don't want to paint, or dig in the dirt, there is another option which is to help put food bags together. This is an event which greatly impacts our community and everyone is encouraged to get involved

Mayor Katapodis reported attending Edison's Home Track Meet, making a presentation for a Sunset Beach Community Association meeting, an Orange County Transportation Authority (OCTA) meeting, the National Crimes Victims Week candlelight vigil on the pier with Chief Handy, the H B Library Volunteer Appreciation Event at Central Library Event to acknowledge the volunteers who provide the services of 27 employees who would have to be hired if they weren't serving, Opening Day at the New Huntington Beach Oilers Baseball Stadium Ribbon Ceremony where he also pitched a perfect strike, the Kowabunga Van Klan of Huntington Beach event, and an event at the Carpenter Theatre where three Huntington Beach students were awarded scholarships

ADJOURNMENT — At 10 00 PM, in memory of Huntington Beach resident Bob Nava who was a Viet Nam Veteran and former Los Angeles Police Officer, to the next regularly scheduled meeting of the Huntington Beach City Council/Public Financing Authority on Monday, May 2, 2016, at 4 00 PM in the Civic Center Council Chambers, 2000 Main Street, Huntington Beach, California



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City Clerk and ex-officio Clerk of the City Council of the City of Huntington Beach and Secretary of the Public Financing Authority of the City of Huntington Beach, California

ATTEST:



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City Clerk-Secretary



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Mayor-Chair