

## Minutes

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

Monday, April 4, 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/)**

#### 4:00 PM - COUNCIL CHAMBERS

**CALLED TO ORDER — 4:02 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

For Study Session #1, potential uses for the current Michael E Rodgers Seniors' Center, three e-mail communications were received

#### **PUBLIC COMMENTS PERTAINING TO STUDY SESSION / CLOSED SESSION ITEMS**

(3 Minute Time Limit) — None

*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](http://www.surfcity-hb.org/government/agendas)*

#### **STUDY SESSION**

- 1. As directed by City Council at the February 1, 2016, Council meeting, Community Services staff presented an outline of potential uses for the current Michael E. Rodgers Seniors' Center and outreach center buildings, designating use as a Veterans Memorial Hall.**

Janeen Laudenback, Director of Community Services, presented a PowerPoint entitled, *Potential Uses of the Current Rodgers Seniors' Center Site*, that included the following titled slides *Site History, Current Building Uses, Possible Future Uses, Custodial Maintenance, Building Maintenance, Potential Costs/Revenue, Annual Operating Costs, Potential Funding Sources, and Site as Public Park*

Councilmember Hardy and Director Laudenback discussed that possible revenue sources did not include any Sands classes as those needs are met through current facilities They further discussed

that once the ultimate use of the building is determined then Planning would specify the number of required parking spaces needed per the Municipal Code

Councilmember Posey and Director Laudenback discussed that funds to repair the building have not been budgeted. Also, it has not yet been determined if there is any lead paint or asbestos in the building, but staff will get those potential costs. Councilmember Posey also asked if there is a cost differential to use the Rodgers Seniors' Center vs the Senior Center in the Park. Director Laudenback replied that fees are still being reviewed, but it is expected that the Senior Center in the Park fees may be slightly higher. Regarding potential revenue, if the Rodgers site was used as a community center, Director Laudenback responded that for all community centers the goal is to cover direct costs, and for purposes of this study it was assumed that the facility would mostly be utilized by non-profit groups which usually is at a lower fee than for-profit groups. Councilmember Posey summarized his observation that if one million dollars were spent to renovate the building, it would take approximately 10 years (at \$50 per hour, 40 hours per week) to recoup just renovation costs. Director Laudenback further stated that for this study, staff looked at current unmet needs for potential users and revenues, and it would be difficult to assume that Rodgers site uses would reduce revenue at the new Seniors Center in the Park. The new Seniors Center in the Park facility is three times bigger than the Rodgers site.

Councilmember Delgleize and Director Laudenback discussed that at the Rodgers site it currently costs \$15,000 per month to maintain that facility based on being used six days per week and those funds currently come from the General Fund Operating Budget. They further discussed that the planning model used for renting this facility was modeled after other existing facilities, i.e., the doors are only open when there is a scheduled event. Director Laudenback also stated that at this time staff has not looked at if there is enough community demand to expect to rent the facility full time.

Councilmember Peterson and Director Laudenback discussed whether or not both buildings at the Rodgers site would be demolished, and how that could affect required parking spaces. Councilmember Peterson expressed that in his opinion a lot of the maintenance costs for the building would be donated by the non-profit organizations interested in using the facilities, and he believes there are veteran and Boy Scout groups that would prefer to utilize this facility over the new Senior Center in the Park if given the choice. He shared his vision is to eventually remove the smaller building and some of the parking spaces to create a more open space and park-like feel to the site.

Councilmember Posey asked that if this site was to become more park-like, where would the priority be in the Capital Improvement Projects (CIP). Director Laudenback stated that the CIP list is projected out for five years, but every year during the budget process adjustments can be made. The Park and Recreation Master Plan doesn't list by priority, but outlines the various needs as determined by consultants which the Community Services Commission uses to make their recommendations to City Council. Currently the CIP is being reviewed for the 2016/2017 budget year. Councilmember Posey stated that he feels there must be pro forma income expectations with pledges rather than just using "could, should, might" numbers, and he doesn't see a demonstrated need for additional meeting space knowing that there will be three times the current space in three or four months at the new Senior Center.

Councilmember O'Connell and Director Laudenback discussed how current occupancy use at the Rodgers site will transfer one hundred percent to the new Senior Center in the Park, which will open rental time at the Rodgers site.

Councilmember Hardy and Director Laudenback discussed that for this study they did not look at the feasibility of reducing the size of the larger building by possibly removing a portion of it. Since the original building was added on, it would take an engineering analysis to determine if the building could be partially demolished. Councilmember Hardy expressed her opinion that the spirit of the original deed for community service should be honored, regardless of whether the facility becomes a park or remains a facility. She also believes there is need for additional community rental facilities, however this issue should be sent to the Community Services Commission to do the research, listen to the public and come back to the Council with many more details.

Mayor Pro Tem Sullivan expressed his opinion that it could be possible to have a park and community service facility at this site. He believes there is plenty of peripheral parking on the site's borders and some of the asphalt parking could be converted to park space. He also believes that there will continue to be plenty of demand for meeting space at that location. He believes the Council should give some direction to the Community Services Commission, which in his opinion would be to incorporate more park space and still provide a community service facility.

Councilmember Delgleize expressed her need to have more specific options, with detailed budget numbers, before she could make any decision on this issue.

Councilmember Hardy shared that in her opinion, until a final decision is made, the building needs to be utilized in some capacity whether it is for City needs or as temporary rentals, don't just lock the door and gate and let the facility sit unused until a decision is made.

Councilmember Posey and Director Laudenback discussed the policy decision made decades ago that only non-profit organizations be allowed to use the Rodgers facility to minimize the impact to the surrounding community. A change in that policy would have to come from Council.

Mayor Katapodis asked, and Director Laudenback confirmed, that the current rentals at the Rodgers Seniors' Center do not cover expenses, and about one third of the costs come from grants. Both agreed that at this point all options should be explored as being possible. Mayor Katapodis also expressed how important it will be to document funding sources, including the fire alarm system that Councilmember Peterson committed to donating.

City Attorney Gates explained that there is no action item on tonight's agenda, therefore this item must come back at another time with the support of at least four Councilmembers.

#### **RECESSED TO CLOSED SESSION for Items 2 - 9 — 4:54 PM**

A motion was made by Posey, second O'Connell to recess to closed session for Items 2 - 9.

The motion carried by the following vote:

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

**Mayor Katapodis Announced** Pursuant to Government Code § 54957.6, the City Council takes this opportunity to publicly introduce and identify designated labor negotiator, Assistant City Manager Ken Domer, who will be participating in today's Closed Session discussions regarding labor negotiations with Fire Management Association (FMA), Huntington Beach Firefighters' Association (HBFA),

Huntington Beach Municipal Employees' Association (MEA), Management Employees' Organization (MEO), Huntington Beach Police Officers' Association (POA), Police Management Association (PMA), Marine Safety Management Association (MSMA), and/or Surf City Lifeguard Employees' Association (SCLEA)

**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: Patrick Schlentz vs. City of Huntington Beach, WCAB Case Nos. ADJ7435056; ADJ946978; ADJ7973480, Claim Nos. COHB-10-0003; COHB-06-0099; COHB-09-0113.
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: Jill Randall v. City of Huntington Beach, et al., United States District Court Case No. SACV11-01740 CJC (MLGx). Alleged civil rights violations against the City and Police Officer Stan Watanabe in connection with the removal of Plaintiff's 4-year-old son from Plaintiff's custody by an Orange County social worker.
4. 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: Jon Vidales v. City of Huntington Beach, et al., Orange County Superior Court Case No. 30-2015-00790864. Bicyclist hit a cement parking stop adjacent to beach bike path between Magnolia and Brookhurst.
5. 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: Vicki Riechers, individually and as Successor-In-Interest to Devin Santiago, et al. v. City of Huntington Beach, et al., Orange County Superior Court Case No. 30-2015-00810343. Wrongful death action arising from motorcycle/vehicle accident occurring at intersection of Pacific Coast Highway and 8th Street on September 28, 2014.
6. 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: David Tedesco v. City of Huntington Beach, Orange County Superior Court Case No. 30-2015-00809589. Sidewalk trip and fall accident on Florida Street.
7. 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: Surfrider Foundation, et al. v. City of Huntington Beach, Orange County Superior Court Case No. 30-2015-00791179. Surfrider Foundation, the Sierra Club, and others have filed a CEQA lawsuit against the City regarding the repeal of the City ban on plastic bags.
8. 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, one (1).
9. 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: Fire Management Association (FMA), Huntington Beach Firefighters' Association (HBFA), Huntington Beach Municipal Employees' Association (MEA), Management Employees' Organization (MEO), Huntington Beach Police Officers' Association (POA), Police Management Association (PMA), Marine Safety Management Association (MSMA), and/or Surf City Lifeguard Employees' Association (SCLEA).**

**6:00 PM – COUNCIL CHAMBERS**

**RECONVENED CITY COUNCIL/PUBLIC FINANCING AUTHORITY MEETING — 6 11 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 Delgleize**

**INVOCATION - Led by Mark Currie member of the Baha'i community and President 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 the Huntington Beach Pop Warner Football and Cheer Challenger Team who recently performed at the JAMZ Cheer & Dance Youth National Championships and was the only Challenger team to perform before a packed arena. More details about the program, as well as the video of their Las Vegas performance can be found at [hbpwf.org](http://hbpwf.org)

Mayor Katapodis called on Huntington Beach Chamber of Commerce President Jerry Wheeler to present a proclamation to acknowledge his successful career and wish him well in his new endeavors in Sacramento.

Mayor Katapodis presented a Fair Housing Month Proclamation to Stephanie Lu of the Fair Housing Foundation.

Mayor Katapodis presented a Donate Life Month Proclamation to OneLegacy Ambassador Teresa Alvarez from Huntington Beach Water Utilities. Donate Life educates and spreads the word about the importance of organ donations for the more than 122,000 individuals across the U.S. waiting for transplants. Go to [www.donatelifecalifornia.org](http://www.donatelifecalifornia.org) for more details about becoming involved as a donor or participating in the upcoming fundraiser.

Mayor Katapodis presented a National Community College Month Proclamation to Coast Community College District's Public Information Officer Letitia Clark as April 21 will be "Coast Community College District Day" in the City.

Councilmember Delgleize acknowledged the Children's Needs Task Force and thanked Barnes & Noble for their annual donation of 2,963 books to local schools and youth-oriented organizations this past holiday season

**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

Ordinances for Introduction, Item No 15, communication was received from Michele Warren, Director of Human Resources, submitting a correction/deletion on page six of Ordinance No 4086 Specifically, 2 86 040 Library Director — Power and Duties, striking "Library Patrons Foundation" because that group was disbanded and the assets liquidated in 2005

**PUBLIC COMMENTS** (3 Minute Time Limit) — 8 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>*

Jessica Budica spoke on behalf of the Environmental Board to share highlights from the 2014-2015 Environmental Board Annual Report (01 20 12)

Debbie Killely, spoke on behalf of the Environmental Board to share the Board's goals for 2015/2016 (01 22 05)

Alexandra Winnik, spoke as a student of the Therapeutic Riding Center of Huntington Beach (TRCHB), to share her story of what the Therapeutic Riding Center means to her, and to invite everyone to the upcoming Derby Day fundraiser on May 7, 2016, 1-6 p m (01 25 15)

Maureen spoke to share a recent encounter with an apparent homeless man asking for money She asked how she should have responded, and where were the police when she needed one What good is the law if there is no one to enforce it? She left her e-mail on the Request to Speak Form so someone can respond to her questions (01 27 28)

Victor Valladares, Oak View Comunidad, spoke against high density development within the City, specifically in the Oak View neighborhood where it appears that lots are being advertised, or have recently been sold, with the objective of retrofitting the structures for affordable housing (01 29 50)

Fran Faraz spoke to invite attendance at the 2016 Peace, Justice and Sustainability Conference offered through Golden West College entitled Regenerative Peace Sustaining our Work, Community, Environment and Self in Service, presented on April 22, at the Student Center More details can be found at [www.goldenwestcollege.edu/peace](http://www.goldenwestcollege.edu/peace) (01 32 59)

John Briscoe spoke to share the letter he received from City Attorney Gates in response to his public records request at the last meeting Second, he shared his opinion that the City Council should vote "No" on using the Armstrong site for high density housing (01 36 07)

Linda Cornijo and Tiffany Johnson, Children's Needs Task Force, shared that they sponsor the American Youth Character Award along with Huntington Beach Community Services, to honor young

people from grades 3 to 12 who are role models for their generation Closing date for nominations this year is Friday, April 8 Further details are available at [www.huntingtonbeachcalifornia.gov](http://www.huntingtonbeachcalifornia.gov), or by calling 714-536-5486 (01 39 16)

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

Councilmember Delgleize reported attending the Orange County Business Council's (OCBC) Chairman's Leadership Breakfast, SmartGigabit in Los Angeles, Association of California Cities - Orange County (ACC-OC) 2016 City Infrastructure Tour of Rancho Mission Viejo, and the UCI Micro Grid Tour

Councilmember Hardy reported attending the Assistance League Luncheon, Treasures by the Sea fundraiser

Councilmember Peterson reported attending the special meetings held by Southern California Association of Government (SCAG) regarding the Regional Transportation Plan to raise funds through a vehicle miles travel tax, which he voted "No" on as a representative of the City of Huntington Beach District

Councilmember Posey reported attending the Assistance League Luncheon, Treasures by the Sea fundraiser, and the UCI Micro Grid Tour

Councilmember O'Connell reported attending the Assistance League Luncheon, Treasures by the Sea fundraiser, and the 100-Year Anniversary Celebration of the 1916 Proclamation recognizing that the Irish own Ireland

Mayor Katapodis reported meeting with the Huntington Beach Police Officers' Association (HBPOA), attending the Assistance League Luncheon, Treasures by the Sea fundraiser, and the 19th Annual Golden West College Gala, "Dare to Dream - The Sky's the Limit "

## **CITY MANAGER'S REPORT**

Assistant City Manager Ken Domer reported that the Sunset Beach berm removal process has started, the Parking Structure on Palm is undergoing repairs which is expected to take until mid June for completion, and the new City website (no change in web address) is being rolled out in the next two weeks

## **CITY ATTORNEY'S REPORT**

1. **City Attorney Michael Gates reported a marijuana dispensary case filed on 2/18/2016, Superior Court Case No. 30-2016-00836470, also known as Huntington Beach vs Aurora Amiel, et. al.; and another marijuana dispensary case filed on 3/21/2016, Superior Court Case No. 30-2016-00842012, also known at Huntington Beach vs Francis R. Clayton, et. al.**

## **CONSENT CALENDAR**

Councilmember Delgleize pulled Consent Calendar Item No 4 for special recognition

**2. Approved and adopted minutes**

A motion was made by Hardy, second O'Connell to review and adopt the City Council/Public Financing Authority regular and Successor Agency/Housing Authority special meeting minutes dated March 7, 2016, and the City Council/Public Financing Authority regular meeting minutes dated March 21, 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

**3. Approved 2014-15 Annual Compliance Reports for Public Library, Parkland Acquisition and Park Facilities, Law Enforcement, Fire Suppression Facilities, Traffic Mitigation, Sanitary Sewer, and Planned Local Drainage Development Impact Fees**

A motion was made by Hardy, second O'Connell to approve the Annual Compliance Report, "Public Library Facilities Development Impact Fees Annual Report Fiscal Year 2014-15," and, approve the Annual Compliance Report, "Parkland Acquisition and Park Facilities Development Impact Fees Annual Report for 2014-15," and, approve the Annual Compliance Report, "Law Enforcement Development Impact Fees Annual Report Fiscal Year 2014-15," and, approve the Annual Compliance Report, "Fire Suppression Facilities Development Impact Fees Annual Report 2014-15," and, approve the "Planned Local Drainage Facility Fund Annual Compliance Report for Fiscal Year 2014-15," and, approve the "Sanitary Sewer Facilities Fund Annual Compliance Report for Fiscal Year 2014-15," and, approve the "Fair Share Traffic Mitigation Fee Program Annual Compliance Report for Fiscal Year 2014-15 "

The motion carried by the following vote

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

**4. Approved and accepted donation of \$112,475.00 from the Friends of the Huntington Beach Public Library to provide for the purchase of library materials and to support Library Literacy Services**

Councilmember Delgleize pulled Consent Calendar Item No 4 to give special recognition to the Friends of the Huntington Beach Public Library

A motion was made by Delgleize, second Hardy to approve and accept the donation of \$112,475 00 from the Friends of the Huntington Beach Public Library, designating \$107,000 to Adult Donations 10350102 64455 and \$5,475 to Literacy Donations 10350105 63100

The motion carried by the following vote

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

**5. Approved the appointments of Shawn Thompson, Michelle Claud-Clemente, and Donald Kyle Scrimgeour to the Environmental Board as recommended by City Council Liaisons, Councilmember Hardy and Councilmember Delgleize, and received and filed the 2014-2015 Environmental Board Annual Report**

A motion was made by Hardy, second O'Connell to approve appointments to the Environmental Board of Shawn Thompson for a term to expire on June 30, 2019, and Michelle Claud-Clemente and Donald Kyle Scrimgeour for terms to expire on June 20, 2017, as approved by Council Liaisons, Councilmember's Hardy and Delgleize, and, receive and file the 2014-2015 Environmental Board Annual Report

The motion carried by the following vote

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

**6. Appointed Fire Chief as Board Member and Division Chief/Operations as Alternate to various Orange County Joint Powers Authorities**

A motion was made by Hardy, second O'Connell to appoint Fire Chief David Segura as the City's Board Member to the Orange County-City Hazardous Materials Emergency Response Joint Powers Authority and Division Chief/Operations Eric Engberg as the City's Alternate Board Member, and, appoint Fire Chief David Segura as Alternate Board Member to the Central Net Operations Joint Powers Authority, and, appoint Fire Chief David Segura as Alternate Board Member to the Metro Cities Fire Authority Joint Powers Authority

The motion carried by the following vote

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

**7. Adopted Resolution No. 2016-17 authorizing an Application for Funds for the Environmental Cleanup, Tier 1 Grant Program under the Orange County Transportation Authority (OCTA) Environmental Cleanup Program**

A motion was made by Hardy, second O'Connell to Adopt Resolution No 2016-17, "A Resolution of the City Council of the City of Huntington Beach Authorizing an Application for Grant Funds for the Environmental Cleanup Tier 1 Grant Program Under the Orange County Transportation Authority Environmental Cleanup Program "

The motion carried by the following vote

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

**8. Approved and authorized acceptance of a Quitclaim Deed for Navy Railroad Easement Right-Of-Way from the General Services Administration for property generally located north of Bolsa Avenue, south of Westminster Boulevard, east of Rancho Road, and west of Edwards Street**

A motion was made by Hardy, second O'Connell to approve Acceptance of Navy Easement Quitclaim Deed to the City of Huntington Beach from GSA, and, authorize the City Clerk to execute an acceptance of the Quitclaim Deed and any other related documents, and, authorize the City Manager to execute any other related documents

The motion carried by the following vote

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

**9. Approved appropriation of funds and authorized execution of an Agreement for Acquisition and Escrow Instructions for the Purchase of an Encyclopedia Lot (APN 110-184-16) located on the north side of Ellis Avenue between Edwards and Goldenwest Streets**

A motion was made by Hardy, second O'Connell to approve the Agreement for Acquisition and Escrow Instructions (APN 110-184-16), authorize the Mayor and City Clerk to execute the agreement and other related documents, and, authorize the City Manager to execute any other related escrow documents and authorize the appropriation of up to \$16,500 from the Park Acquisition and Development Fund balance (Fund 209) into account 20945101 81100

The motion carried by the following vote

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

**10. Approved request for continuance to April 18, 2016 to 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, 2016)**

A motion was made by Hardy, second O'Connell to approve request for continuance to the April 18, 2016, City Council meeting

The motion carried by the following vote

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

**11. Approved Intergovernmental Relations Committee (IRC) recommendations for City Council Action - Oppose AB 1707 Public Records Request Act; Oppose AB 2614 Medical Cannabis; Support AB 2772 Drug Treatment Programs; and, authorize the Mayor to sign City Position Letters accordingly**

A motion was made by Hardy, second O'Connell to approve a City position of Opposition for AB 1707 (Linder) - Public Records Request Act, approve a City position of Opposition for AB 2614 (Bonta) -

Medical Cannabis, approve a City position of Support for AB 2772 (Chang) - Drug Treatment Programs, and, authorize the Mayor to sign City position letters on AB 1707, AB 2614, and AB 2772 as approved by the City Council

The motion carried by the following vote

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

## ADMINISTRATIVE ITEMS

### 12. **Adopted Resolution No. 2016-21 approving and implementing the Memorandum of Understanding (MOU) Between the Huntington Beach Municipal Employees' Association (MEA) and the City of Huntington Beach for October 1, 2015 through September 30, 2017**

Michele Warren, Director of Human Resources, gave a PowerPoint presentation that addressed the MOUs for Administrative Items Nos 12, 13 and 14, with slides entitled *Fire Management Association, Fire Management Association MOU Provisions Year 1, Fire Management Association Year 2, Municipal Employees Association, Municipal Employees Association Year 1, Municipal Employees Association Year 2, Police Management Association MOU Provisions, Police Management Association Year 1, Police Management Association Year 2, and Questions*

Councilmember Posey stated that he believes the current unfunded pension liability across the board is in the low seventy percent range, and asked what the ideal range should be to be considered healthy Lori Ann Farrell, Director of Finance, responded that funded status for any retirement plan should be at eighty to eighty-five percent from a financial standpoint, and confirmed that any increase to a contract would increase the City's liabilities Whether they are underfunded or not is a separate issue Councilmember Posey further asked how long it would take to reach the eighty to eighty-five percent range if an additional two to three million dollars per year were put into the pension liabilities fund Director Farrell said this is a difficult question to answer, but she could report that currently the City is at about 73.5 percent funded and last year the number was 69.7 percent She also stated that the contracts being considered this evening are far more fiscally conservative than the ones in the past

Councilmember Peterson expressed his concern about the base-building increases, and how any increase just increases the liability Also, in his opinion the twenty hours of extra leave which cannot be cashed out will result in saving the other benefit time which can be cashed out In addition, giving a three percent raise with two percent going back to CalPERS in a year-and-a-half is non-negotiable and doesn't have to be brought to the bargaining table For these reasons he stated he cannot support these Administrative Items, but said it is nice to see some steps in the right direction

Councilmember Delgleize shared that she appreciates the comments of her fellow Councilmembers, commends the City's Finance Department for being upfront with all of the numbers and providing explanations, and that she believes that the non-base building is an excellent option She supports these items and believes that this Council is dedicated to having the 5-in-1 plan work

Councilmember Posey added that he agrees with just about all of the opinions shared by the Council, and stated that the reason to re-think this is to remain solvent and to be able to honor the obligations to pay the pensions when they are due In summary, the last thing he wants to see is trading a two-percent raise today for not being able to pay pensions tomorrow Maybe one way to make up the

shortfall is to change the 1 = 5 to 2 = 5 or 3 = 5, adding that we need to get ahead of the curve and flatten out the escalating increase in PERS

A motion was made by Sullivan, second O'Connell to adopt Resolution No 2016-21, "A Resolution of the City Council of the City of Huntington Beach Approving and Implementing the Memorandum of Understanding Between the Huntington Beach Municipal Employees' Association and the City of Huntington Beach for the period October 1, 2015 through September 31, 2017 "

The motion carried by the following vote

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

**13. Adopted Resolution No. 2016-19 approving and implementing the Memorandum of Understanding (MOU) Between the Huntington Beach Police Management Association (PMA) and the City of Huntington Beach for April 1, 2016, through December 31, 2017**

A motion was made by Hardy, second Delgleize to adopt Resolution No 2016-19, "A Resolution of the City Council of the City of Huntington Beach Approving and Implementing the Memorandum of Understanding Between the Huntington Beach Police Management Association and the City of Huntington Beach for the period April 1, 2016 through December 31, 2017 "

The motion carried by the following vote

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

**14. Adopted Resolution No. 2016-20 approving and implementing the Memorandum of Understanding (MOU) Between the Huntington Beach Fire Management Association (FMA) and the City of Huntington Beach for October 1, 2015, through September 30, 2017**

A motion was made by Hardy, second O'Connell to adopt Resolution No 2016-20, "A Resolution of the City Council of the City of Huntington Beach Approving and Implementing the Memorandum of Understanding Between the Huntington Beach Fire Management Association and the City of Huntington Beach for the period October 1, 2015 through September 31, 2017 "

The motion carried by the following vote

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

**ORDINANCES FOR INTRODUCTION**

**15. Approved for introduction, as amended, 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**

Assistant City Manager Ken Domer read the ordinance and introduced Michele Warren, Director of Human Resources for the staff report

Director Warren described that this type of change can be warranted by either budget changes or changes in the marketplace. This Ordinance is to recommend changing the Planning and Building Department to the Community Development Department in order to be consistent with other state and local municipalities. This also provides an opportunity to modify the Municipal Code to reflect the most recent recruitment for the Director of Information Services which was recruited as Chief Information Officer, and to change the title of the Finance Director to Chief Financial Officer to match the title being used in other agencies. There will be no changes to duties and responsibilities by these name changes, nor will there be any compensation changes.

Councilmember Peterson and Director Warren discussed that a Director position was recruited as a Chief Information Officer (CIO) because the City Manager and recruiter determined it was a more accurate reflection of the position, especially when compared to other recruitments in the marketplace. Councilmember Peterson believes that typically a CIO handles a lot more responsibility than the position at the City requires. Director Warren further explained that in order to attract qualified candidates they looked at both municipalities and the private sector to determine what job title best matched the City's position.

A motion was made by Posey, second Delgleize to approve for introduction, after the Clerk read by title, and as amended by Supplemental Communication to remove the "Library Patron's Foundation" from Section 2 86 040, 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

## COUNCILMEMBER ITEMS

**16. Approved Request Submitted by Councilmember Peterson - Direct the City's Finance Commission to perform and present to Council a comprehensive evaluation of the City's pay and benefits structure for non-safety personnel**

Councilmember Peterson reported that for the past year, the City's Finance Commission has been learning about the different budgets and jobs within the City. Councilmember Peterson believes this would be an appropriate task for the Finance Commission as he doesn't want a lot of staff time consumed with this Directive. It appears to him that during recent wage negotiations the focus is usually on a certain percentage increase, but there isn't a drill-down to determine if the base is appropriate. The Finance Commission is a team of financial experts which could be tasked with this evaluation without the added expense of using either staff time or hiring consultants. This is a fact-finding task to provide a clear picture of whether the City positions are above, below or in-line with other municipalities and the private sector in regards to starting salary, leaves, raises, and overall benefits.

Councilmember Posey supports the idea but not necessarily the method, as it would appear to him to be more of a Human Resources function rather than a Finance function. There will be approximately

370 different jobs being evaluated, and it seems a bit over the top task for the Finance Commission Also, this task should have a deadline, and a way to gauge the progress and monitor the activity

Councilmember Peterson responded that he has full faith in the ability of the Finance Commission members to handle this task, and believes that hiring a consultant for this could be approximately \$300,000 Further, he feels that the Commission should be the ones to set a timeline and specifics This is a research effort, and Councilmember Peterson believes the City should not be using consultants for this task but utilize the strengths of very competent volunteers

Mayor Pro Tem Sullivan expressed full confidence in his Commission appointee and provided his second to the motion

Councilmember O'Connell voiced his full faith in the City staff, and noted that in recent negotiations they have provided salaries of surrounding agencies Councilmember O'Connell and Director Warren discussed that much of this information is already available, but the challenge for City staff could be the types of private sector companies that would be deemed comparable to City service Job titles in the private sector may, or may not, equate to the same type of work Also, there is nothing requiring that private sector companies respond to a City request for compensation data

Councilmember Hardy stated that in her opinion it should be up to the Finance Commission to set the basic parameters and reasonable timeline, and that is what they should first report back to Council on Most of the City's Commissions' and Boards' hard-working volunteers are working on long-term projects that may actually span years

Councilmember Delgleize voiced her support of Councilmember Hardy's comments

Councilmember Peterson acknowledged the Councilmember comments and amended the item to review and come back to Council with a timeline and specifics as to what they think they can accomplish

Councilmember Posey would like to add a Finance Chairman's quarterly report to include at least 50 positions per quarter to Councilmember Peterson's amended item

Mayor Katapodis stated that he believes it is premature to request a quarterly report to include at least 50 positions and, in his opinion, the Council should ask the Finance Commission to report back to Council what is feasible

A motion was made by Peterson, second Sullivan to direct the City's Finance Commission to perform and present to the Council a comprehensive evaluation of the City's pay and benefits structure for non-safety personnel Include market analysis (both public and private) on starting salaries, raises, leave, and overall benefits, **as amended** asking the Finance Commission to review directive and come back to Council with a timeline and specifics as to what they can accomplish

The motion carried by the following vote

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

**COUNCILMEMBER COMMENTS** (Not Agendized)

Councilmember Hardy shared how when the Shipley Nature Center was shut down by the City due to lack of finances, the Friends of Shipley Nature Center stepped up by asking for the development plan and keys to the gate. Ten years later, with a lot of volunteer effort including Boy Scout and Eagle Scout projects, the development plan was implemented. This is a great example of what City volunteers can accomplish. Bartlett Park is another example of an undeveloped area where volunteers will make a big difference. This past week for Serve Week, over 800 volunteers from ten different churches throughout Huntington Beach worked in Bartlett Park, as well as a couple of projects in the Oak View neighborhood, beach clean-up and the rehab of an elderly woman's mobile home. In another ten years we will all be amazed at the improvements at Bartlett Park, especially if in the future, others join forces with the group that served this past week. She also reported meeting with the Huntington Beach Police Officers' Association (HBPOA).

Mayor Pro Tem Sullivan attended the Orange County Senior Citizens' Advisory Executive and Health and Nutrition meetings, and met with the HBPOA leadership.

Councilmember Posey attended the 10-Year Anniversary Celebration for Surf City Christian Preschool on behalf of Mayor Katapodis, and met with the HBPOA.

Councilmember O'Connell reported meeting with the HBPOA.

Mayor Katapodis reported he attended the Every 15 Minutes Campaign - Accident & Crash Scene drug education simulation at Edison High School and their fundraising golf tournament is on April 18th (More details are at [hbdrugeducation.com](http://hbdrugeducation.com)). He spoke at the Huntington Beach Tomorrow - 2016 Annual Meeting, spoke at the Annual Easter Hunt & 6th Annual Family Fun Day, attended the special Snowdon Family celebration, spoke for the Time Warner Cable Local Edition Television Segment, and attended the "Lunch with the Mayor" at Golden View Elementary School where the winning students asked very appropriate questions on contemporary issues.

**RECESSED TO CLOSED SESSION ITEM NO. 9 — 8 02 PM**

A motion was made by O'Connell, second Delgleize to recess to Closed Session Item No 9

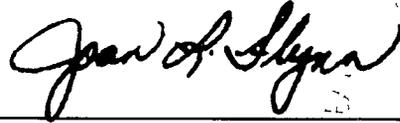
The motion carried by the following vote

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

**RECONVENED CITY COUNCIL/PUBLIC FINANCING AUTHORITY MEETING — 8 38 PM**

**CITY ATTORNEY'S REPORT — None**

**ADJOURNMENT — 8 40 PM** to the next regularly scheduled meeting of the Huntington Beach City Council/Public Financing Authority on Monday, April 18, 2016, at 4 00 PM in the Civic Center Council Chambers, 2000 Main Street, Huntington Beach, California



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:

  
City Clerk-Secretary  
Mayor-Chair