

**Minutes  
City Council/Public Financing Authority Regular Meeting  
City of Huntington Beach**

**Monday, December 16, 2013  
4:00 PM – Study Session  
6:00 PM – Regular Meeting  
Civic Center Council Chambers,  
2000 Main St., Huntington Beach,  
California 92648**

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

**4:00 PM - ROOM B-8**

**CALL TO ORDER - 4:01 PM**

Present: Katapodis, Hardy (arrived at 4:10 PM), Shaw, Harper, Boardman, Sullivan, Carchio  
Absent: None

**ROLL CALL**

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

Pursuant to the Brown "Open Meetings" Act, City Clerk Joan Flynn announced receipt of a PowerPoint communication submitted by the Community Services Department for Study Session Item No. 1 dated December 16, 2013, entitled *Huntington Beach Senior Center in Central Park*.

**PUBLIC COMMENTS PERTAINING TO STUDY SESSION / CLOSED SESSION ITEMS (3 Minute Time Limit)**

Don Mac Allister, former Mayor and current member of the Huntington Beach Council on Aging (HBCOA), wanted to wish staff and the Council good luck in moving ahead on this important Senior Center project. (00:02:07)

Ralph Bauer, former Mayor and current member of the Huntington Beach Council on Aging (HBCOA), thanked Council and staff for their hard work on the Senior Center project. (00:03:08)

Peggy Price, member of the Huntington Beach Interfaith Council, spoke in support of the proposed Senior Center in Huntington Central Park. She discussed how active and supportive the City's senior citizens are, and how they deserve a quality facility to meet their needs and lifestyles. She also spoke in favor of the project's proposed green building features. (00:05:12)

Don Price spoke in support of the proposed Senior Center in Huntington Central Park, voiced concerns about the current condition of the Rodgers Senior Center downtown, and discussed how he feels the proposed facility will benefit the City's senior community. (00:06:44)

Father Christian Mondor, Sts. Simon and Jude Catholic Church and Huntington Beach Interfaith Council, spoke about the longevity of today's senior community, and in support of the proposed new center. He thanked staff and Council. (00:07:51)

## **STUDY SESSION**

### **1. The Community Services Department presented a project overview of the Huntington Beach Senior Center in Central Park.**

Community Development Director Janeen Laudenback presented a PowerPoint dated December 16, 2013, entitled *Huntington Beach Senior Center in Central Park* that included the following titled slides: Background, Current Status, Key Issues, Cost Estimates to Date, and Project Schedule.

Finance Director Lori Ann Farrell continued the presentation by discussing the following titled slides: Senior Center Financing Options, Potential Bond Issue, Other Potential Sources of Funding, Local Funding Opportunities, and Existing 30-Year Debt Service Schedule.

Mayor Pro Tem Shaw and Director Farrell discussed options for use of General Fund dollars.

Councilmember Boardman, Director Farrell and Manager Wilson discussed use of Park Impact fees to help alleviate debt.

Councilmember Carchio and Director Farrell discussed potential use of Water Fund dollars, enterprise funds, and bond issuance.

Councilmember Carchio discussed his support in moving forward even when challenges exist, and asked Council to show compassion to our seniors.

Councilmember Sullivan discussed his support for the project moving forward.

Councilmember Boardman discussed the project's proposed timeline and anticipated resolution of existing litigation.

Mayor Pro Tem Shaw acknowledged existing challenges, and voiced support for moving forward as soon as possible. He thanked staff and questioned if the Court could move forward to resolve outstanding litigation given the amount of time the project has remained in limbo.

Councilmembers Hardy and Katapodis stated support for the project's proposed green building features.

Mayor Harper expressed support for moving forward as soon as possible, and suggested that the plaintiff withdraw litigation based on support shown by the Court, the City Council, and the public.

## **CLOSED SESSION ANNOUNCEMENT**

*Mayor Harper announced: Pursuant to Government Code §54957.6.a, the City Council takes this opportunity to publicly introduce and identify designated labor negotiator City Manager Fred Wilson, who will be participating today in Closed Session discussions regarding labor negotiations with MEA, MEO, MSMA, SCLEA, POA, and HBFA.*

Mayor Harper announced: *Pursuant to Government Code §54956.8, the City Council takes this opportunity to publicly introduce and identify designated property negotiator City Manager Fred Wilson, who will be participating in today's Closed Session discussions regarding negotiations with several property owners for the purchase or exchange of real property (mobile homes) generally located within the Pacific Mobile Home Park at 80 Huntington Street in Huntington Beach.*

**RECESS TO CLOSED SESSION – 4:40 PM**

By a consensus of Council to recess to Closed Session Item Nos. 1 and 2, the motion carried:

AYES: Katapodis, Hardy, Shaw, Harper, Boardman, Sullivan, Carchio  
NOES: None

**CLOSED SESSION**

- 1. Pursuant to Government Code § 54957.6, the City Council recessed to Closed Session to meet with its designated labor negotiators and Fred Wilson, City Manager regarding the following: MEA, MEO, MSMA, SCLEA, POA, and HBFA.**
- 2. Pursuant to Government Code Section 54956.8, the City Council recessed to Closed Session to give instructions concerning price and terms of payment to the City's Negotiator, City Manager Fred Wilson, regarding negotiations with several property owners for the purchase or exchange of real property (mobile homes) generally located within the Pacific Mobile Home Park at 80 Huntington Street in Huntington Beach. The addresses/owners of the properties (mobile homes) to be discussed are:**

**Address, Owner**

80 Huntington Street, Unit 101, Huntington Beach, CA 92648-5336, Pacific Mobile Home Park Owned

80 Huntington Street, Unit 102, Huntington Beach, CA 92648-5337, Ms. Denise Sayles

80 Huntington Street, Unit 201, Huntington Beach, CA 92648-5340, Ms. Collette Marie Chialou

80 Huntington Street, Unit 301, Huntington Beach, CA 92648-5344, Mr. Mike Parashis

80 Huntington Street, Unit 302, Huntington Beach, CA 92648-5344, Mr. Rod & Cindra Stolk

80 Huntington Street, Unit 401, Huntington Beach, CA 92648-5348, Mr. James & Sue Rock

80 Huntington Street, Unit 501, Huntington Beach, CA 92648-5353, Ms. Susan Gohl

80 Huntington Street, Unit 502, Huntington Beach, CA 92648-5353, Mr. Roger Savoie, Jr.

**6:00 PM – COUNCIL CHAMBERS**

**RECONVENE CITY COUNCIL/PUBLIC FINANCING AUTHORITY MEETING – 6:09 PM**

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

**ROLL CALL**

Present: Katapodis, Hardy, Shaw, Harper, Boardman, Sullivan, Carchio  
Absent: None

**PRESENTATION OF COLORS – Provided by Huntington Beach Police Department Honor Guard**

Officers Matt Austin, Jason Melschau, Victor Ojeda, and Chuck Wright.

**PLEDGE OF ALLEGIANCE** – The Pledge of Allegiance was led by Boy Scout Troop 319

**INVOCATION** – The invocation was provided by Reverend Dr. Peggy Price from the 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**

### **Oath of Office to New Police Chief**

Mayor Harper administered the Oath of Office to Police Chief Rob Handy and introduced him to the community.

### **Presentation - Mayor Harper called on Victoria Alberty and Gisela Campagne to present the Adoptable Pet of the Month**

Victoria Alberty introduced Pat from the Orange County Humane Society (OCHS) who showcased Martini, a six-year-old Chihuahua mix. Pat stated that the Humane Society welcomes donations of pet supplies, and encouraged residents to visit the shelter. She introduced OCHS representative John who presented the Adoptable Pet of the Month, Bruce Wayne, a one-year-old cat. John thanked Council and the City for its support.

### **Mayor Harper called on Art Center Director Kate Hoffman to present a Certificate of Appreciation to Vans for their support of the Kustom Kulture exhibit**

Art Center Director Hoffman informed Council that Vans was unable to attend the meeting, but thanked them for their generosity and support of the Kustom Kulture event. She addressed publicity, admissions and revenues related to the event, and discussed tourism through the arts, noting participation by international visitors. A short video of the event was shown.

### **Presentation - Mayor Harper invited a Representative from the Orange County Business Council to present a Certificate of Recognition to the City**

Orange County Business Representative Matt Petteruto presented a Certificate of Recognition to the City for its efforts on the Huntington Beach Promenade Shopping Center.

### **Presentation - Mayor Harper called on Jeff Snow from Rainbow Environmental Services to present the Surfboards on Parade project designed to eradicate skin cancer**

Jeff Snow, on behalf of the Rotary Club of Huntington Beach, introduced attending representatives and announced the *Surfboards on Parade* project. He addressed a brief history of surfing in the City and provided details of the project. He added that the project will enhance culture, the arts and focus on serving the community by eradicating skin cancer. He thanked City staff who collaborated on the project as well as business leaders in the community.

Paulette Willahelm presented details of the project and stated that it will have a huge economic impact on the City as well as promote Surf City throughout the world. She addressed plans for promoting the event and community support.

Jody McKay addressed the beneficiaries of the project noting that the "cause" is skin cancer, that Hoag Family Cancer Institute is the primary beneficiary and that the money raised will go towards local skin-cancer screening events in the community, promoting events at schools, the eradication of skin cancer and the establishment of a special-needs park in the City. She commented on the efforts of the Rotary Club and participation by the Huntington Beach Art Center and the various resorts in the City. She presented information on participating shapers and artists as well as judging categories.

Ms. Willahelm provided a timeline of events.

Ms. McKay listed sponsors and thanked them for their involvement and commented on the concept.

Mayor Harper expressed his appreciation to the Rotary Club and sponsors of the event for their hard work.

**Mayor's Award - Mayor Harper called on Police Chief Rob Handy to present the Mayor's Award to Officer Derek Young**

Police Chief Handy commented positively on the work of Officer Young through the *School Safety Program*, and thanked him for his efforts.

**Presentation - Mayor Harper and the City Council called forward Laurie Frymire, Public Information Officer, to express appreciation for her years of service to the City of Huntington Beach and wish her the best in her upcoming retirement.**

Mrs. Frymire was presented with a bouquet of flowers and a certificate in recognition of her service to the City, along with a gift card from her colleagues.

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

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

Consent Calendar

Communication received for Agenda Item No. 24 (Forgiveness of City Manager's Home Loan), dated December 16, 2013 submitted by Gregorio Daniel, California Teamsters Local 911, on behalf of the Huntington Beach Municipal Employees Association (MEA).

**PUBLIC COMMENTS (3 Minute Time Limit)**

(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/>).

Mayor Harper opened the Public Comments portion of the meeting.

Stephanie Deagle, representing the American Cancer Society, announced the 2014 Relay for Life event on June 7 and 8, 2014 at Central Park West. She encouraged residents to participate and call 800/227-2345 for more information. Additionally, she commented on a service offered by the American Cancer Society, Road to Recovery, noting that it helps patients get to life-saving appointments. She reported that volunteer drivers are needed and urged the public to become involved. (00:49:49)

Lauren Uyeno, representing the American Cancer Society, commented on the Relay for Life event and invited those interested in getting involved to attend an upcoming community interest party on December 18, 2013 at 7:00 PM at the Old World Restaurant. She thanked the City and community for their support throughout the years. (00:52:40)

Councilmember Carchio thanked Ms. Deagle for her work and efforts in finding a cure for cancer.

Bill Hyink, President, Friends of Huntington Beach City Junior Lifeguards, spoke in support of Item No. 12 (Resolution No. 2013-75 authorizing an increase in Junior Lifeguard Program Fees and approving an appropriation for the Junior Lifeguard Program Business Unit). He commented on the success of the program, addressed fundraising efforts and reported that the fee increases will be used to reduce the ratio of instructors to participants, thereby increasing safety. Additionally, he reported that it has been five years since the last fee increase and referenced additional information provided to Council. He asked that Council support the increased fees which are necessary to run the program at the highest level. (00:54:42)

Robert Johnson expressed his wishes for a Merry Christmas and commented on "unaffordable" housing in the City. He referenced a prior lawsuit and a document regarding affordable housing requirements noting the primary objective as stated in the latter, of providing affordable housing to residents who otherwise would have difficulty owning a home in Huntington Beach. He expressed concerns with the small amount of low and very low income level units in the City and stated that the program does not make sense as it provides "affordable" housing to the rich. Additionally, he reported donating his kidney to his brother and encouraged the public to look into organ donation. (00:56:44)

Alf Lyle, Member of the Orange County Grand Jury, encouraged Orange County citizens to apply to serve on the Grand Jury. He added that the service is entirely voluntary and reported on the duties of the Grand Jury and noted that additional information can be obtained at [www.ocgrandjury.org](http://www.ocgrandjury.org). (00:59:42)

Mayor Harper and Councilmember Katapodis commented positively on the work of the Grand Jury and thanked Mr. Lyle for his service.

Janell Godges, Southern California Edison introduced Jeff Dockendorf, with Synergy, noting that Synergy is the company that will be executing the comprehensive manufactured mobile home program. She encouraged mobile home park owners to take advantage of the program. Additionally, she thanked former Mayor Boardman and Mayor Harper for their support of the program. (01:03:54)

Jeff Dockendorf, Synergy, commented positively on the manufactured mobile home program noting that the program helps to save energy, is at no cost and specifically serves owners of

manufactured mobile homes. He listed tasks performed to help residents save energy including installation of aerators and energy-efficient lighting and thanked the City and Council for their support. (01:05:02)

Maureen Lawson expressed disappointment at Council Members who voted in support of banning plastic bags. She stated there were a lot of people that were upset about Council's action and commented regarding Council's responsibility to implement the will of the people and not promote their own agendas. (01:07:52)

Councilmember Boardman reported receiving a letter from Ms. Lawson regarding Joann's Fabric Store and that, according to staff, Joann's Fabric Store is not required to comply with the ban. She added having a conversation with Ms. Lawson and indicating that both she and Councilmember Shaw supported the ordinance at the request of a variety of residents who expressed interest in the ban. Councilmember Boardman indicated that Joann's is voluntarily complying with the ordinance.

Tomm Gallup informed Council of his father, Larry Gallup's recent passing. He thanked the City, on behalf of the Gallup family for being such a big part of his father's life, as well as the Fire and Police Departments. (01:10:36)

Mayor Harper reported that Larry Gallup has been a significant part of the public life in the City and asked to adjourn the meeting in his honor at the proper time.

Councilmember Boardman expressed her condolences to Mr. Gallup and noted that his father was very active in the community. She announced that services will be held on December 28, 2013 at 2:00 PM at the United Methodist Church on Heil Avenue in Huntington Beach.

Councilmember Carchio expressed his condolences adding that Larry Gallup was a great and honest man who cared about the City.

Mayor Pro Tem Shaw expressed his condolences to the Gallup family adding that Larry Gallup was an advocate for open and transparent government and a great person.

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

Councilmember Boardman reported that she is one of the liaisons to the Allied Arts Board and announced that the Centered on the Center Show, a community-based show, will start on January 31, 2014 and that the Art Center will be accepting submissions on Saturday and Sunday, January 11 and 12, 2014. She noted that additional information may be obtained at [www.huntingtonbeachartcenter.org](http://www.huntingtonbeachartcenter.org).

Councilmember Carchio reported attending the 2013 Candlelight Ceremony at Disneyland Resort and represented the City of Huntington Beach. He commented positively on the event. In addition, he attended the American Public Works Association Southern California Chapter's 14th Annual Awards Luncheon where the City's Public Works Department received an award. Councilmember Carchio attended the 2013 Holiday Reception hosted by the ACC-OC, BIA, OC Hispanic Chamber of Commerce, OCBC and commented positively on the event. Additionally, he commented on the "Be a Buddy, not a Bully" program, noting its success and the generous donation from Wal-Mart as well as the participation of the City's Community Service Department.

He expressed his appreciation to all who worked in support of the program.

Councilmember Sullivan reported attending a Christmas party for children of the City's adopted 3-1 Marines Battalion in Camp Pendleton and commented positively on the City's efforts and those of the Municipal Employees Association, the City's Fire Department, Johnny's, and generous donations by various groups in the City.

#### **1. Approved City Council Boards and Commissions' Liaison Appointments**

A motion was made by Mayor Harper, second by Councilmember Katapodis to approve the Boards and Commissions Appointments List as presented by Mayor Harper. (The City Clerk certifies that FPPC Form 806 "Agency Report of Public Official Appointments" which is used to report additional compensation that officials receive when appointing themselves to positions on committees, boards or commissions of a public agency, special district and joint powers agency or authority was posted to the City's website according to law prior to this vote.)

The motion carried with the following roll call vote:

AYES: Katapodis, Hardy, Shaw, Harper, Boardman, Sullivan, Carchio  
NOES: None

#### **CITY MANAGER'S REPORT**

City Manager Fred Wilson announced that City facilities will be closed at noon on Tuesday, December 24, 2013 and Tuesday, December 31, 2013, and will be closed all day December 25, 2013 and January 1, 2014, to observe Christmas and New Years.

#### **CONSENT CALENDAR**

Mayor Harper asked to be recorded as a "no" on Item No. 12.

Councilmember Carchio pulled Item No. 8 for separate discussion and consideration.

Councilmember Katapodis pulled Item No. 4 for separate discussion and consideration.

#### **2. Approved and adopted minutes dated November 4, 2013, November 18, 2013, December 2, 2013, and December 9, 2013**

A motion was made by Councilmember Carchio, second by Councilmember Boardman to approve and adopt the minutes of the City Council/Public Financing Authority November 4, 2013 Regular Meeting, the City Council/Public Financing Authority Regular Meeting and the Successor Agency Special Meeting of November 18, 2013, the City Council/Public Financing Authority Regular Meeting of December 2, 2013, and the City Council Special Meeting of December 9, 2013 as written and on file in the Office of the City Clerk.

The motion carried with the following roll call vote:

AYES: Katapodis, Hardy, Shaw, Harper, Boardman, Sullivan, Carchio  
NOES: None

**3. Received and filed the City of Huntington Beach Strategic Plan Update**

A motion was made by Councilmember Carchio, second by Councilmember Boardman to receive and file the updated status of the Six-Month Strategic Objectives.

The motion carried with the following roll call vote:

AYES: Katapodis, Hardy, Shaw, Harper, Boardman, Sullivan, Carchio  
NOES: None

**4. Received and filed the City Attorney's 2013 Annual Report**

Councilmember Katapodis pulled the aforementioned item for separate discussion and consideration. He commented positively on the work of the City Attorney's office and commended City Attorney Jennifer McGrath and her staff for their work and efforts.

Mayor Pro Tem Shaw commented positively on the work that the City Attorney's office has done and reported that in the cases against the Telecommunications Act, Measure C, won in the 9th Circuit Appeals Court. He commended City Attorney Jennifer McGrath and her staff for their great work.

Councilmember Carchio acknowledged the work of the City Attorney's office and was glad that they are being recognized. He commented on the cases against the Telecommunications Act and congratulated City Attorney McGrath and her office for prevailing.

City Attorney McGrath thanked Council for its support and expressed excitement regarding the Telecommunications Act decision.

A motion was made by Councilmember Katapodis, second by Councilmember Boardman to receive and file City Attorney's 2013 Annual Report.

The motion carried with the following roll call vote:

AYES: Katapodis, Hardy, Shaw, Harper, Boardman, Sullivan, Carchio  
NOES: None

**5. Approved four reappointments to the Human Relations Task Force (HRTF)**

A motion was made by Councilmember Carchio, second by Councilmember Boardman to approve the reappointments of Joe Dagley, Don Garrick, Sunny Lee-Goodman, and Janice Tyler with terms to expire December 31, 2017, as approved by City Council liaisons Connie Boardman and Joe Shaw.

The motion carried with the following roll call vote:

AYES: Katapodis, Hardy, Shaw, Harper, Boardman, Sullivan, Carchio  
NOES: None

**6. Approved two appointments and two reappointments to the Allied Arts Board (AAB)**

A motion was made by Councilmember Carchio, second by Councilmember Boardman to approve the appointments of Sally Adams and Eileen McCullough with terms expiring June 30, 2017, as recommended by Council liaisons Boardman, Hardy, and Shaw; and, approve the reappointments of Eveline Eng and Dale Skerik with terms expiring June 30, 2017, as recommended by Council liaisons Boardman, Hardy, and Shaw.

The motion carried with the following roll call vote:

AYES: Katapodis, Hardy, Shaw, Harper, Boardman, Sullivan, Carchio  
NOES: None

**7. Received and filed the Maddy Act Local Appointments List - 2014 (terms on City boards, commissions, and committees which expire in 2014.) This list informs the public of openings and vacancies based on expiration of current members' terms**

Mayor Harper commented that the Maddy Act Local Appointments List is a good resource for members of the public looking to become involved in the City.

A motion was made by Councilmember Carchio, second by Councilmember Boardman to receive and file the Maddy Act Local Appointments List - 2014 showing vacancies which will occur on City boards, commissions and committees in the year 2014, and direct the City Clerk to post the list at official posting locations (Civic Center, Huntington Central Library, Main Street Library) and the City's website.

The motion carried with the following roll call vote:

AYES: Katapodis, Hardy, Shaw, Harper, Boardman, Sullivan, Carchio  
NOES: None

**8. Approved the 9/11 Memorial Plaza Landscape Plan-Civic Center Upper Plaza (Design Review No. 12-010)**

Councilmember Carchio pulled the aforementioned item for separate discussion and consideration. He asked for a status update noting the importance of the matter to the community.

Councilmember Katapodis reported that fundraising efforts are going well and that a couple of surprise donations were received. He added that approval of the item will facilitate further fundraising efforts and commented on moving the war memorial. He reported there will be upcoming events that will be announced in the near future.

A motion was made by Councilmember Carchio, second by Councilmember Katapodis to approve the 9/11 Memorial Plaza Landscape Plan (Design Review No. 12-010) with suggested conditions of approval.

The motion carried with the following roll call vote:

AYES: Katapodis, Hardy, Shaw, Harper, Boardman, Sullivan, Carchio  
NOES: None

**9. Approved and authorized acceptance from the United States Department of Health and Human Services (DHHS) of \$277,468 in Federal Metropolitan Medical Response System (MMRS) Funding for training and the purchase of equipment and supplies**

A motion was made by Councilmember Carchio, second by Councilmember Boardman to approve and authorize staff to accept \$277,468 in Federal MMRS funding.

The motion carried with the following roll call vote:

AYES: Katapodis, Hardy, Shaw, Harper, Boardman, Sullivan, Carchio  
NOES: None

**10. Adopted Resolution No. 2013-76 to increase appropriations in the FY 2013/14 Budget for the continuation of Capital Improvement Program Projects from FY 2012/13 to FY 2013/14**

A motion was made by Councilmember Carchio, second by Councilmember Boardman to adopt Resolution No. 2013-76 "A Resolution of the City Council of the City of Huntington Beach Amending the Fiscal Year 2013/14 Budget to Carry Over Unspent Appropriations From Fiscal Year 2012/13" which incorporates and references the continuation of funding. Exhibit A of Resolution No. 2013-76 lists individual Capital Improvement Projects and their respective funds totaling \$8,271,102.

The motion carried with the following roll call vote:

AYES: Katapodis, Hardy, Shaw, Harper, Boardman, Sullivan, Carchio  
NOES: None

**11. Approved Fiscal Year 2012/13 Year-End Budget Adjustments and authorized the City Manager to create a Self-Insurance Liability Claims Loss Reserve Fund**

A motion was made by Councilmember Carchio, second by Councilmember Boardman to approve year-end adjustments to the Fiscal Year 2012/13 Adopted Budget and by the amounts contained in Attachment 1 (Fiscal Year 2013/13 Recommended Year-End Budget Adjustments by Fund); and, authorize the City Manager to perform all actions necessary to create the Self-Insurance Liability Claims Loss Reserve Fund required by Chapter 3.14 of the Huntington Beach Municipal Code titled "Self-Insurance Liability Claims Loss Reserve."

The motion carried with the following roll call vote:

AYES: Katapodis, Hardy, Shaw, Harper, Boardman, Sullivan, Carchio  
NOES: None

**12. Adopted Resolution No. 2013-75 authorizing an increase in Junior Lifeguard Program Fees and approved an appropriation for the Junior Lifeguard Program Business Unit**

A motion was made by Councilmember Carchio, second by Councilmember Boardman to adopt Resolution No. 2013-75, "A Resolution of the City Council of the City of Huntington Beach Amending Resolution No. 2009-33 Which Established A Citywide Schedule For Charges For

Facility Rentals And All Supplemental Resolution Thereto (Supplemental Fee Resolution No. 4)" authorizing an increase in Junior Lifeguard Program Fees; and, approve an appropriation of up to \$50,000 to the Junior Lifeguard Program business unit (10065205), commensurate with the amount of increased revenue realized.

The motion carried with the following roll call vote:

AYES: Katapodis, Hardy, Shaw, Boardman, Sullivan, Carchio

NOES: Harper

**13. Adopted Resolution No. 2013-74 authorizing the cancellation of the City Council/Public Financing Authority meeting of January 6, 2014**

A motion was made by Councilmember Carchio, second by Councilmember Boardman to adopt Resolution No. 2013-74, "A Resolution of the City Council of the City of Huntington Beach Declaring the Cancellation of the Regular City Council Meeting and the Public Financing Authority Meeting of January 6, 2014; and Directing the City Clerk to Provide Notice of Such Cancellation."

The motion carried with the following roll call vote:

AYES: Katapodis, Hardy, Shaw, Harper, Boardman, Sullivan, Carchio

NOES: None

**14. Adopted Resolution No. 2013-78 amending the Memorandum of Understanding (MOU) with the Municipal Employees' Association (MEA) by adopting a Side Letter of Agreement regarding Deferred Repayment of Paid Leave**

A motion was made by Councilmember Carchio, second by Councilmember Boardman to adopt Resolution No. 2013-78, "A Resolution of the City Council of the City of Huntington Beach Amending the Memorandum of Understanding between the City and the Municipal Employees' Association (MEA), by Adopting the Side Letter of Agreement."

The motion carried with the following roll call vote:

AYES: Katapodis, Hardy, Shaw, Harper, Boardman, Sullivan, Carchio

NOES: None

**15. Approved and authorized execution of an Agreement with the Orange County, California Genealogical Society for the use of City-Owned Genealogical Materials**

A motion was made by Councilmember Carchio, second by Councilmember Boardman to approve and authorize the Mayor and City Clerk to execute the "Agreement By and Between the City of Huntington Beach and the Orange County, California Genealogical Society For the Use of City Owned Genealogical Materials."

The motion carried with the following roll call vote:

AYES: Katapodis, Hardy, Shaw, Harper, Boardman, Sullivan, Carchio

NOES: None

**16. Approved and authorized execution of a License Agreement between the City, Freeway Industrial Park, and HB Boardwalk, LLC, to provide installation and maintenance of landscaping and hardscaping improvements in the public right-of-way at The Boardwalk Mixed-Use Development Project located at 7441 Edinger Avenue**

A motion was made by Councilmember Carchio, second by Councilmember Boardman to approve and authorize the Mayor and City Clerk to execute and record the "License Agreement between the City of Huntington Beach, Freeway Industrial Park, and HB Boardwalk, LLC, to Provide Installation and Maintenance of Landscaping and Hardscaping Improvements in the Public Right-of-Way."

The motion carried with the following roll call vote:

AYES: Katapodis, Hardy, Shaw, Harper, Boardman, Sullivan, Carchio  
NOES: None

**17. Awarded and authorized execution of a Construction Contract in the amount of \$1,647,715 to Kana Pipeline, Inc., for the Sunset Beach Water Main and Pavement Replacement Project, CC-1429; declared Green Building Corp. as non-responsible, approved withdrawal of EAR Management, Inc., and approved appropriation of funds**

A motion was made by Councilmember Carchio, second by Councilmember Boardman to appropriate \$350,000 from the undesignated Gas Tax Fund (207) balance to Water Main Replacement Account No. 20791006.82100; declare the first apparent low bid from Green Building Corporation, as non-responsible; approve withdrawal of the second apparent low bid from EAR Management, Inc.; accept the lowest responsive and responsible bid submitted by Kana Pipeline, Inc., in the amount of \$1,647,715; and, authorize the Mayor and City Clerk to execute a construction contract in a form approved by the City Attorney.

The motion carried with the following roll call vote:

AYES: Katapodis, Hardy, Shaw, Harper, Boardman, Sullivan, Carchio  
NOES: None

**18. Awarded and authorized execution of a contract in the amount of \$449,344.90 with R.J. Noble Company for the south City Beach Parking Lot Pavement Rehabilitation Project, CC-1462**

A motion was made by Councilmember Carchio, second by Councilmember Boardman to accept the lowest responsive and responsible bid submitted by R.J. Noble Co. in the amount of \$449,344.90; and, authorize the Mayor and City Clerk to execute a construction contract in a form approved by the City Attorney.

The motion carried with the following roll call vote:

AYES: Katapodis, Hardy, Shaw, Harper, Boardman, Sullivan, Carchio  
NOES: None

**19. Approved and authorized execution of an Agreement for Acquisition and Escrow Instructions for the purchase of two Encyclopedia Parcels (APNs 110-152-14 & 20) located on the north side of Ellis Avenue between Edwards and Goldenwest Streets**

A motion was made by Councilmember Carchio, second by Councilmember Boardman to approve the "Agreement for Acquisition and Escrow Instructions;" 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.

The motion carried with the following roll call vote:

AYES: Katapodis, Hardy, Shaw, Harper, Boardman, Sullivan, Carchio  
NOES: None

**20. Approved and authorized execution of four amended Agreements reflecting new ownership related to the Pacific City Development Project**

A motion was made by Councilmember Carchio, second by Councilmember Boardman to approve the "Amended and Restated Special Utility Easement Agreement" between 21002 HB, LLC, PC Group Retail, LLC, and the City of Huntington Beach and authorize execution by the Mayor and City Clerk; approve the "Amended and Restated License and Maintenance Agreement" between 21002 HB, LLC, PC Group Retail, LLC, and the City of Huntington Beach and authorize execution by the Mayor and City Clerk; approve the "Amended and Restated Agreement Regarding City Requirements" between 21002 HB, LLC, PC Group Retail, LLC, and the City of Huntington Beach and authorize execution by the Mayor and City Clerk; and, approve the "First Amendment to Agreement Regarding Village Green Park" between 21002 HB, LLC, PC Group Retail, LLC, and the City of Huntington Beach and authorize execution by the Mayor and City Clerk.

The motion carried with the following roll call vote:

AYES: Katapodis, Hardy, Shaw, Harper, Boardman, Sullivan, Carchio  
NOES: None

**21. Approved and authorized execution of a Assignment and Assumption Agreement for the Pacific City Hotel Project with Olson Real Estate Group and approved the Release of Affordable Housing Covenants on the Pacific City Retail and Hotel parcels**

A motion was made by Councilmember Carchio, second by Councilmember Boardman to approve the "Assignment and Assumption Agreement" between Olson Real Estate Group and Pacific City Hotel, LLC and the City of Huntington Beach; approve "Release of Agreement Containing Covenants Affecting Real Property (Including Affordable Rental and/or Sale Restrictions);" and, authorize the Mayor and City Clerk to sign the Agreements.

The motion carried with the following roll call vote:

AYES: Katapodis, Hardy, Shaw, Harper, Boardman, Sullivan, Carchio  
NOES: None

**22. Approved and authorized execution of an Assignment and Assumption Agreement from 21002 HB, LLC (Crescent Heights) to UDR, Inc. for the Residential Development of Pacific City**

A motion was made by Councilmember Carchio, second by Councilmember Boardman to approve the "Assignment and Assumption Agreement" between 21002 HB, LLC, UDR, Inc. and the City of Huntington Beach; authorize the Mayor and the City Clerk to execute the Agreement; and, authorize the City Manager the ability to effectuate this Agreement, including any affiliate formed to construct the project.

The motion carried with the following roll call vote:

AYES: Katapodis, Hardy, Shaw, Harper, Boardman, Sullivan, Carchio  
NOES: None

**23. Approved and authorized execution of Amendment No. 1 to the Affordable Housing Agreement between the City and AMCAL Multi-Housing, Inc., for the Oceana Project located at 18151 Beach Boulevard**

A motion was made by Councilmember Carchio, second by Councilmember Boardman to approve and authorize the Mayor and City Clerk to execute Amendment No. 1 to the "Implementation Agreement to Affordable Housing Agreement By and Between the City of Huntington Beach, a Municipal Corporation of the State of California, and AMCAL Multi-Housing, Inc., a California Corporation (18151 Beach Boulevard)," and, authorize the City Manager to sign all documents necessary to effectuate this Agreement.

The motion carried with the following roll call vote:

AYES: Katapodis, Hardy, Shaw, Harper, Boardman, Sullivan, Carchio  
NOES: None

**24. Approved and authorized execution of an Amendment to the Contract of the City Manager Forgiving the Remaining Housing Loan Balance**

A motion was made by Councilmember Carchio, second by Councilmember Boardman to approve and authorize the Mayor and City Clerk to execute "Amendment No. 1 to Agreement for Personal Services – City Manager Fred Wilson" forgiving the remaining housing loan balance.

The motion carried with the following roll call vote:

AYES: Katapodis, Hardy, Shaw, Harper, Boardman, Sullivan, Carchio  
NOES: None

**PUBLIC HEARING**

**25. Approved and authorized execution of an Agreement to transfer funds for the 2013 Edward Byrne Memorial Justice Assistance Grant (JAG) Program; and, approved appropriation and expenditure of the funds**

City Manager Wilson reported that the amount of the grant is approximately \$31,000 which will be

used for the purchase and installation of a vehicle locator software system which is coordinated with all other cities in the County.

Mayor Harper opened the Public Hearing.

City Clerk Flynn reported no speakers at this time.

Mayor Harper closed the Public Hearing.

A motion was made by Mayor Pro Tem Shaw, second by Councilmember Carchio to approve, accept, and authorize the Mayor and City Clerk to execute the "Agreement to Transfer Funds for 2013 Edward Byrne Memorial Justice Assistance Grant (JAG) Program" between the County of Orange and the City of Huntington Beach; and, approve the appropriation and expenditure up to \$28,448 to be fully reimbursed by the grant from the Department of Justice via the County of Orange.

The motion carried with the following roll call vote:

AYES: Katapodis, Shaw, Harper, Boardman, Sullivan, Carchio  
NOES: None  
ABSENT: Hardy (out of the Chambers)

**26. Adopted Resolution No. 2013-77 approving the issuance by the California Statewide Communities Development Authority (CSCDA) a Multifamily Housing Revenue Bond in an amount not to exceed \$33,000,000 for Huntington Villa Yorba located at 16000 Villa Yorba Lane**

City Manager Wilson described the item noting that it would finance the acquisition and rehabilitation of low-income residential housing facility, Huntington Villa Yorba. The City will be facilitating the financing and there will be no obligation or commitments on the part of the City.

Mayor Harper opened the Public Hearing.

City Clerk Flynn reported no speakers at this time.

Mayor Harper closed the Public Hearing.

A motion was made by Mayor Pro Tem Shaw, second by Councilmember Carchio to adopt Resolution No. 2013-77, "A Resolution of the City Council of the City of Huntington Beach Approving the Issuance by the California Statewide Communities Development Authority of Multifamily Housing Revenue Bonds for the Huntington Villa Yorba."

The motion carried with the following roll call vote:

AYES: Katapodis, Hardy, Shaw, Harper, Boardman, Sullivan, Carchio  
NOES: None

**COUNCILMEMBER COMMENTS (Not Agendized)**

Councilmember Katapodis reported attending the Meet-and-Greet for the new Police Chief Rob

Handy and noted that it was well-attended. Additionally, he reported attending the Annual Holiday Luncheon hosted by the Chamber of Commerce. He expressed his wishes for a happy holiday season.

Mayor Pro Tem Shaw reported attending the MEO Holiday Luncheon, the Waggin Trails Rescue Foundation Holiday Wine-Tasting, the Annual Tree Decorating Reception and the Celebration of Life in honor of Dr. Bob Smith, a Member of the Environmental Board since 2007. Additionally, he attended the HB Police Officer's Association Annual Christmas party as well as the Meet-and-Greet for the new Police Chief Rob Handy, the Maholiday Annual Holiday luncheon hosted by the Chamber of Commerce and the Shipley Nature Center Board of Directors Annual Volunteer party. He expressed his wishes for a happy holiday season.

Councilmember Boardman reported attending the Waggin Trails Rescue Foundation Holiday Wine-Tasting, the Celebration of Life in honor of Dr. Bob Smith, the 51st Annual Philharmonic Boat Parade, the Meet-and-Greet for the new Police Chief Rob Handy and the Shipley Nature Center Board of Directors Annual Volunteer party. She expressed her wishes for a Merry Christmas and Happy New Year.

Councilmember Sullivan expressed his wishes for a Merry Christmas and Happy New Year.

Councilmember Carchio reported attending the MEO Holiday Luncheon, the Chamber of Commerce Annual Business and Leadership Awards, the Holiday Open House of Assemblyman Travis Allen, the "Home for the Holidays" at the Waterfront Hilton, the HB Police Officers' Association Annual Christmas party, the Meet-and-Greet for the new Police Chief Rob Handy, the Annual Allied Arts Board Holiday Potluck Celebration and Sing-a-long, the Public Works Luncheon and the Chamber of Commerce Annual Luncheon and expressed his wishes for a Merry Christmas and Happy New Year.

Mayor Harper noted an increase in grocery store business for surrounding cities because of the plastic bag ordinance and commented on a ballot initiative being circulated.

City Clerk Flynn reported that Mr. Frank LoGrasso, a Huntington Beach resident, is circulating a petition and addressed the number of qualifying signatures needed to place the matter on the November 4, 2014 ballot.

Mayor Harper reported attending the Chamber of Commerce Annual Business and Leadership Awards, the Annual Tree Decorating Reception, the Ribbon Cutting for Ms. Kettle Gourmet Kettle Corn, the Open House for the Office of Assemblyman Allan Mansoor, additional holiday functions as well as the Championship for the CIF Southwest Division for Huntington Beach High School at Anaheim Stadium. Additionally, he reported attending the HB Police Officer's Association Annual Christmas party and the Planning Commission Holiday Celebration. He reported attending the 2013 Holiday Reception hosted by the ACC-OC, BIA, OC Hispanic Chamber of Commerce, OCBC, the Maholiday Annual Holiday luncheon hosted by the Chamber of Commerce, the Shipley Nature Center Board of Directors Annual Volunteer party and the Eagle Court of Honor for Chad Dominguez, Devin Moder and Ryan Sparno. He expressed his wishes for a Merry Christmas and Happy Holidays.

## **ADJOURNMENT**

There being no other business to come before Council, Mayor Harper adjourned the meeting at

7:54 PM in memory of Larry Gallup.

The City Council/Public Financing Authority regular meeting of January 6, 2014 has been canceled.

The next regularly scheduled meeting of the Huntington Beach City Council/Public Financing Authority is Tuesday, January 21, 2014, Room B-8, Civic Center, 2000 Main Street, Huntington Beach, California

Clerk and ex-officio Clerk of the City  
Council of the City of Huntington Beach;  
Secretary of the Huntington Beach  
Public Finance Authority



Joan L. Flynn, City Clerk-Secretary



Matthew M. Harper, Mayor-Chair