

## Minutes

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

Monday, December 7, 2015  
4 30 PM – Council Chambers  
6 00 PM – Council Chambers  
Civic Center, 2000 Main Street  
Huntington Beach, California 92648

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

#### **4:30 PM – COUNCIL CHAMBERS**

**CALL TO ORDER – 4 35 PM**

#### **ROLL CALL**

Present Posey, O'Connell, Katapodis, Hardy, Sullivan, 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.

#### Closed Session

Item #1 Communications submitted by Kathy Carrick, Norm Nagel, Linda Polkinghome, and Steve and Lili Wells

Item #3 Communications submitted by Kim Kramer (2), Michelle & Stephen Marciniak, Del Seraphine, and Ron Nylan

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

None

#### **RECESS TO CLOSED SESSION**

**Mayor Hardy Announced: Pursuant to Government Code §54956.8, the City Council takes this opportunity to publicly introduce and identify designated property negotiator, Assistant City Manager Ken Domer, who will be participating in today's Closed Session discussions concerning price and terms of payment for the real property located at 21500 Pacific Coast Highway (the Hyatt Property). The negotiating parties are: The real property owner, the Successor Agency to the former Redevelopment Agency of the City of Huntington Beach and the current lessee/purchaser, PCH Beach Resorts, LLC.**

**Mayor Hardy Announced:** Pursuant to Government Code §54956.8, the City Council takes this opportunity to publicly introduce and identify designated property negotiator, Assistant City Manager Ken Domer, who will be participating in today's Closed Session discussions concerning price and terms of payment for the real property in located at 21100 Pacific Coast Highway (the Hilton Property). The negotiating parties are: the real property owner, the Successor Agency to the former Redevelopment Agency of the City of Huntington Beach and the current lessee/purchaser, Mayer Financial LLP.

**Mayor Hardy 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 concerning price and terms of payment for the real property in located at 15922 Pacific Coast Highway, Huntington Harbor Fuel Dock. The negotiating parties are: Mariner's Point (Center City Properties, Inc. and Nahas Enterprises) and the City of Huntington Beach.

**Mayor Hardy 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: 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**

- 1. 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.**
- 2. 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).**
- 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: Parks Legal Defense Fund v. The City of Huntington Beach, et al.; Orange County Superior Court Case No. 30-2012-00570541. In this second lawsuit challenging the Senior Center, a public interest advocacy organization alleges that the City violated CEQA, City Charter Section 612 (Measure C), and the City's General Plan.**
- 4. Pursuant to Government Code § 54956.8, the City Council recessed into Closed Session to give instructions to the City's Negotiator, Ken Domer, Assistant City Manager, concerning price and terms of payment for the purchase of real property in located at 21500 Pacific Coast Highway (APN 024-251-01) the "Hyatt Property". The negotiating parties are: The real property owner, the Successor Agency to the former Redevelopment**

**Agency of City of Huntington Beach and the current lessee/purchaser, PCH Beach Resorts, LLC.**

5. Pursuant to Government Code §54956.8, the City Council recessed into Closed Session to give instructions to the City's Negotiator, Ken Domer, Assistant City Manager, concerning price and terms of payment for the real property in located at 21100 Pacific Coast Highway (APN 024-01 and 02) the Hilton Property. The negotiating parties are: the property owner, the Successor Agency to the former Redevelopment Agency of City of Huntington Beach and the current lessee/purchaser, Mayer Financial LLP.
6. Pursuant to Government Code § 54956.8, the City Council recessed to Closed Session to give instructions to the City's Negotiator, Fred Wilson, City Manager, concerning price and terms of payment for the purchase of real property in located at 15922 Pacific Coast Highway (APN 178-58-01), Huntington Harbor Fuel Dock. The negotiating parties are: Mariner's Point (Center City Properties, Inc and Nahas Enterprises) and the City of Huntington Beach.
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: City of Huntington Beach v. Richmond, Huntington Beach Care Givers, Orange County Superior Court Case No. 30-2014-00745511, a lawsuit by the City of Huntington Beach against a medical marijuana dispensary.
8. 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: City of Huntington Beach v. Med-Aid HB, Garth Von Riedl, Nhu Quynh Trinh Truong, Medical Aid Program, Orange County Superior Court Case No. 30-2014-00702871, a lawsuit by the City of Huntington Beach against a medical marijuana dispensary.
9. 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: City of Huntington Beach v. CHC Organization, Inc., Orange County Superior Court Case No. 30-2015-00800512, a lawsuit by the City of Huntington Beach against a medical marijuana dispensary.
10. 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**

**RECONVENE CITY COUNCIL/PUBLIC FINANCING AUTHORITY MEETING – 6 15 PM**

**CLOSED SESSION REPORT BY CITY ATTORNEY – No report**

## **ROLL CALL**

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

**PLEDGE OF ALLEGIANCE** – Alexandra and Krista Katapodis, daughters of Mayor Pro Tem Katapodis, led the Pledge of Allegiance

**INVOCATION** – Elaine King, sister of Mayor Pro Tem Katapodis, provided the invocation

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 Hardy presented a commendation to local surfer Louis Rice for his heroic efforts when he happened to be in the right place at the right time and rescued a young woman who got caught in a rip current and panicked. Mayor Hardy thanked him for being aware of what was happening around him and taking appropriate action.

Mayor Hardy called on Elsa Greenfield from the Huntington Beach Youth Shelter who presented a commendation to the Hyatt Regency Resort and Spa. Ms. Greenfield thanked Hyatt staff for their continued support for the children in need served by the CSP Huntington Beach Youth Shelter for the last ten years. She stated that they don't just make monetary donations, but are also hands-on with painting, cleaning and maintaining the grounds, and that while CSP is responsible to maintain the property and provide services, and City Staff and the community need to know how important Hyatt Regency support is to the success of the program.

Mayor Hardy presented the 2015 Mayor's Award to Erin Burke, Community Services Recreation Supervisor. Erin has been part of the Community Services Department team since 2009. She was hired as a part-time Recreation Leader in the Youth Sports Program and quickly became a League Manager. She was promoted to the Recreation Specialist position at the City Gym and Pool in 2013, and promoted to the position of Community Services Supervisor at the City Gym and Pool in 2014. Currently Erin supervises over 80 part-time seasonal staff. She promotes positivity, safety and consistency through staff award and training programs throughout Community Services. In addition, Erin was selected as Miss Huntington Beach for 2013-2014, when the program emphasis was re-focused on what the applicant does in the community and success in school. She set a great example which has been apparent in the quality of applicants for the succeeding years.

## **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.

### Consent Calendar

Communication for Item #5 submitted by Michelle Warren, Director of Human Resources, provided amended motions A and B.

Communication for Item #6 submitted by Michelle Warren, Director of Human Resources, submitting a revised MEO Side Letter

Administrative Items

Communications for Item #11 submitted by Ed Kerins and Alan Walls

**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>*

Michelle Steel, Orange County Supervisor, thanked Mayor Hardy for her service and presented a proclamation from the Orange County Supervisors. She also congratulated Mayor Pro Tem Katapodis on his up-coming position as Mayor (00 20 37)

Joe Carchio personally thanked Mayor Hardy for her year of service and leadership, and presented a Certificate of Recognition on behalf of Assemblyman Travis Allen (00 22 03)

Scott Maloni, Poseidon Water, expressed appreciation for the service of Mayor Hardy and congratulated Mayor Pro Tem Katapodis. He stated that the Huntington Beach project is on track for California Coastal Commission review next spring, and will be the first water treatment plant in the United States that will be one-hundred percent carbon neutral (00 23 22)

Ron Sterud thanked Mayor Hardy for her service and support for lower density in Huntington Beach. He continued by expressing his support for keeping the Rodgers Seniors' Center space as open land. He closed his comments by stating his opinion that the recent ACC-OC town hall meeting was a disappointment because there was no opportunity for the citizens to openly comment. He requested an equal opportunity to rebut the ACC-OC meeting (00 24 45)

Bernie Fish thanked Mayor Hardy for being the only Councilmember to vote in support of keeping the Rodgers Seniors' Center as undeveloped land (00 27 32)

Sally Olafson, who lives across the street from the Rodgers Seniors' Center, expressed her support of keeping the Rodgers Seniors' Center as open parkland (00 28 52)

Stephanie Green thanked Mayor Hardy for her service and for being a terrific role model. She also spoke in support of keeping the Rodgers Seniors' Center as undeveloped land. She also expressed her disappointment in the recent ACC-OC town hall meeting (00 30 55)

Alan Walls spoke in support of Administrative Item #11 and thanked the Council, on behalf of the LeBard community, for saving 6.61 acres of that land for a park. He also stated his opinion that the State water control requirements are for the residential development and not for the enhancement of the park (00 33 12)

Elsa Greenfield, CSP Huntington Beach Youth Shelter, spoke to express gratitude for Mayor Hardy's service, and to congratulate Mayor Pro Tem Katapodis on his up-coming year as Mayor. She also thanked the Council for their continued support of the Youth Shelter (00 36 05)

John Briscoe spoke to express his opinion that the Rodgers Seniors' Center land is a perfect opportunity to have proper large play fields for the children in downtown Huntington Beach. Regarding

the Republic Environmental facility, he stated that the Air Quality Management District (AQMD) has issued 33 notices of violation since 2009. He perceives a lack of code enforcement by the City and/or the County, and voiced his opinion that both City Council members and County Supervisors receive campaign contributions from Republic. (00 38 16)

Craig Sheets commented on perceived illegal assault weapons and drug storage. (00 41 45)

Maureen shared her opinion that it is important to support the CSP Huntington Beach Youth Shelter. She also voiced her opinion that the citizens of Huntington Beach own the park. She stated her thoughts on which previous financial decisions and actions led to the City's desire to sell the Rodgers Seniors' Center, but the park belongs to the people. (00 44 49)

Michael Barnes, commended the City Council for their service and friendliness, and stated his best wishes for Mayor Pro Tem Katapodis as he moves into the Mayor's position. (00 47 42)

Bruce Wareh shared his opinion that 22 homes and a little pocket park do not meet the "promise" of a whole block of green grass at the site of the Rodgers Seniors' Center that was made at the time of the vote on the new Seniors' Center. In his opinion, the City Council action to allow Christopher Homes to proceed with an EIR and development plans for the Rodgers Seniors' Center is illegal. (00 49 44)

Chuck Johnson thanked Mayor Hardy for her service and to congratulate Mayor Pro Tem Katapodis. He voiced his opinion that the Rodgers Seniors' Center property was originally deeded to the City with a covenant that it be maintained as a public park. It appears to him that the Council has tried to rationalize its decision without ethical considerations or integrity by saying that the proceeds will go to a park fund. (00 53 15)

Cari Swan shared her opposition to the sale of the Rodgers Seniors' Center site because the site was always intended to be retained as community open space, and Measure "T" was voted on by the residents based on this site being retained as community open space. Secondly, she expressed her opinion that the recent ACC-OC town hall meeting, which she believes was sanctioned by the City, was not a proper town hall event, and requested that the City provide equal resources and time for a proper rebuttal to the misinformation. (00 56 31)

Nancy Duremdes spoke to share her opposition to the sale of the Rodgers Seniors' Center site and voiced her opinion that the City's elected officials evidently cannot be trusted to do what is right for the citizens of Huntington Beach. Also, in her opinion, the recent ACC-OC town hall meeting was like a bad infomercial for high density development, and there should be an opportunity to hear the real facts. (00 59 58)

Catherine Johnson congratulated Mayor Hardy for a good year of service as Mayor, and spoke to voice her opposition to the sale of the Rodgers Seniors' Center. It is her opinion that the original 1917 covenant with Chevron to keep the land as parkland should be honored. (01 03 05)

Nathalie Wong spoke in support of keeping the Rodgers Seniors' Center as parkland for the downtown area residents and asked that the Council reverse their decision to sell the Rodgers Seniors' Center site. (01 05 41)

Philip Johnson voiced his opinion that there needs to be an increase to the police force due to the recent number of fatal accidents in the City. He suggested that the increase in costs for enforcement of drinking and driving as well as speeding laws could be funded by a tax on all alcohol sales. (01 08 41)

Robert Johnson shared his opinion that the Huntington Beach affordable housing program has a lot of flaws. (01 10 20)

Bobbi Ashurst shared that in her opinion it is inexcusable for the Council to not keep the promise to maintain the Rodgers Seniors' Center site as open parkland. She stated that Council members are elected to represent the City's residents. (01 13 42)

Victor Valledares thanked Mayor Hardy for her service and congratulated Mayor Pro Tem Katapodis. He also thanked Business Development Deputy Director Kellee Fritzel and Code Enforcement Officer Al Brady for participating in a recent Oak View Comunidad Grassroots Tenants' Rights Workshop, where they answered questions about how to hold absentee property owners accountable for the condition of their property. He closed by thanking Mayor Hardy and Councilmember Delgleize for attending a November meeting for Oak View residents that addressed similar concerns. (01 17 10)

Anthony Perrotto, who lives in the Rodgers Seniors' Center neighborhood, thanked Mayor Hardy for her service. He shared his opinion that adequate parking for whatever is decided for the Rodgers Seniors' Center needs to be addressed as parking is currently an issue for area residents. He also shared his confidence in the Council to make the right decision for this site. (01 18 47)

Joseph Mastropaulo spoke to share his opinion that the Association of California Cities - Orange County (ACC - OC) made a propaganda presentation last week to justify the abuses by the builders in Huntington Beach. He also stated that after the recent tragic event in San Bernardino, he hopes the Police Department will offer a "conceal and carry" class. (01 21 14)

Jane Sandelman shared that she chose to settle in Huntington Beach as an adult because of the parks, open space and a safe place to raise a family. In her opinion, not keeping the Rodgers Seniors' Center as parkland takes away Council members' honor, as the citizens voted them in to uphold Council promises. (01 23 55)

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

Councilmember Peterson appointed Victor Valledares to the Citizen Participation Advisory Board (CPAB).

Councilmember Sullivan appointed David Lake to the Public Works Commission.

**CITY MANAGER'S REPORT** - None

## **CONSENT CALENDAR**

### **1. Approved and adopted minutes**

A motion was made by Katapodis, second Delgleize to review and adopt the City Council/Public Financing Authority regular meeting minutes dated November 2, 2015, and the regular City

Council/Public Financing Authority and Special Successor Agency meeting minutes dated November 16, 2015, as written and on file in the office of the City Clerk

The motion carried by the following vote

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

**2. Received and filed City Clerk's Quarterly listing of Professional Service Contracts filed in the City Clerk's office between April 1, 2015 and September 30, 2015**

A motion was made by Katapodis, second Delgleize to receive and file the "List of Professional Service Contracts Approved by Department Heads Pursuant to Huntington Beach Municipal Code Chapter 3 03 and Submitted to the Office of the City Clerk Between April 1, 2015, through June 30, 2015," and, receive and file the "List of Professional Service Contracts Approved by Department Heads Pursuant to Huntington Beach Municipal Code Chapter 3 03 and Submitted to the Office of the City Clerk Between July 1, 2015, through September 30, 2015 "

The motion carried by the following vote

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

**3. Approved Final Tract Map Nos. 15377 and 15419, Improvement Securities and Agreements for the Parkside Estates Subdivision by Shea Homes, located west of Graham Street and south of Warner Avenue**

A motion was made by Katapodis, second Delgleize to approve Final Tract Map Nos 15377 and 15419, accept the offers of dedication, improvements, and bonds pursuant to findings and requirements, and, approve the Subdivision Agreement between the City and Shea Homes and authorize execution by the Mayor and City Clerk, and, approve the Special Easement Agreement for Drainage Facilities between the City and Shea Homes and authorize execution by the Mayor and City Clerk, and, approve the Special Easement Agreement for Enhanced Paving between the City and Shea Homes and authorize execution by the Mayor and City Clerk, and, approve the Funding Agreement between the City and Shea Homes and authorize execution by the Mayor and City Clerk, and, approve Lease No PRC between the City, Shea Homes and the California State Lands Commission and authorize execution by the Mayor and City Clerk

The motion carried by the following vote

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

**4. Approved the Notice of Acceptance of Public Improvements, Guarantee and Warranty Bond and authorized execution of a License Agreement between the City of Huntington Beach and TRI Pointe Homes, LLC for Tract 17238 (Fairwind Subdivision – Former Lamb School Site)**

A motion was made by Katapodis, second Delgleize to approve the Notice of Acceptance of Public Improvements for improvements constructed and dedicated for public park purposes with Tract 17238 and authorize recordation by the City Clerk, and, accept Guarantee and Warranty Bond No PB03010402299 and instruct the City Clerk to file the bond with the City Treasurer and notify the Surety, Philadelphia Indemnity Insurance Company of this action, and, approve the License Agreement between the City of Huntington Beach and TRI Pointe Homes, LLC for maintenance and control of the entire area within the public easement to address liability, repair, maintenance and replacement of all hardscaping, landscaping, lighting and irrigation improvements and authorize execution by the Mayor and City Clerk

The motion carried by the following vote

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

**5. Adopted Resolution No. 2015-81 amending the Memorandum of Understanding (MOU) between the City and the Municipal Employees' Association (MEA), by adopting and authorizing execution of a Side Letter of Agreement regarding the 2015 Holiday Closure**

A motion was made by Katapodis, second Delgleize to adopt Resolution No 2015-81, "A Resolution of the City Council of the City of Huntington Beach Amending the Memorandum of Understanding Between the City of Huntington Beach and the Municipal Employees' Association (MEA), by Adopting the Side Letter of Agreement upon execution of agreement by MEA President," and, authorize the City Manager to execute the Side Letter Agreement upon receipt of signature by the MEA President

The motion carried as amended by the following vote

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

**6. Adopted Resolution No. 2015-82 amending the Memorandum of Understanding (MOU) between the City and the Management Employees' Organization (MEO) by adopting and authorizing execution of a Side Letter of Agreement regarding the 2015 Holiday Closure**

A motion was made by Katapodis, second Delgleize to adopt Resolution No 2015-82, "A Resolution of the City Council of the City of Huntington Beach Amending the Memorandum of Understanding Between the City and the Management Employees' Organization (MEO), by Adopting the Side Letter of Agreement," and, authorize the City Manager to execute the Side Letter Agreement

The motion carried as amended by Supplemental Communication with a replacement Side Letter by the following vote

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

**7. Adopted Resolution No. 2015-83 authorizing the cancellation of the City Council/Public Financing Authority regular meeting of January 4, 2016**

A motion was made by Katapodis, second Delgleize to Adopt Resolution No 2015-83, "A Resolution of the City Council of the City of Huntington Beach Declaring the Cancellation of the City Council and Public Financing Authority Meeting of January 4, 2016, and Directing the City Clerk to Provide Notice of Such Cancellation "

The motion carried by the following vote

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

- 8. Adopted Ordinance No. 4075 providing consent to the assignment of the Paramount Petroleum Franchise Agreement to Cardinal Pipeline, L.P. for the installation, operation, and maintenance of a pipeline system for the transportation of oil, gas, and other hydrocarbon substances  
Approved for introduction November 16, 2015, Vote: 6-0-1 (Delgleize out of room)**

A motion was made by Katapodis, second Delgleize to Adopt Ordinance No 4075, "An Ordinance of the City of Huntington Beach Providing Consent to the Assignment of the Paramount Petroleum Corporation Franchise to Cardinal Pipeline L P " to construct, operate and maintain a Pipeline System for the transportation of oil

The motion carried by the following vote

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

- 9. Adopted Ordinance No. 4076 amending the Huntington Beach Municipal Code (HBMC) to remove the Cap on the Five Percent Local Business Preference  
Approved for introduction November 16, 2015, Vote: 7-0**

A motion was made by Katapodis, second Delgleize to Adopt Ordinance 4076, "An Ordinance of the City of Huntington Beach Amending Chapter 3 02 of the Huntington Beach Municipal Code Relating to Purchases of Goods and Services," removing the cap on the five percent local vendor preference in the evaluation of bids or proposals for the procurement of goods and services

The motion carried by the following vote

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

- 10. Adopted Ordinance No. 4078 amending the Huntington Beach Municipal Code (HBMC) by adding a new Chapter 2.70 relating to transparency in labor negotiations  
Approved for introduction November 16, 2015, Vote: 5-2 (Katapodis, Hardy - No)**

A motion was made by Katapodis, second Delgleize to Adopt Ordinance No 4078, "An Ordinance of the City of Huntington Beach Amending the Huntington Beach Municipal Code by Adding a New Chapter 2 70 Relating to Openness in Labor Negotiations "

The motion carried by the following vote

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

## ADMINISTRATIVE ITEMS

### 11. Approved and authorized execution of an Agreement for Acquisition and Escrow Instructions between the City of Huntington Beach and the Huntington Beach City School District regarding 6.61 acres of the former LeBard Elementary School for recreational purposes

Mayor Hardy asked staff about the \$607,000 for park improvements and if there are any extra funds that can be used elsewhere in the park. Assistant City Manager Ken Domer replied that the \$607,000 represented a portion of the initial City deposit into the escrow account of \$663,000 based on early estimates of costs. Subsequent changes in the plan as well as costs being more accurately identified, State mandated water quality improvements to treat water on-site before entry into the City's storm drain system, and ADA requirements have all put the expected cost closer to \$850,000. This amount is well above the original estimate and amount being deposited by the City into the escrow account. Therefore, there is no more money for any other improvements.

A motion was made by Hardy, second Posey to Approve and authorize the Mayor and City Clerk to execute the "Agreement for Acquisition and Escrow Instructions" to purchase 6.61 acres from the Huntington Beach City School District (former LeBard Elementary School site) for recreational purposes.

The motion carried by the following vote:

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

## COMMENTS BY OUTGOING MAYOR

Mayor Hardy first thanked the Council for their vote in support of Administrative Item 11 – Agreement for Acquisition of 6.61 acres of the former LeBard Elementary School for recreational purposes.

Mayor Hardy continued by sharing that "Mayor" is a title that requires chairing the Council meetings, but in reality the Mayor is a member of a team of seven Council members. Some of the memorable annual events she attended as a representative of the City in this past year include the Boeing Rocket Launch, the Gift of History Day, the Children's Authors Event, the Huntington Beach Reads One Book Program, Youth In Government Day, the Every 15 Minutes Program and participation in five parades.

In addition, there were a number of events that were special in 2015 to her because of her personal interests and experience, such as the 3/14/15 Pi Day (Pi is 3.1415), the Central Library's 40th Anniversary (where as a student she worked part-time) and Oak View Library's 20th Anniversary. She stated the Epic Big Board World Record was a really fun day and that being a Host City for the Australian delegation of the Special Olympics is a special memory. This year's opening of Pacific City, developed by DJ and Partners, was a reminder of the opening ten years ago of Bella Terra, developed by DJ and Partners, when she was also Mayor. She is especially thankful for seeing the Council approval of the LeBard recreational purposes this evening, as again it echoes the opportunity ten years

ago when as Mayor she was able to sign the documents for Wardlow Park. An example of the Council's great teamwork, and one of her favorite moments as Mayor this year, was when she asked Councilmember Peterson to represent the City for the re-opening of Hope View School – because he had attended Hope View.

Some of the memorable accomplishments of the City Council this year including passing the massage ordinance, parks and recreation master plan, RMDZ recycling zone, creating a task force to address homeless issues, and the Beach/Edinger Specific Plan.

Looking ahead, some of the projects expected to come before the Council in 2016 includes General Plan update, street lights acquisition, hiring a new Fire Chief, status of the Huntington Harbour fuel dock, lobbying AQMD for funds related to the AES Plant rebuilding, and working to ensure that with the new 405 Freeway upgrades that toll lane users will still be able to easily access Huntington Beach.

Personally, Councilmember Hardy's City projects for 2016 include a pedestrian crosswalk at First and PCH to enhance access to Pacific City, a solution to preserve the history of the Wintersburg site, a Youth Employment Workshop to assist students applying for summer jobs, proceeding with plans to improve Bartlett and Irby Parks with heavy involvement of resident volunteers (modeled after the plan used at Shipley Nature Center), and hoping that the 17th Street land (Rodgers Seniors' Center) will remain entirely a community park.

Mayor Hardy closed by thanking the entire Council team, City staff, and her family for their support during this past very busy year.

Mayor Hardy presented her gift of appreciation to her fellow Council Members – a photo “puzzle” of the Epic Big Board Ride signed, "Thanks for an Epic 2015!"

**CONDUCT ELECTION OF MAYOR FOR ENSUING YEAR** – Mayor Hardy called for a motion to elect the new Mayor.

A motion was made by Sullivan, second O'Connell to Elect Mayor Pro Tem Katapodis for the ensuing year.

City Clerk Joan L. Flynn announced the motion carried by unanimous standing affirmation.

### **OATH OF OFFICE TO NEW MAYOR**

City Clerk Joan L. Flynn administered oath of office to New Mayor Katapodis, who was joined by family and friends, including his wife Vivian, daughters Alexandra and Krista, sister Elaine with her husband Bruce, Kelly Katis, sister Karen, Ron and Donna Lee, Sheila Daniel, and Anita Finner.

After the Oath of Office, City Clerk Joan L. Flynn introduced Mayor Katapodis, the 78th Mayor of Huntington Beach.

Flowers from the Council members were presented to Administrative Assistant Cathy Fikes for her exemplary service during the past year.

**Presentation by Outgoing Mayor Hardy of Gavel to New Mayor Katapodis**

Outgoing Mayor Hardy presented a personalized gavel to New Mayor Katapodis

**Presentation by New Mayor Katapodis to Outgoing Mayor Hardy**

Mayor Katapodis presented Outgoing Mayor Hardy with the "Ultimate Challenge" statue and thanked her for her assistance and leadership as Mayor

**CONDUCT ELECTION OF MAYOR PRO TEMPORE FOR ENSUING YEAR**

New Mayor called for motion to elect new Mayor Pro Tempore

A motion was made by Peterson, second Delgleize for Election of new Mayor Pro Tempore Sullivan

City Clerk Joan L. Flynn announced the motion carried by unanimous standing affirmation

**OATH OF OFFICE TO NEW MAYOR PRO TEMPORE**

City Clerk Joan L. Flynn administered oath of office to New Mayor Pro Tempore Sullivan

**Comments by Newly elected Mayor Katapodis**

Mayor Katapodis expressed his appreciation for family and friends who came to share this evening with him. He recognized his fellow Council Members and expressed his appreciation for the great team they are. He thanked Outgoing Mayor Hardy for her great example in how to run the Council meetings. He expressed his excitement in serving with Mayor Pro Tem Sullivan who has been a good mentor and friend.

Mayor Katapodis stated that his objectives as Mayor will be to increase officers in the Police Department, pursue ways to effectively deal with homeless issues, initiate a comprehensive traffic study, bring more businesses to Huntington Beach by making the process a "red carpet" rather than "red tape" experience, preparations for the potential El Nino, a crosswalk at First and PCH, and that the new 405 Freeway toll lanes do not inhibit easy access to Huntington Beach.

He closed by stating how surreal it is to actually hold the title of Mayor of Huntington Beach, the greatest city in the whole United States. He intends to do his best to ensure that the residents continue to enjoy living here and that tourists continue to visit. He encouraged the citizens to continue speaking to the Council.

**Comments by Newly elected Mayor Pro Tem Sullivan**

Mayor Pro Tem Sullivan thanked his colleagues for electing him and shared his appreciation of the respect that Council Members have for each other. Even though each Councilmember has different ideas and may disagree on issues, no one is disagreeable. He expects a great year of service to the City under Mayor Katapodis and feels it is a great honor and privilege to serve.

**COUNCILMEMBER COMMENTS (Not Agendized)**

Councilmember Posey spoke to congratulate Mayor Katapodis and thanked Mayor Hardy for serving with grace and dignity, and being the voice of reason and leadership. He reported attending the

Retirement Celebration for Fire Chief Patrick McIntosh, the Changing of the Flag Ceremony at the Orange County Civic Center, Plaza of the Flags, Tree Lighting on Main Street, Town Hall Meeting regarding Coyote Concerns, Changing Housing Needs in Orange County Town Hall Meeting, California Apartment Association meeting, Huntington Beach Chamber of Commerce Annual Holiday Luncheon, rode a fire truck in the Light of Love parade, Lighting of Snowflakes, and Senator Moorlach's Legislative Update

Councilmember O'Connell congratulated Mayor Katapodis and Mayor Pro Tem Sullivan on their newly elected positions. He thanked Councilmember Hardy for her words of wisdom and always being available to answer his questions. He reported attending the Retirement Celebration for Fire Chief Patrick McIntosh, Senator Moorlach's Legislative Update, OCBC - Turning Red Tape into Red Carpet Awards Reception, 1st City Hall "High Steaks" BBQ Competition, Colette's Children's Home - Imagine a Better Tomorrow, Town Hall Meeting regarding Coyote Concerns, HBPD Baker to Vegas BBQ Fundraiser, Changing Housing Needs in Orange County Town Hall Meeting, Manufactured Housing Trust meeting, California Apartment Association meeting, Huntington Beach Chamber of Commerce Annual Holiday Luncheon, and the HB Historical Society presents "Holidays in 1915 Newland Style" at the Newland House

Councilmember Hardy congratulated Mayor Katapodis. She thanked him for his support this past year in helping her do the job of Mayor. She thanked Mayor Pro Tem Sullivan for his service on the Council and being a good mentor for her through the years. She reported attending the Retirement Celebration for Fire Chief Patrick McIntosh, the Changing of the Flag Ceremony at the Orange County Civic Center, Plaza of the Flags (where all of the state flags were replaced with Orange County city flags and flags for each branch of the military), Miracle on Main Street Tree Lighting, the HB Historical Society presents "Holidays in 1915 Newland Style" at the Newland House, and the Lighting of Snowflakes

Councilmember Peterson thanked Councilmember Hardy for a wonderful job as Mayor and representing the face of Huntington Beach. He congratulated Mayor Katapodis and Mayor Pro Tem Sullivan, and thanked them for their continued service

Councilmember Delgleize thanked Councilmember Hardy for her service as Mayor and helping to make the first year of service enjoyable, interesting and noteworthy. She expressed her congratulations to Mayor Katapodis, and her support for his heart for the City. She expressed her appreciation and thanks to Mayor Pro Tem Sullivan for his service and dedication to the City for many, many years

Mayor Katapodis stated that he also attended many of the events already mentioned by fellow Council members

**ADJOURNMENT TO RECEPTION IN MEETING ROOMS ADJACENT TO THE COUNCIL  
CHAMBERS – 8 35 PM**

Adjournment to the Reception, and to the next regularly scheduled meeting of the Huntington Beach City Council/Public Financing Authority on Monday, December 21, 2015, 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

