

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

**Monday, February 4, 2013
4:30 PM – Study Session, Room B-8
6:00 PM – Regular Meeting
Civic Center Council Chambers
2000 Main Street
Huntington Beach, California 92648**

**The audio recording of the 4:30 PM portion of this meeting,
and the video recording of the 6:00 PM portion of this meeting
is on file in the Office of the City Clerk, and is also archived at
<http://www.huntingtonbeachca.gov/government/agendas/>**

CALL TO ORDER – 4:30 PM, Room B-8

ROLL CALL

Present: Sullivan, Hardy (arrived at 4:32 PM), Harper, Boardman, Carchio, Shaw, and Katapodis
Absent: None

ANNOUNCEMENT OF SUPPLEMENTAL COMMUNICATIONS (Received After Agenda Distribution)

Pursuant to the Brown "Open Meetings" Act, Assistant City Clerk Robin Estanislau announced supplemental communications received after distribution of the City Council agenda packet:

Notice of Absence received from City Clerk Joan Flynn requesting permission to be absent from the Council meeting pursuant to Resolution 2001-54.

A PowerPoint communication on Study Session Item No. 1 received from Deputy City Manager Bob Hall, dated February 4, 2014, entitled "Street Lighting Update."

A PowerPoint communication on Study Session Item No. 2 received from City Attorney Jennifer McGrath entitled, "Proposed Social Hosting PowerPoint, An Ordinance Revision."

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

STUDY SESSION

1. Staff provided City Council an update on street lighting, including a plan to re-structure the provision of street lighting services that will provide better light quality, eliminate antiquated infrastructure, and reduce energy use and costs.

City Manager Fred Wilson introduced the item and deferred to Energy Project Manager Aaron Klemm for a report.

Manager Klemm presented an update on street lighting including an overview of recent developments in street-lighting technology, details of a rate case as well as Edison's policy change with regard to ownership of street lights and an update on Proposition 39, and an update on the results of the City's RFQ. Manager Klemm noted that street lights are the most visible energy service that the City provides. He reported that every 7-Eleven in Southern California uses energy-saving LED white light sources for their parking lots and exteriors for their buildings because of increased visibility and safety. He presented photographs of the City's LED retro-fitted lights, Bluff Top parking lots and industry lighting throughout the

photographs of the City's LED retro-fitted lights, Bluff Top parking lots and industry lighting throughout the City. He noted benefits of using LED lighting and addressed studies and comparisons of "before" and "after" retrofits. Mr. Klemm addressed yearly expenditures by the City in electricity prior to and after lighting retrofits, background on the matter and details of the current related resolution. He addressed savings by the City as a result of an agreement with the California Public Utilities Commission (CPUC) freezing rates for the next three years.

He addressed changes to Edison policies where they are now willing to amicably sell the City their street-lighting systems. He presented details of the models presented and noted that the "less depreciation" model is the best for the City. He reported that over 75% of the City's light poles are fully depreciated and that staff is expecting a fairly attractive purchase price because of the age of the system.

Manager Klemm presented information regarding Proposition 39 noting that it provides \$550 million annually for five years for clean-energy projects in government facilities, and reported that the legislation is currently seeking to write the rules for accessing the funds. He noted that local governments are eligible for the funding and seeking amendments to remain eligible. He reported that currently, the proposed legislation is focused on K-14 getting all of the funds and addressed the challenges with that proposal.

Manager Klemm addressed the City's release of an RFQ for a long-term partner that would guarantee savings to the General Fund of at least 10% of first year savings, support the City in working with Edison on the valuation of the existing street lighting system for purchase, upgrading to long-life efficient lighting and upgrades to dangerous, inefficient street-light infrastructure. The City would also utilize the long-term partner for long-term operations and maintenance of the street lighting system. Mr. Klemm reported that six organizations responded to the RFQ, addressed the interview process and reported that the highest-rated proposal was Siemens. He addressed the phasing of the work, referenced a letter of intent from Siemens and presented information on the organization as well as their goals in working with the City.

Manager Klemm asked that Council consider a \$10,000 appropriation to pay Edison for their initial study and approve a not-to-exceed amount of \$60,000 for Siemens to support the City in the process. Once the information is available, staff would return to Council at a future meeting with the information from Edison including costs to develop a fully-executed purchase price from Edison and follow through with the process. The process would end at a public hearing for final approval to move forward with the project.

Mayor Pro Tem Harper wondered if there are other cities that have had similar experiences and Mr. Klemm recited similar experiences in Northern California and San Diego.

Discussion followed regarding changes in Edison policies and previous experience by City staff in working with Siemens, timeline for completion of the project, the possibility of equipping the street lights with solar energy, expected service levels by Siemens when there are unexpected issues during holidays and/or weekends, current plans for replacement of the street light heads and related increased public safety.

Ensuing discussion followed regarding the valuation process of the street lights and the increased public safety element related to the lights. It continued regarding the length of time for the relationship with Siemens, subsequent rebidding after the term of the contract and the number of competing bids.

2. City Attorney provided Council a review of the Social Hosting Ordinance

City Attorney McGrath presented details of the Social Hosting Ordinance addressing background, public outreach, similar ordinances by other cities and existing applicable California laws. She reported that the ordinance would become part of the Loud Party Ordinance and would be another tool to help responding Law Enforcement. Ms. McGrath noted a policy issue and reported that it has been reviewed by her office as well as the Huntington Beach Police Department. She reported that the item is prepared for Council's regular agenda of February 18, 2013.

Councilmember Carchio indicated that parents would continue having the right to administer alcohol to their children as they please. He addressed existing problems with under-aged drinking and spoke in support of the ordinance.

Councilmember Hardy felt that if there is no intention for the ordinance to apply to a parent's own child, language should be inserted accordingly.

City Attorney McGrath highlighted existing language that covers the intent of the ordinance.

Discussion followed regarding scenarios where parents would have no knowledge of under-age drinking occurrences and how these would be addressed.

Police Chief Small reported that the issue of providing alcohol to one's own child is a very slippery slope. He presented examples that could be contributing to the delinquency of a minor and include child endangerment.

Discussion followed regarding the City of Irvine ordinance, noting that the City's proposed ordinance is almost identical.

Councilmember Katapodis reiterated the concerns of Chief Small.

RECESSED TO CLOSED SESSION – 5:11 PM

A motion was made by Councilmember Carchio, second by Councilmember Sullivan to recess to Closed Session at 5:11 PM.

The motion carried with the following roll call vote:

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

CLOSED SESSION

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 lawsuits [and potential lawsuits]: *Casados v. City of Huntington Beach*, Orange County Superior Court Case No. 30-2011-00509863. In this case, Plaintiff, Glorianna Casados, claims she slipped on the sidewalk on Hamilton Avenue east of Brookhurst Street.
4. Pursuant to Government Code Section 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 City's General Plan in approving the Senior Center.
5. Pursuant to Government Code § 54956.9(d)(1), the City Council recessed into Closed Session to confer with the City Attorney regarding *Pacific Mobile Home Park, LLC v. City of Huntington Beach*, Orange County Superior Court Case No. 30-2011-00497684, Court of Appeal Case No. G047060, challenging the City's denial of Tentative Tract Map No. 17397 and CDP No. 10-017, to subdivide an existing for-rent mobile home park of 252 units for ownership purposes.

6:00 PM – COUNCIL CHAMBERS

RECONVENED CITY COUNCIL/PUBLIC FINANCING AUTHORITY MEETING – 6:01 PM

CLOSED SESSION REPORT BY CITY ATTORNEY – None

ROLL CALL

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

PLEDGE OF ALLEGIANCE - Led by Girl Scout Troop 2042

INVOCATION - 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

Announcement - As part of the City's Human Relations Task Force recognition of federal diversity months, Mayor Boardman recognized February as National African American History month and addressed the theme recognizing the Emancipation Proclamation and the March on Washington.

ANNOUNCEMENT OF SUPPLEMENTAL COMMUNICATIONS (Received After Agenda Distribution)

Pursuant to the Brown "Open Meetings" Act, Assistant City Clerk Robin Estanislau announced supplemental communications that were received by the City Clerk's Office following distribution of the Council agenda packet:

Notice of Absence received from Joan L. Flynn, City Clerk requesting permission to be absent from the City Council meeting pursuant to Resolution No. 2001-54.

For Consent Item No. 9, a communication received from Janice M. Bellucci, President of California Reform Sex Offender Laws, dated February 1, 2013 regarding the adoption of Ordinance No. 3969.

For Public Hearing Item No. 10, a PowerPoint communication received from Scott Hess, Director of Planning and Building, dated February 4, 2013 entitled Circulation Element Update.

For Councilmember Items No. 12, a communication received from Pedigo Company dated February 4, 2013 regarding Revision to the City's Development Impact Fees.

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 Boardman opened the Public Comments portion of the meeting. She noted that if anyone wanted to address Council on non-agenda items, it may not be discussed pursuant to the Brown Act, but directed them to fill out a blue card so that staff may follow up.

Leslie Gilson and Jean Nagy, Huntington Beach Tree Society, presented Mayor Boardman with a Certificate of Appreciation for the City's efforts for Gibbs Park and invited the public to attend a re-dedication event on Tuesday, February 12, 2013 at 11:00 AM. They thanked the City for its generosity and the people who donated to the project. (00:08:22)

Carole Monheim, President of Assistance League of Huntington Beach, presented information regarding the organization including its history and efforts in helping the community. She addressed its mission and philanthropic programs, scholarships and grants and others that positively impact the lives of the needy in the community. She reported on the organization's thrift shop and fundraising events. (00:10:54)

Jennifer Shepard, Assistant Superintendent of Educational Services for the Huntington Beach City School District, commented positively on the services and impacts of the Assistance League of Huntington Beach. She noted the importance of recognizing the programs offered by the Assistance League of Huntington Beach and help offered to students, and expressed her appreciation for their services. (00:13:48)

Ron Lowenberg commented positively on the great work done by the Assistance League of Huntington Beach. He spoke on behalf of Golden West College and highlighted programs in which the Assistance League participates to help students including scholarships and grants for veterans and nursing students. He expressed his appreciation to the League and Council for their years of support. (00:16:20)

Michael Barton reported appearing before Council previously and commented positively on the quick responses he received from the City and the Huntington Beach Police Department regarding his issue. He referenced a recent letter to the editor of the "Orange County Register" regarding traffic and expressed concerns with the number and timing of traffic signals in Orange County. (00:19:22)

Mayor Boardman directed Mr. Barton to fill out a blue card and stated that staff will follow up with him regarding the matter.

Jerry Wheeler, President and CEO of the Huntington Beach Chamber of Commerce, commented on the City's plans to increase developer fees over the next three years, already in progress. He addressed the review process previously approved and felt that the newly-proposed sudden change will send a negative message that Huntington Beach does not support businesses. He expressed opposition to the proposed changes and addressed subsequent possible losses for the City. He wondered about the credibility of the existing agreement and upcoming projects. He stated his opinion that the right thing to do is to dismiss the matter and let the marketplace do its job. (00:22:59)

Janice Bellucci, President of the California Reform Sex Offender Laws, spoke in opposition to Ordinance No. 3969 and asked Council to delay further consideration of the ordinance and consider repealing it entirely. She stated that the existing ordinance violates the State and Federal Constitutions, referenced her supplemental communication and urged Council to follow the actions of the City of Lake Forrest in this regard. Ms. Bellucci stated her opinion that the ordinance violates the Constitution and is not necessary since there are existing State laws that ensure public safety. She addressed myths related to sexual abuse and hoped that Council will consider her recommendations. (00:25:38)

Kathleen Garner, California Reform Sex Offender Laws, referenced an article from the "Christian Science Monitor", dated November, 2012, noting there is a 62% drop in child abuse cases in the United States between 1992 and 2010 and that cases of child abuse are usually perpetuated by family members and other caregivers. She spoke in opposition to Ordinance No. 3969, referenced Megan's Law, reiterating that the vast amount of child sexual abuse cases are perpetuated by someone that the child already knows. She stated that she has never heard of the related instances in the City's parks and beaches and wondered regarding the need for such an ordinance. (00:28:14)

Frank Lindsay, Board Member of California Reform Sex Offenders Laws, asked that Council repeal proposed Ordinance No. 3969 noting that the State has many tools and laws that identify those who would be potential problems. He expressed concerns with the definition of parks (which includes beaches and piers), and asked that Council reconsider approving an ordinance he considers non-compassionate. (00:31:21)

Greg Goran, representing the Surfrider Foundation, spoke in support of the single-use plastic bag ordinance (Item 13). He noted working in the community to obtain its opinion on the matter and indicated finding overwhelming support. He urged Council to approve the ordinance. (00:33:41)

Robert Curtis presented personal testimony regarding his past, noted his community involvement and his service to the Country and spoke in opposition to proposed Ordinance No. 3969. (00:35:33)

Linda Cordero asked Council to seriously consider not adopting Ordinance No. 3969. She presented personal testimony noting that she was the victim of sexual violence and that the perpetrator is not on any registry and that she would not feel safer if he were. She addressed the need for compassion and felt that laws like the proposed are not right, do not make people safer and draw attention away from people that need to be watched. (00:38:53)

Tom Gibbs, Land-Use Attorney for Pedigo Products and Archstone, spoke in opposition to Item No. 12. He reported that Pedigo owns the property on Gothard and Edinger and is in contract to sell the property to Archstone. He commented positively on a development planned by Archstone, noting that it will bring jobs to the community as well as benefits to residents and revenues to the City. He stated Archstone's plan does not fit within the grandfathering clause of the ordinance and provided a brief status update on the project. He addressed expenses and time already exerted by the developer and hoped that the project will not be affected by the proposed changes in development impact fees. He felt that support of the action would set a negative precedence for the City. (00:41:44)

Dianne Thompson, local business owner, spoke in opposition to Item No. 12. She addressed the process in developing the existing agreement and felt that it should be maintained. She felt that Council's pending action to approve the request may not be considered as "business-friendly" going forward, and may result in decreasing the City's credibility. (00:45:03)

Dr. Nancy Irwin, treatment professional of sex offenders and survivor of child sexual abuse, spoke in opposition to proposed Ordinance No. 3969. She felt that the ordinance would not serve to prevent future victims and stated that none of her clients chose to have an attraction to children and that it is only through understanding and compassion that they ask for help. She addressed the cycle of abuse and the importance of allowing them to integrate with society. She felt that the best way to help victims is to help the perpetrators and urged Council to repeal the ordinance and encouraged use of funds for stronger education instead of law enforcement. (00:47:05)

Connor Chilcott, student at Golden West College and a member of the Surfrider Foundation, spoke in support of Item No. 13 and noted environmental issues connected with the use of plastic bags. He presented statistics regarding the use of plastic bags noting that they are made from non-renewable fossil fuels and that it is cheaper to produce new plastic bags than it is to recycle old bags. He listed the dangers of plastic bags to marine life and other animals and noted his opinion that they are the leading cause in flooding and clogging sewer drains that can lead to catastrophic floods. (00:49:38)

Deborah Orrill, teacher at Golden West College and Member of the Huntington Beach Environmental Board, listed her experience on issues related to recycling and materials management. She thanked Council for addressing this issue and noted that there are currently over fifty cities and counties throughout California that have banned the use of plastic bags. She suggested that Council not consider the matter as being against something, but rather advocating for a preferred choice and a limited amount of waste in the oceans and waterways. She reported that costs to cities for storm water clean-up are particularly important. Ms. Orrill noted that she has a large amount of research at Council's disposal, and urged Council to act in support of the ordinance. (00:52:23)

Shawn Thompson praised former City employee Dave Simcox and his dedication to the City's Junior Lifeguard Program. She commented positively on his character and his experience and asked that Council look for ways to have him continue his involvement. (00:57:03)

Sarah Sheehy, California Grocers Association, spoke in support of Item No. 13 and listed surrounding cities that have established ordinances banning the use of plastic bags. She expressed her appreciation to the City for its efforts in support of the environment, citizens and local business and urged Council to move forward in approving the ordinance. (00:59:34)

Councilmember Shaw reported receiving many emails regarding Mr. Simcox, and noted that the City's Charter prohibits Council from interfering with personnel decisions at any level, other than the City Manager level.

City Manager Fred Wilson added that there is a State law that prohibits the City from hiring a retired public employee to serve in any paid capacity. He reported that staff has encouraged him to participate in the 50th Anniversary celebration next summer.

Reverend Doctor Peggy Price spoke in support of Spiritual Alliance for Religion and Hope (SARAH), a women's interfaith organization that began after 9/11. She reported that one of the organization's goals is to participate in the Compassionate Cities Project which is based upon the Charter for Compassion and noted that it has no costs to cities or taxpayers but has many advantages. She stated that the goal is to have cities sign the Charter for Compassion and listed cities that have already participated. Reverend Price noted that it allows the City to promote the idea of compassion and creates compassionate activities. She asked that Council consider the possibility of signing the Charter. (01:02:59)

There being no others wishing to address Council, Mayor Boardman closed the Public Comments portion of the meeting.

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

Mayor Pro Tem Harper reported attending OCTA meetings.

Mayor Pro Tem Harper made the following remarks.

"Mayor, I respectfully ask that we adjourn this evening's Huntington Beach City Council in honor of our former Assemblyman Nolan Frizzelle.

Retired Assemblyman Dr. Nolan Frizzelle died Thursday, January 31, 2013 at his home in Folsom with his wife of 33 years, Ina, by his side. He was 91.

Nolan Frizzelle was born in Los Angeles on October 16, 1921, to Charles and Marie Frizzelle. Nolan graduated from Beverly Hills High School where he attended school with many who would go on to become the biggest entertainers of their time.

Nolan studied engineering and business at both UCLA and Stanford Universities but later immediately followed in his father's footsteps and obtained his O.D., opening his first practice in Newport Beach.

A proud member of the "Greatest Generation", Nolan enlisted in the U.S. Marine Corp immediately following the bombing of Pearl Harbor, was commissioned as a 1st Lieutenant and served as an infantry instructor until the war's end.

His involvement in politics began in Orange County after he moved his young family to Balboa Island where he served his community through his active involvement in both the local Chamber of Commerce and eventual Presidency of the Rotary Club.

His leadership role in the Presidential campaign of Barry Goldwater led to his 1964 election as President of the California Republican Assembly. Later, during a quiet dinner at the famous Trader Vic's restaurant, Frizzelle convinced Ronald Reagan to run for Governor of California and the two shared a life-long

friendship.

As a candidate for President in 1980, Reagan supported his old friend by appearing at a rally for Frizzelle's Assembly campaign – the only such appearance he made for any candidate during his run for the presidency. Dr. Nolan Frizzelle won a seat in the California State Assembly by defeating a three-term incumbent Democrat, Assemblyman Dennis Mangers.

During a summer between my years at Huntington Beach High School, I interned at the Office of Assemblyman Nolan Frizzelle, who represented half of Huntington Beach in what was then the 69th Assembly District. That experience meant very much to me. Assemblyman Nolan Frizzelle was always kind and thoughtful when he came into the District Office. Assemblyman Nolan Frizzelle's commitment to conservative principles was an inspiration to me at a young age. For that, I will always be thankful.

Assemblyman Frizzelle represented his Orange County Assembly District from 1980 to 1992 and came to be known for his quiet leadership, stubborn individualism, his oratorical talents, and his wry sense of humor. He will be remembered as a man of principle, honesty and integrity by all who know him.

Outspoken, proudly old-fashioned, and deeply committed to his family, he met each day with optimism and a strong faith in God and his country.

He is survived by his wife, Ina, his children Roger and Diana Frizzelle, David Frizzelle, Diane and Reg Denny, Bob and Dale Frizzelle, Sabina Pellissier, Tim Evans, his grandchildren Jenny and Andy Stepaniuk, Joe and Melissa Frizzelle, Robbie and Stacy Frizzelle, Pat and Deanna Frizzelle, Christopher Frizzelle, Mike Frizzelle, Alicia Denny, Steven Frizzelle, Johanna Pellissier, Karin Britta Frizzelle, and great-grandchildren Nicholas and Adam Stepaniuk, Savannah, Will and Joshua Frizzelle.

In lieu of flowers, the family requests remembrance donations be made to The Bridge Community Church, 511 Sibley Road, Folsom, CA, 95630.

If there are any members of the Frizzelle family present, would you please stand?

Thank you, Mayor, for allowing me to recognize a former Huntington Beach resident who has been profoundly influential in my life and acknowledge his years of representation of Huntington Beach."

Councilmember Hardy announced her appointment of Kim Carr to the Public Works Commission, and thanked both she and Planning Commission appointee Dan Kalmick for their willingness to serve.

Councilmember Carchio provided positive comments about attending the Orange County Business Council Annual Dinner.

Councilmember Sullivan provided positive comments about attending a Huntington Beach Firefighters' Award event.

Councilmember Shaw announced attending his first meeting of the Orange County Sanitation District.

CITY MANAGER'S REPORT

City Manager Fred Wilson reported on the success of the Surf City Marathon held on February 3, 2013. He expressed his appreciation to Mayor Boardman for serving as the official starter.

Mayor Boardman announced her plans to walk the Half Marathon at next year's event.

CITY TREASURER'S REPORT

1. The City Treasurer presented the December 2012 Quarterly Investment Summary Report

City Treasurer Alisa Cutchen presented the December 2012 Quarterly Investment Summary Report. She addressed a summary of the City's portfolio as of December 31, 2012, including the market value of each investment. She noted an additional balance in the City's Bank Operating account of approximately \$40 million which is larger than typically reported because of maturing investments, called investments and property taxes. Investments of those funds will be made in the near future. Ms. Cutchen reported on Investments by Type noting that the majority of investments are in Federal Agencies. She addressed the California State Government Code regarding allowable investments for cities, the main types of allowable investments and presented examples of specific investments within the City's portfolio. In addition, she presented information on portfolio earnings and performance, two-year U.S. Treasury rates for the last five years and noted that the City's portfolio continues to meet its objectives.

A motion was made by Councilmember Carchio, second by Councilmember Hardy to receive and file the Quarterly Investment Report for December 2012, pursuant to Section 17.0 of the Investment Policy of the City of Huntington Beach.

The motion carried with the following vote:

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

CONSENT CALENDAR

Councilmembers Carchio and Sullivan requested removal of Item No. 7 from the Consent Calendar for separate discussion and consideration.

Councilmember Hardy asked to be recorded as Abstaining on Item No. 2, and as No on Item No. 9.

Councilmember Sullivan asked that he and Councilmember Katapodis be recorded as Abstaining on Item No. 2.

2. Approved and adopted minutes

A motion was made by Councilmember Carchio, second by Councilmember Katapodis to approve and adopt the minutes of the City Council/Public Financing Authority Regular Meeting of November 19, 2012, as written and on file in the office of the City Clerk.

The motion carried with the following vote:

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

3. Approved and authorized execution of contract extension Amendments to Professional Services Contracts with Engineering Resources of Southern California, and A&E Consultants Group to continue to provide as-needed general development engineering services

A motion was made by Councilmember Carchio, second by Councilmember Katapodis to approve and authorize the Mayor and City Clerk to execute "Amendment No. 1 to Agreement Between The City of Huntington Beach and Engineering Resources of Southern California, Inc." to extend the existing professional service contract for 2 additional years, and to decrease original contract amount by \$150,000, from \$750,000 to \$600,000; and, approve and authorize the Mayor and City Clerk to execute "Amendment No. 1 to Agreement Between The City of Huntington Beach and A&E Consultants Group, Inc." to extend the existing professional service contract for 2 additional years, and to decrease original contract amount by \$150,000, from \$750,000 to \$600,000.

The motion carried with the following vote:

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

4. Accepted Office of Criminal Justice Planning (OCJP) Grant for 2013 Violence Against Women Program; and, approved appropriation and expenditure of funds

A motion was made by Councilmember Carchio, second by Councilmember Katapodis to accept the grant between the State of California, Office of Criminal Justice Planning, California Emergency Management Agency (Cal EMA) and the City of Huntington Beach; and, approve the appropriation and expenditure of \$276,161 of which \$207,121 is to be fully reimbursed by the grant from the California Emergency Management Agency. The remaining \$69,040 will be funded from appropriations in the Police Department's budget.

The motion carried with the following vote:

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

5. Approved additional appropriation for as-needed General Environmental Engineering Services

A motion was made by Councilmember Carchio, second by Councilmember Katapodis to approve appropriation of \$85,000 to the Fire Prevention business unit (10065201.69365) for environmental engineering services.

The motion carried with the following vote:

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

6. Re-structuring street lighting services – Approved \$10,000 appropriation; and, approved and authorized execution of a binding Letter of Intent with Siemens Mobility and Logistics Division

A motion was made by Councilmember Carchio, second by Councilmember Katapodis to approve the appropriation of \$10,000 from the unappropriated balance in Business Unit 80787009 for payment to Southern California Edison for an initial study of a representative sample of 100 street lights establishing a maximum potential purchase price; and, approve the attached binding Letter of Intent between the City of Huntington Beach and Siemens Mobility and Logistics Division and authorize the Mayor and City Clerk to execute the binding Letter of Intent as approved as to form by the City Attorney; and, authorize city staff to participate in discussions with parties to support amendments to bills (AB 29, AB 39 and SB 39) that ensure that LED street light upgrades remain eligible for funding under Proposition 39 implementation bills and apply for funding as it becomes available; and, authorize the City Manager to sign any subsequent agreements, approved as to form by the City Attorney, necessary to finalize the investment grade assessment for future Council consideration.

The motion carried with the following vote:

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

7. Adopted Resolution No. 2013-04 authorizing the sale of water outside the City limits to the Bolsa Chica Land Trust (BCLT); and, approved waiver of encroachment permit fee

Councilmembers Carchio and Sullivan requested removal of this item from the Consent Calendar for

separate discussion and consideration.

In response to Councilmember Carchio's inquiry, it was noted that no reclaimed water will be used and that the City does not have reclaimed water available. Councilmember Carchio wondered about the size of the pipe to be used and staff reported that it has not yet been determined but that either a 2-inch or 4-inch pipe would suffice. A determination will be made depending on the amount of water to be retreated toward vegetation. Staff reported that previous grants of fee waivers were provided to the U.S. Department of Fish and Game and the Bolsa Chica Conservancy.

In reply to Councilmember Sullivan's inquiry, staff reported that the U.S. Department of Fish and Game will be paying for the water and meter fees. He wondered whether the Bolsa Chica Land Trust will pay for the water.

Mayor Boardman reported that the Bolsa Chica Land Trust has a memorandum of understanding (MOU) with the State to do the restoration and it was confirmed that it is within the Land Trust's budget to pay for the water.

Mayor Pro Tem Harper noted that water is being provided to unincorporated areas outside the City limits and wondered if this could be a movement towards the eventual annexation of the City of Bolsa Chica.

Mayor Boardman reported there is nothing about annexation related to this item.

Councilmember Carchio noted that without providing the water, the vegetation will not grow and that most people believe that the area is within City limits.

City Attorney Jennifer McGrath reported that since annexation is not part of the agenda, it would not be appropriate to hold such a discussion. She added that the staff could be directed to address the issue on a future agenda.

A motion was made by Councilmember Carchio, second by Mayor Boardman to adopt Resolution No. 2013-04, "A Resolution of the City Council of the City of Huntington Beach Providing for the Sale of Water Outside the City Limits to the Bolsa Chica Land Trust;" and, approve waiver of encroachment permit fee.

The motion carried with the following vote:

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

8. Adopted Ordinance No. 3968 amending Huntington Beach Municipal Code Chapter 10.44 relating to Parking Time Limits and approved for introduction January 22, 2013 - (Vote: 5-0-2, Hardy-Absent, Shaw-Out of Room)

A motion was made by Councilmember Carchio, second by Councilmember Katapodis to adopt Ordinance No. 3968, "An Ordinance of the City of Huntington Beach Amending Sections 10.44.010, 10.44.020, 10.44.030, and 10.44.040 of Chapter 10.44 of the Huntington Beach Municipal Code Relating to Parking Time Limits."

The motion carried with the following vote:

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

9. Adopted Ordinance No. 3969 amending Chapter 9.22 of the Huntington Beach Municipal Code relating to Sex Offender prohibition in parks and approved for introduction January 22, 2013 - (Vote: 5-1-1, Sullivan-No, Hardy-Absent)

A motion was made by Councilmember Carchio, second by Councilmember Katapodis to adopt Ordinance No. 3969, "An Ordinance of the City of Huntington Beach Amending Chapter 9.22 of the Huntington Beach Municipal Code Relating to Sex Offender Prohibition" in parks.

The motion carried with the following vote:

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

PUBLIC HEARING

10. Approved General Plan Amendment No. 11-001 (Circulation Element Update) by adopting Resolution No. 2013-07

Senior Planner Ricky Ramos presented details of the report addressing background and noting that the Circulation Element is one of the required elements within the City's General Plan. He addressed the purpose of the element, updates and reported that the update was reviewed by an Ad Hoc Committee comprised of members from Council, the Planning Commission and the Public Works Commission. He addressed the General Plan hierarchy and details of the Circulation Element Update. He noted key changes including recommending a revised level-of-service standard, roadway classification changes, changes to the Master Plan of Arterial Highways and the use of Technical Administrative Reports and addressed new legislative requirements.

Transportation Manager Bob Stachelski highlighted significant changes proposed in the Circulation Element including a revision in the level-of-service standards, identification of intersections needing long-term improvements to meet the new standards, designation of the street system and classification of streets including the Banning extension to the Santa Ana River. He noted available alternatives and their related implications as well as the process for changes to the Master Plan of Arterial Highways including future Banning deletion consistent with OCTA action. He presented the benefits of the implementation of Technical Administrative Reports including allowing ongoing updates to the Circulation Element to stay current and presented examples of the reports recommended. He noted that additional reports could be added to address specific issues of interest.

Mr. Stachelski reported that one of the recommendations is the implementation of a Bicycle Master Plan for the City. He reported that the process has been started, that staff is currently reviewing the first draft of the report.

Mr. Ramos detailed the public participation process so far, including previous Planning Commission and City Council hearings, and presented the recommendations of the Commission and staff.

Councilmember Carchio stated that the residents of the City have spoken "loud and clear" regarding the Banning Bridge and felt that the City needs to move forward to remove it from the Master Plan of Arterial Highways and the Circulation Element.

Mayor Pro Tem Harper wondered regarding the steps needed in order to remove the Banning Bridge from the map.

Mr. Stachelski noted the need to ensure that an appropriate environmental analysis has been completed and addressed communications with adjacent cities regarding the matter. He reported that the City of Costa Mesa has concurred with Huntington Beach regarding the need for an environmental analysis and that the City of Newport Beach has expressed general concurrence but no formal action has been taken. He added that at this point, concurrence from the OCTA is not needed since they have already taken the action to remove it.

Brief discussion followed regarding the possibility of political outreach to the City of Newport Beach to reach formal concurrence.

Mayor Boardman requested clarification regarding the specific sections of the bridge pertaining to the City and Mr. Stachelski reported that it would be the extension of Banning to the Santa Ana River, which is a short segment. He added that the bridge itself is not in the City, but that the City's action would preclude any bridge from being built in the future.

Interested parties were invited to address Council. There was no response and Mayor Boardman closed the Public Hearing.

Discussion followed regarding deletion of the bridge within the Circulation Element.

Mayor Boardman addressed deletion of the Hamilton extension across the wetlands from Newland to Beach as well as deletion of a road that would've gone from Slater and Graham into the Bolsa Chica wetlands.

Mr. Stachelski clarified that Council's action at this time would not delete the aforementioned segments but would initiate staff's process to pursue deletion of those with the OCTA.

Mayor Pro Tem Harper indicated that he will carry those issues to OCTA and continue working towards the modifications as presented.

A motion was made by Councilmember Hardy, second by Councilmember Shaw to approve General Plan Amendment No. 11-001 by adopting Resolution No. 2013-07, "A Resolution of the City Council of the City of Huntington Beach Approving General Plan Amendment No. 11-001 (Circulation Element Update)" as amended directing staff to modify the final version of the Circulation Element to reflect deletion of the extension of Banning Avenue from Brookhurst Street to the Santa Ana River.

The motion carried with the following vote:

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

ADMINISTRATIVE ITEMS

11. Adopted Resolution No. 2013-05 approving and adopting the 2012 Water Master Plan and Financial Plan; approved for introduction Ordinance No. 3970 amending Municipal Code 14.12.010 to replace the 2005 Water Master Plan; and, adopted Resolution No. 2013-06 identifying specific water projects on which monies can be expended.

Principal Civil Engineer Duncan Lee presented the report addressing background and a general overview of the Water Master Plan, funding sources, elements of the plan, purpose of the Water Master Plan and the Financial Plan, City characteristics and projected growth, water demand trend through the last fifteen years, successful water conservation efforts by the City and its residents and maximum day demand. Mr. Lee presented details of the City's supply capacity, reservoir capacity, emergency storage capacity, projects completed since 2005 and next steps. He addressed remaining related Capital Improvement Projects and details of the Financial Plan.

He reported on beginning balances and revenues, project fund balance with and without the Southeast Reservoir expense and related shortfalls and surpluses.

A motion was made by Mayor Pro Tem Harper, second by Councilmember Carchio to adopt Resolution No. 2013-05, "A Resolution of the City Council of the City of Huntington Beach Approving and Adopting that Certain Report Entitled "2012 Water Master Plan and Financial Plan Update, City of Huntington

Beach;" and, approve for introduction Ordinance No. 3970, "An Ordinance of the City of Huntington Beach Amending Chapter 14.12 of the Huntington Beach Municipal Code Pertaining to Water Fees," to replace the 2005 Water Master Plan; and, adopt Resolution No. 2013-06, "A Resolution of the City Council of the City of Huntington Beach Identifying the Specific Water Projects from the Approved Water Master Plan on which Capital Facilities Charge Monies and Capital Surcharge Monies Can Be Expended."

In response to Councilmember Sullivan's inquiry, Mr. Lee reported that the Capital surcharge sunsetted in December, 2007 but the sunset did not remove the surcharge because it had to pay for maintenance and explained the changes that occurred noting that the fund no longer goes into the Water Master Plan but directly into maintenance.

In reply to Mayor Boardman regarding a potential future need to draw increasing amounts of water from the ground water basin, Mr. Lee reported that staff does not currently know how much water will be needed but addressed plans for increased conservation efforts if needed. He stated that the numbers will change according to circumstances. He continued responding to Mayor Boardman's inquiry regarding modeling efforts to determine the needs should a major earthquake occur. Mr. Lee reported there is no precise study but that the City has an emergency response plan in place working closely with other agencies.

Discussion followed regarding considering the feasibility of better protecting the City's infrastructure from the damage of seismic activity. Mr. Lee explained the existing network of water lines and the City's ability to isolate any in the event of a rupture and has put in place local redundancies for added protection. He added there is a new pipe going in with the Southeast reservoir and that staff will consider providing added protection to the pipe.

The motion carried with the following vote:

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

COUNCILMEMBER ITEMS

12. Submitted by Mayor Boardman - Revision to the City's Development Impact Fees
Continued from January 22, 2013 meeting

Mayor Boardman provided a brief history of the item including a study session where a study was reviewed to mitigate the impacts of the fee increases to the community. She noted the results of the study indicating that there could be additional fees imposed to mitigate the impacts to Police and Fire services. She addressed staff's original recommendations to phase in the fees over three years charging 70%, 80% and 90% over a period of three years as well as what was approved by Council which was a 30% increase over each year over a period of three years. She indicated that she supported the recommendation since she believed that was the best deal that could be obtained for the City's residents.

Mayor Boardman presented the overall impacts to revenue with the current policy versus if staff recommendation had been approved, noting that it results in a loss in revenue of \$5 million. She noted that impacts fees are fees to help mitigate the impacts that developments have in the community and that by not charging the appropriate fees, the residents must pay. She addressed park revenue from fees from 2012 to 2014 noting that the current policy represents a loss of over \$4 million to park impact funds.

Councilmember Carchio expressed his appreciation to the Mayor for bringing forth the item and felt that when the agreement was first reached, Council was being fair and honest. He stated that developers made their commitments on the basis of the approved policy and that the developers are giving the City what it needs. He referenced Measure Z relative to no new taxes and opined that the proposed fee is a tax. He encouraged Council to be honest with developers and encourage them to continue to develop

within the City. He stated that if the City allows them to move forward, they will produce more than \$5 million in value for the City.

Mayor Pro Tem Harper noted his opinion that the business community is watching the City of Huntington Beach and wondering if the City is still "open for business". He felt that there are many key issues of concern to the business community and stated that uncertainty causes capital to not take action. He noted the current weak economy and felt that this proposal will have the effect of stopping development resulting in decreased revenue to the City.

Councilmember Hardy wondered regarding the present term and staff reported that the 60% will take effect in September of 2013 and 90% in September of 2014. She inquired regarding triggers for grandfathering projects. Staff reported that one of the components to the resolution was the grandfathering of projects that, as of June of 2012, had already received their zoning entitlement and would have to submit for building permits by February 18, 2013 with six additional months to pay for the building permits. Changes would be subject to new fees.

In response to Councilmember Hardy's inquiry, Mayor Boardman reported that her proposal is to implement 100% immediately but indicated that she supports staff's original recommendations and was willing to consider Council discussion.

Councilmember Hardy wondered regarding the City's fee structure compared to nearby surrounding cities. Staff reported that it is difficult to compare development impact fees because they are unique and based on individual studies for the particular community. It was noted that development impact fees look at the build out of the General Plan and what public facilities demands will be in twenty years.

Councilmember Hardy commented on the need for \$5 million in park development funds but acknowledged a fairness issue and stated that she is not ready to approve the 100% increase but that she will support staff's original recommendation. She referenced the deadlines and felt that they pose an issue of fairness.

Councilmember Sullivan reported reviewing the study and felt that the current policy is fair as it stands.

Mayor Boardman clarified the projects that would not be affected and noted that she is aware of only one project that would be affected by the change, which would be the Archstone project. At the time of consideration, they testified that if the fees were raised, they would not be able to build. However, they renegotiated the deal and were able to move forward with the project. She reported the number of units built in the last two years and noted that their impact has not yet been felt. She added that residential housing does not pay for itself and that money generated in property taxes does not pay for Police and Fire services required by those residents and that impact fees help to mitigate that.

Councilmember Carchio reported receiving a call regarding the Red Oak project, noting that they may not be able to submit their paperwork in time to be grandfathered into the policy. He commented on the \$5 million initial loss in fees and felt that it would be mitigated over the years. He felt that new development will increase the amount available for parks, and stressed the need to continue to build and be fair with all developers in the City. He stated that he knows of several developers looking to build in the City and felt that the proposed increase may turn them away. Councilmember Carchio noted that the 90% will eventually be reached and that the matter could be revisited at that time, if it is found to be insufficient.

Mayor Pro Tem Harper expressed concerns about the City not being perceived as "business-friendly," creating uncertainty and causing developers to move on to other areas. He noted that when residential properties are developed, revenues are not just from housing or property taxes but that residents contribute to the sales tax base of the City.

Councilmember Hardy wondered regarding the effect of fees on whether a complex will be condominiums or apartments. Staff reported that the fees don't play into the issue at this point but rather the

determination is based on what the market can absorb.

Discussion followed regarding the fees related to rental versus ownership units, previous studies, determinations to make the fees equitable and upcoming projects that may be affected.

Mayor Boardman referenced staff's original recommendation and felt that was a compromise from the very start.

Councilmember Shaw commented on possible Huntington Beach rental rates for new and older units. He compared these with other cities in the area noting that they would not be equal. He felt that is why people want to build in Huntington Beach, because of the ability to charge higher rental rates. He voiced concerns about fairness and expressed a willingness to consider a compromise on the matter.

A motion was made by Mayor Boardman to direct staff to bring forth Resolution No. 2012-23 moving Development Impact Fees to 70%, 80% and 90% over three years. The motion failed for lack of a second.

Councilmember Carchio addressed the reason why developers went from ownership units to apartment units, noting that they cannot get funding. He stressed the need to be fair with developers.

A motion was made by Councilmember Hardy, second by Mayor Boardman to direct staff to leave the fees at 30% for the duration of the year and subsequently increase to 80% of the recommended 100% in year 2 and 90% of the recommended 100% in year 3.

Discussion followed regarding clarification of the fees originally recommended by staff and what was approved by Council and examples of fees at the various scenarios.

Councilmember Hardy changed her motion to direct staff to leave the fees at 30% until September, 2013 and increase to 60% of the recommended 100% fee in year 2 and 90% of the recommended 100% fee in year 3. Mayor Boardman, the second to the original motion did not agree to the change, so the original motion stood.

Councilmember Katapodis noted most existing development projects are already at the 60% fee level. He stated that he wouldn't want any projects being currently considered to be affected by the proposed change. He clarified that by "considered" he means projects that have already been approved by Council and are moving forward. He felt that the Archway project should be at the 60% level.

Councilmember Carchio commented that the Archstone project would then fall into the 80% level and felt that this would discourage development in the City.

Councilmember Hardy noted the importance of being able to maintain existing parks and increasing park space.

Councilmember Katapodis indicated he would not support going to 80% in year 2.

Councilmember Hardy changed her motion to direct staff to leave the fees at 30% until September, 2013 and increase to 60% in year 2 and 90% of the recommended 100% fee in year 3.

Councilmember Hardy retracted the proposed change above so that the original motion stood as follows:

A motion was made by Councilmember Hardy, second by Mayor Boardman to direct staff to leave the fees at 30% for the duration of the year and subsequently increase to 80% of the recommended 100% in year 2 and 90% of the recommended 100% in year 3.

Councilmember Katapodis stated that he would prefer keeping the current structure but increase to 90%

on January 1, 2014.

Councilmember Hardy agreed to change her motion to direct staff to leave the fees at 30% until September, 2013, increase to 60% from September to December 2013 and to 90% on January 1, 2014. Mayor Boardman agreed to the change.

Discussion followed regarding clarification of changes to the timing of the fees.

The motion carried with the following vote:

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

Staff noted that the item will be brought before Council at its March 18, 2013 meeting.

13. Continued from January 22, 2013 meeting, Mayor Boardman and Councilmember Shaw item regarding the Single-Use Carryout Bag Reduction Ordinance and Environmental Impact Report No. 2011-002, requesting continuance for City Council consideration to the March 18, 2013 meeting.

Councilmember Shaw reported the need for an EIR on this item and that it was partially funded by the Surfrider Foundation. He noted that the EIR is in place and reported on the results of a recent study regarding the negative environmental effects caused by plastic bags. He felt that even if the ordinance causes a small positive effect, it would be worth it and commented on the success of the ordinance in other cities and noted that the Grocer's Association supports the ordinance. He stated his opinion that the ordinance will be good for the environment as well as good for businesses.

Mayor Boardman noted that the agenda item relates to bringing forward the EIR that has already been completed. She reported that when Council voted for an EIR, it took the unusual step of requiring private groups to pay for it, even though it was required by an action of Council. She reported that the Surfrider Foundation coordinated fundraising and helped offset the cost of the EIR. She addressed the cost of the EIR noting savings by "piggy-backing" to EIRs conducted by other cities.

A motion was made by Councilmember Shaw, second by Mayor Boardman to direct staff to schedule the Single-Use Carryout Bag Reduction Ordinance and Environmental Impact Report No. 2011-002 for consideration before the City Council at the regularly scheduled meeting on Monday, March 18, 2013.

Mayor Pro Tem Harper wondered regarding the cost of the EIR and staff reported that it was approximately \$29,900. He noted that Surfrider came up with \$4,500 to offset the cost of the EIR. Mayor Pro Tem Harper felt that Surfrider is not honoring its commitment and addressed various cost-cutting actions by the City and stated that he doesn't believe that the amount is negligible. He expressed concern with the policy, but specifically about the agenda item, opining that the City is giving out a handout and that it is totally inappropriate. He felt the issue is about freedom versus government intrusion and spoke in opposition to the item.

Mayor Boardman reported that during previous Council discussion regarding the matter, Councilmembers indicated that private groups should have to pay for the EIR. A member of the Surfrider organization stated that they would, but he had no authorization from Surfrider to enter into an agreement. Surfrider never committed to paying for the EIR but did agree to help coordinate private fund-raising to help pay for the EIR and they have done so. She stressed that this is not a "hand-out" to Surfrider because Surfrider never agreed to pay for the EIR.

Councilmember Sullivan stated that he is opposed to the matter for "health" reasons adding that reusable bags are a breeding ground for e-coli and other harmful bacteria. He referenced results of a recent study in support of his statement as well as related cases in the City of San Francisco.

Councilmember Shaw reported that the study referenced by Councilmember Sullivan was funded by the American Chemistry Council who represents most of the manufacturers of plastic bags.

Mayor Pro Tem Harper wondered regarding the funding source for the EIR.

City Manager Wilson reported that the money came from the Planning budget that the cost has already been incurred and the EIR completed.

The motion carried with the following vote:

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

14. Submitted by Council Members Carchio and Shaw - Video Camera System for Downtown

Councilmember Shaw noted that the recommendation was developed from Police Chief Small's study regarding actions that could be taken to make downtown safer. He reported that the matter would have a fiscal impact but he and Councilmember Carchio believes that it is worthy of discussion.

Councilmember Carchio addressed public safety issues related to the downtown area affecting both residents and businesses. The cameras would be another tool to facilitate law enforcement in the area. He reported that 350 bicycles were stolen last year from under the pier, and felt that cameras in the area may have prevented that. He stressed the need for the cameras to support downtown residents, businesses and the Police Department.

Mayor Pro Tem Harper noted that downtown is not a mall and spoke in opposition to the government placing cameras in a public area. He stated his opinion that this is not what the residents of Huntington Beach desire and felt that it will have a negative impact on visitors and businesses in the downtown area, as well as a negative impact on freedom.

Councilmember Katapodis agreed that the level of manpower at the Huntington Beach Police Department is reduced and noted that the LAPD uses cameras and that the cameras are extremely effective in fighting crime. He stated his opinion that the only people that worry about the cameras are criminals, and noted that business has flourished in the areas where cameras have been installed in Los Angeles. He expressed support for the proposal.

Mayor Boardman clarified the matter before Council and felt that the final decision regarding the location of the cameras rests with Council. She reported that she is uncomfortable with cameras that would be generally looking down Main Street but suggested placing cameras in known and specific problem areas with appropriate signage.

A motion was made by Councilmember Carchio, second by Councilmember Shaw to direct the Police and Information Services Departments to explore the feasibility and cost of installing a video camera system in Downtown Huntington Beach and prepare a report for the City Council with their findings and recommendations.

Mayor Pro Tem Harper expressed his disagreement in wanting to follow the footsteps of the City of Los Angeles, noting his opinion a significant portion of Huntington Beach residents had left areas such as Long Beach and Los Angeles because of the way the government had intruded into their lives.

Councilmember Carchio reported that the intent is to pinpoint problem areas and addressed the benefits of installing cameras to fight/deter crime. It was noted that the Police Department often uses private internal surveillance videos for their investigations. Councilmember Carchio discussed how cameras can act in place of a Police Officer to deter criminal activity in the area.

Councilmember Katapodis indicated that he loves living in Huntington Beach and pointed out that the use of cameras in the City of Los Angeles works to deter crime. He agreed that they need to be placed in strategic locations.

Mayor Pro Tem Harper wondered if Council would agree to remove the cameras once the Huntington Beach Police Department is fully staffed.

Ensuing discussion pertained to following the Chief's recommendations going forward.

Councilmember Shaw stated that he has enough faith in the Police Chief to know that he will have a clearly-articulated reason and purpose for the cameras to be in place and that this is a much-needed tool at this time.

Police Chief Small referenced Councilmember Carchio's comments regarding the number of bicycles stolen, noting that is the same number of people who will not be returning to Huntington Beach. He agreed that video surveillance will deter criminal activity and will allow the Police to quickly identify criminals in order to quickly process them through the justice system.

The motion carried with the following vote:

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

15. Submitted by Councilmember Carchio - Proposal to establish a Sustainable Innovation Team for Huntington Beach

Councilmember Carchio noted that he voted against the plastic bag ordinance because he felt that it was not taken far enough. He stated the need to make clear decisions regarding how the City approaches the issue of sustainability. He provided a PowerPoint presentation addressing the goal of zero-waste and noted that life depends on a clean ocean. He listed suggestions as to how the plastic-bag challenge can be addressed collectively, within the community, details of a proposed sustainability innovation team and the task at hand.

He addressed innovation and collaboration, Seattle Mariners and BASF sample innovations, compostable innovations available and consideration of future possibilities including zero-waste. He presented recommendations and suggested bringing all stakeholders together under the Environmental Board including himself, Mayor Boardman, school representatives, non-profits, Marketing and Visitors Bureau, sustainability experts, and sustainable businesses that would work collaboratively with the Environmental Board, the Chamber of Commerce's Sustainable Surf City program and Golden West College's Recycling and Resource Management program and report back to Council on the resources necessary to develop and implement a plan to become a zero-waste City. He stressed the importance of protecting the planet for future generations.

Mayor Pro Tem Harper felt that the City does not need to compete with the State legislation. He stated that he cannot support the item.

Councilmember Shaw felt that Councilmember Carchio is on the right track and stated that the existing Environmental Board is available to implement the vision, also offering to help in any way he can.

Mayor Boardman reported that she is one of the current liaisons to the Environmental Board and commented on the qualifications and expertise of Deborah Orrill in this area. She reported that at the meetings she has attended, there have also been representatives from Sustainable Surf City and felt that many of the appropriate players are already in place on the Environmental Board. She announced an upcoming meeting of the Board and felt that Councilmember Carchio's presentation would be perfect to

present to them. She stated that she would be happy to be part of a Sub-Committee of the Environmental Board that would focus on this issue.

In response to Councilmember Hardy's inquiry, City Manager Wilson reported the previous existence of a Green Committee but noted that it was merged into the Environmental Board. Councilmember Hardy stated that she likes the idea but expressed concerns that the group may not be able to handle the tasks.

Councilmember Carchio clarified and reiterated the recommended action.

Mayor Boardman stated that what is being suggested is to ask the Environmental Board to examine the feasibility of working towards a zero-waste community.

Mayor Pro Tem Harper noted that an Ad Hoc Committee can be created by the Mayor and felt that a presentation before Council was unnecessary. He expressed concerns with clarity and suggested that other agencies may not want to participate because of lack of resources.

Councilmember Katapodis noted there is already an Environmental Board and suggested that the Mayor take the information to them for further action.

Councilmember Carchio felt that the Board does not have all of the suggested players and Mayor Boardman reported that there are many already on the Board, although the schools may not have representation.

No action was taken on the matter.

Mayor Boardman will meet with the Environmental Board and ask them to examine working towards establishing a zero-waste community.

COUNCILMEMBER COMMENTS (Not Agendized)

Mayor Pro Tem Harper reported attending the ribbon-cutting for the new Kathy May's Lakeview Café and encouraged the public to patronize Kathy May's. Additionally, he commented positively on attending the Annual Dinner for the Orange County Business Council, as well as the Surf City USA Marathon.

Councilmember Carchio expressed his appreciation to the Community Services Department for their work in the Kinder Vision Clinic event and commented positively on the event. In addition, he commented on the recent Golf Tournament and thanked staff, volunteers and those connected with the event. He also thanked staff for their help with the Surf City Marathon as well as the Huntington Beach Police Department.

Councilmember Katapodis commented positively on the Kinder Vision event as well as the Golf Tournament.

Mayor Boardman reported attending the Huntington Beach Fire Department's award and recognition ceremony and commented positively on the event. In addition, she reported attending the Relay for Life Kickoff event at Golden West College and announced the event in May. She thanked all of the volunteers who made it possible.

Mayor Boardman announced the ongoing Farmer Markets throughout the City.

ADJOURNMENT

There being no further business to come before Council, Mayor Boardman adjourned the meeting at 10:10 PM in memory of former Assemblyman Nolan Frizzelle.

The next regularly scheduled meeting of the Huntington Beach City Council/Public Financing Authority is Tuesday, February 19, 2013, at 4:30 PM in 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,
and Secretary of the Huntington Beach
Public Finance Authority

ATTEST:



City Clerk, Clerk, Secretary



Mayor-Chair