

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

Monday, July 15, 2013
4:00 PM - Room B-8
6:00 PM - Council Chambers
Civic Center, 2000 Main St.
Huntington Beach CA 92648

**An audio recording of the 4:00 PM portion of this meeting along with
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/**

4:00 PM - ROOM B-8

CALL TO ORDER – 4:00 PM

ROLL CALL

Present: Sullivan, Harper, Boardman, Carchio (arrived at 4:03 PM), Shaw, and Katapodis
Absent: Hardy

Pursuant to Resolution No. 2001-54, Councilmember Jill Hardy requested, and was granted permission to be absent.

ANNOUNCEMENT OF SUPPLEMENTAL COMMUNICATIONS (Received After Agenda Distribution)

Study Session #1

PowerPoint presentation submitted by Scott Hess, Director of Planning and Building, dated July 15, 2013, entitled *Feasibility Study for the Annexation of the Bolsa Chica Lowlands*.

Communication submitted by Scott Hess, Director of Planning and Building, dated July 10, 2013, entitled *Bolsa Chica Lowlands Annexation, City Council Study Session July 15, 2013*.

Study Session #2

PowerPoint presentation submitted by Lori Ann Farrell, Director of Finance dated July 15, 2013, entitled *City of Huntington Beach FY 2013/14 Proposed Budget*.

Notification to the public that a copy of the proposed Fiscal Year 2013/2014 Budget is available for review in the City Clerk's Office.

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

Mark Bixby spoke in support of annexation of the Bolsa Chica Lowlands due to details disclosed in the sea level rise grant application being discussed at 6:00 PM portion of the meeting.
(00:02:01)

STUDY SESSION

1. Staff provided a summary of the updated Annexation Study for the Bolsa Chica Lowlands and vicinity.

City Manager Fred Wilson introduced Planning Manager Mary Beth Broeren, who reminded Council that the item was last discussed in March 2013. Manager Broeren introduced Alexa Smittle from RSG, who provided a PowerPoint presentation entitled *Feasibility Study for the Annexation of the Bolsa Chica Lowlands*, with titled slides: Study Purpose, Agency Overview, Associated Annual Costs, Annexation Alone, Benefits, Previously Identified Concerns, Timeline, and Summary.

Discussion ensued about the property being zoned open space, the City assuming trail maintenance costs presently covered by Orange County Flood Control District after channel repairs are made, and how annexation may reduce flood insurance costs.

Mayor Pro Tem Harper and Consultant Smittle discussed the State Lands Commission and their involvement in paying extraction taxes.

Mayor Boardman, Mayor Pro Tem Harper and Councilmembers Shaw and Katapodis voiced support for moving forward with annexation.

Councilmember Sullivan voiced opposition to the annexation at this time.

2. City Manager and City staff presented an overview of the City Manager's Proposed Fiscal Year 2013/2014 Budget

Finance Director Lori Ann Farrell and Budget Manager Carol Molina Espinosa provided a PowerPoint presentation entitled *City of Huntington Beach FY 2013/14 Proposed Budget*, with titled slides: Building Blocks to Economic Prosperity (FY 2013/14 Proposed Budget, Historical Budget Recap, Proposed Budget Overview); Recovery (General Fund Revenue, General Fund Revenue - 7 year History, Amidst this Backdrop, Challenges Still Remain); Realignment (Funding our Commitments, Public Safety, New Office of Business Development, Total Funded FTEs, General Fund Expenditures, Paying Down Unfunded Liabilities); Reinvestment (Improve the City's Infrastructure, New Senior Center, Investing in the Future); and, Fixed Cost Increases and Budget Calendar.

Councilmember Carchio and Deputy Fire Chief Eric Engberg discussed reasons to support the hiring of six new Ambulance Operators.

Mayor Boardman and staff discussed the increased number of sworn Police Officer positions before the recession, and costs associated with hiring Community Services Officers.

Councilmembers Carchio and Shaw thanked staff for their work on the budget.

Mayor Boardman and staff discussed costs associated with the "25 to 10" and "16 to 10" plans.

Councilmember Carchio and staff discussed costs associated with the Affordable Care Act.

RECESS TO CLOSED SESSION – 5:15 PM

A motion was made by Carchio, seconded by Sullivan, to recess to Closed Session on Item No. 3. The motion carried by the following vote:

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

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]: Anita J. Newman v. City of Huntington Beach, Orange County Superior Court Case No. 30-2010-00405526. In this case, a bicyclist claims she was hit by a parking control gate near the Huntington Beach Lifeguard Headquarters.

6:00 PM – COUNCIL CHAMBERS

RECONVENE CITY COUNCIL/PUBLIC FINANCING AUTHORITY MEETING - 6:00 PM

CALL TO ORDER THE REGULAR MEETING OF THE CITY COUNCIL/PUBLIC FINANCING AUTHORITY AND THE SPECIAL MEETING OF THE SUCCESSOR AGENCY TO THE FORMER REDEVELOPMENT AGENCY OF THE CITY OF HUNTINGTON BEACH – 6:00 PM

CLOSED SESSION REPORT BY CITY ATTORNEY - None

ROLL CALL

Present: Sullivan, Harper, Boardman, Carchio, Shaw, Katapodis
Absent: Hardy

Pursuant to Resolution No. 2001-54, Councilmember Jill Hardy requested permission to be absent, and permission was granted.

PLEDGE OF ALLEGIANCE – Led by Mayor Pro Tem Matthew Harper

INVOCATION - Led by Bud Lung with First Church, Christ Science and 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

Mayor Boardman called on Coach Holly Sojern to present commendations to the members of the Black Out White Out Girls' Under-10 AYSO Soccer team from Region 55 who won a division championship.

Mayor Boardman reported that the team travelled to Davis for the AYSO Championships and returned home with the Division Championship. She recognized and congratulated the Black Out White Out Girls' AYSO Soccer team and the coaches for their accomplishment.

Coach Holly Sojern introduced Co-Coaches Terrance Tubbs and Sergeant Dave Wiederin and presented highlights of the team's road to the championship and presented trophies won along the way. She introduced Assistant Coaches and members of the team and expressed her pride at being part of the group.

Mayor Boardman presented commendations to the coaches and members of the team in acknowledgement of their achievement.

Mayor Boardman called on Colleen Mensel, CEO for El Viento to recognize the eight graduates from the El Viento program.

Mayor Boardman presented information on the program and noted that 100% of high school graduates of the program have gone on to higher education.

Ms. Mensel thanked the Mayor and Council for the recognition and had each graduate introduce herself and relate her plans for attending college in the future.

Mayor Boardman presented commendations to each graduate in recognition of their accomplishments.

It was noted that Councilmember Katapodis attended the graduation ceremony and he commented positively on the program and its participants.

Mayor Boardman called on Interim Community Services Director Janeen Laudenback to present the Mayor's Award to Beach Maintenance Crew Leader Ron Kilbourne.

Interim Community Services Director Janeen Laudenback recognized Mayor's Award recipient Beach Maintenance Crew Leader Ron Kilbourne. She provided a brief background on Mr. Kilbourne's experience, qualifications and accomplishments; introduced his wife, Tammy, and expressed her appreciation for his service and efforts.

Mayor Boardman commented positively on Mr. Kilbourne and his crew's efforts to ensure that the City's beaches are clean and ready for visitors each day.

Mayor Boardman invited Members of the Huntington Beach Playhouse to present a preview of their next performance at the venue.

The group presented a brief performance of their next play, "Bye Bye Birdie". It was noted that the play opens Friday, July 19, 2013 and closes on August 11, 2013 in the Huntington Beach Library Theater and ticket purchase information was provided.

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 Items

- #15. Communication received from Richardson Gray, dated July 12, 2013, stating his support of the adoption of Resolution No. 2013-30.

Ordinances for Introduction

- #19. Communication received from Janeen Laudenback, Interim Director of Community Services, dated July 15, 2013, submitting a revision to proposed Ordinance No. 3983.
- #19. Communication received from Albert Gasparian, Dean of Health, Kinesiology and Athletics at Golden West College, dated July 10, 2013, requesting alternative action for Ordinance No. 3893.
- #19. Communication received from Lorraine Prinsky, Board President, Coast Community College District, dated July 12, 2013, requesting City Council retain a Community Service Commission seat for the Coast Community College District.
- #19. Communication received from Cindy Pulfer from Ocean View School District, dated July 12, 2013, submitting park agreements.
- #19. Communication received from Christina Oja, dated July 15, 2013, requesting Council retain the Community Service Commission seat for the Coast Community College District.

COUNCILMEMBER ITEMS

- #22. Communication received from Mary Urashima, dated July 15, 2013, supporting Electric Vehicle parking spaces.
- #23. Communication received from Richardson Gray, dated July 12, 2013, stating his support in establishing a Downtown Public Safety and Residential Quality of Life Task Force.

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.

Wes Bryan, President of Golden West College, spoke in support of Agenda Item No. 19. He addressed the importance of coordination between the City and the Coast Community College District and spoke in support of the District's continuing participation in the Community Services Commission. (00:32:33)

Brian Rechsteiner, Community Services Commission, spoke regarding Agenda Item No. 19.

He felt that the Coast Community College District should continue membership in the Community Services Commission. He noted that it has been a pleasure to serve on the Commission and hoped for his re-appointment. (00:34:21)

Betsy Crimi spoke in support of Agenda Item No. 21 and presented personal testimony regarding living in a manufactured home senior park. She likened the park to a "Leisure World" community and commented on a requirement to sign long-term leases. She urged Council to move forward with the recommended action on this matter. (00:35:29)

Gary Thiessen spoke in support of Agenda Item No. 21. He commented on the Senior Mobile Home Park communities' help of one another, thanked the City for its support and urged Council to approve the recommended action on this matter. (00:38:45)

Tim Geddes spoke in support of Agenda Item No. 21. He noted that most residents are economically unable to move because of fixed incomes and addressed previous related ordinances. He urged Council to put people over profits. (00:41:59)

Mary Jo Baretich, State President, Golden State Manufacturer's Homeowners League, spoke in support of Agenda Item No. 21 and distributed a written communication to Council. She addressed social activities, clubs and a quiet and safe environment for seniors in the mobile home park community, commented on other municipal decisions to protect seniors and encouraged Council to approve the recommended action on this matter. (00:44:54)

Pat Taylor spoke in support of Agenda Item No. 21. She provided personal testimony regarding living in a senior mobile home park and pled with Council to approve the recommended action on this matter and maintain a viable, affordable option for senior housing. Ms. Taylor referenced other cities that have approved similar ordinances and noted precedence has been set for the City of Huntington Beach to do the same. (00:47:58)

Steven Kendis spoke in support of Agenda Item No. 21. He commented on decreasing the values of mobile home park units with increased space rents and urged Council to approve the recommended action. (00:51:09)

Roy Miller spoke regarding Agenda Item No. 19. He reported recently completing his first year as a Member of the Community Services Commission and thanked Council for its support and the opportunity to serve. He asked that Council re-appoint the current at-large members and maintain six representatives from the various school districts. (00:53:53)

Maura Van Strien spoke in support of Agenda Item No. 21. She commented on the communities' reliance of one another, noted that most residents are on modest, fixed incomes and reported that minimal maintenance is being done and rents are being raised with no increases in services or value. She reported that when rents are raised, the values of homes decline and urged Council to approve the recommended action on the matter. (00:55:45)

Mona Risch spoke regarding the need for shelter housing and commented on properties that owe back taxes that remain unused. She suggested the possibility of utilizing some of the buildings as shelter housing for those in need. (00:58:22)

Ron Grundy, President, Del Mar Estates Homeowners Association, spoke in support of Agenda

Item No. 21. He commented on life in mobile home parks and the increased sense of community living in same. He thanked Councilmember Katapodis for bringing the matter forward and urged Council to approve the recommended action on this item. (01:01:50)

Glenn Plunkett voiced concerns about a neighbor burning trash near his home, and the City's laws regarding controlled burning. He urged Council to review related ordinances. (01:04:56)

Mayor Boardman encouraged Mr. Plunkett to fill out a blue card in order for Code Enforcement to follow up regarding the issue.

Chris Christie spoke regarding problem activity and nuisance behavior downtown on July 4, 2013, specifically after 2:00 PM. He stated that the neighborhoods cannot accommodate the crowds and felt that it is a public safety and public liability issue. Mr. Christie felt that fireworks were a problem as well. (01:06:42)

Richardson Gray spoke in support of Agenda Item Nos. 15 and 23. Regarding Item 23, he suggested that in addition to Councilmember Carchio's recommendations, six additional members be appointed to the taskforce in order to balance the business representatives with residential members and representatives from downtown public schools. (01:09:53)

Robert Johnson voiced concerns about the negative effects of fireworks on pets, and about a recent judgment related to the Cape Ann Housing development. He suggested that the City designate an area, away from residences, for people to shoot off their fireworks. (01:12:35)

Annette Parsons, President, Huntington Beach Community Garden, voiced concerns about a neighbor who posted a negative sign about the garden along a chain link fence and asked that Council help stop the bullying and harassment caused by that neighbor. She addressed pests that gardeners have had to contend with, added that she plans to submit plans to erect a fence and asked for Council's approval. (01:16:49)

Councilmember Carchio commented on gardeners trapping some of the pests and animals that have invaded the garden.

Ms. Parsons noted that trapping and licensing requirements exist for animals, but not for rodents. She stated that they are trapping squirrels and that they are within their rights to do so.

Mayor Boardman reported that City staff is in communication with representatives of the Community Garden about the issue.

Sharon Dana spoke in support of Agenda Item No. 21. She addressed increases in space rent, noted that many seniors are on fixed incomes and asked that Council support and vote affirmatively on the recommended action. (01:21:30)

Mark Bixby spoke in support of Agenda Item Nos. 11 and 22. He urged Council to approve AB1092 stall requirements in order to make the City "future ready" and to proceed with the Sea-level Rise Grant application. (01:24:42)

Richard Plummer, HB Neighbors, spoke in support of Agenda Item Nos. 15 and 23. He thanked Council for their support of HB Neighbors and commented on alcohol-related problems in the

downtown area of the City. (01:26:39)

Richard Kelly spoke in support of Agenda Item No. 22. He provided an overview of the plug-in vehicle demographics including growing sales of the electric vehicles and the need for related services. He noted the importance of access to plug-in stations and felt that it would be to everyone's best interest to provide services. (01:30:01)

Terry Dowdall, Attorney for Rancho Huntington, spoke regarding Agenda Item No. 21. He stated that the owners of Rancho Huntington do not oppose the recommended action, but are unsure as to its necessity. He reported that they would welcome a dialogue regarding the matter, addressed the Mobile Home Advisory Committee and felt that there are many issues for the Committee to consider before presenting recommendations to Council including age limits. (01:32:48)

Boyd Hill, representing Huntington Shorecliffs Mobilehome Park owner, spoke in support of Agenda Item No. 12. He commented on the provision for a Caltrans easement, significant improvements to be made, and clarified that the width of the easement will be corrected before it goes to the County for recording. (01:35:29)

There being no others wishing to address Council, Mayor Boardman closed Public Comments.

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

Councilmember Sullivan reported attending the monthly meeting of the Senior Citizens Advisory Council.

Mayor Boardman reported that the Art Center welcomed over 300 guests to the opening of "Custom Culture II" and commented positively on the exhibit and event and noted that it will continue until August 31, 2013, with extended hours during the U.S. Open. Regarding the Historic Wintersburg Preservation Task Force, she reported that Mamas on Thirty-nine is holding a fundraiser Monday, July 29, 2013, to benefit the Task Force. Additionally, she thanked the Historic Resources Task Force for their booth at the recent Surf City Nights event.

Councilmember Carchio thanked Jamie Lynn Fletcher of the "Orange County Register" for her recent article regarding a bench donation in memory of Kelly Bleu. He thanked Travis Hopkins and the Department of Public Works for their efforts and provided contact information for those interested in donating.

CITY MANAGER'S REPORT

City Manager Fred Wilson announced that Huntington Beach Library was named the Best of 2013 in the Orange Coast Magazine and congratulated Library staff for a job well done. He thanked Bob Hall for his service to the City and commented positively on his eight years of service. Additionally, he reported that several Council Members have asked for a brief report from the Police and Fire Departments regarding the Fourth of July activities and deferred to Police Captain Reinhart for a report.

Captain Reinhart provided a report on Fourth of July activities addressing road closures for the

fitness run, parade, parties and the fireworks show. He reported on staffing and additional officers hired to assist the City and addressed the levels of calls for service noting that they tripled on the Fourth of July from previous days. He reported on the Fireworks suppression team including increased numbers of calls, prioritization of calls and held calls because of increased activities. He related details of a specific case where it took nine minutes for emergency crews to respond, noting that the level of activities and volume of calls during the Fourth of July affects the Department's ability to provide quality service.

Deputy Fire Chief Eric Engberg addressed increased department staffing, fireworks booths inspections, issues with the downtown area safe zone, enforcement challenges and citations, increased fireworks confiscations, increased call volumes from previous days prior to the initiation of the City's ordinance and increased fireworks activities as well as challenges in achieving a safe environment for citizens.

CONSENT CALENDAR

Mayor Pro Tem Harper pulled Items No. 9, 11, 15 and 16 for separate discussion and consideration.

Mayor Boardman pulled Item No. 8 for separate discussion and consideration. She stated that she would like to be recorded as a "no" vote on Item No. 12.

Councilmember Shaw stated that he would like to be recorded as a "no" vote on Item No. 12.

1. Approved and adopted minutes of July 1, 2013

A motion was made by Councilmember Carchio, second by Councilmember Sullivan to approve and adopt the minutes of the City Council/Public Financing Authority Regular Meeting of July 1, 2013, as written and on file in the office of the City Clerk.

The motion carried with the following roll call vote:

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

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

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

The motion carried with the following roll call vote:

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

3. Awarded and authorized execution of a Construction Contract in the amount of \$328,000 to Nobest Inc. for the rehabilitation of Keelson Lane, CC-1439

A motion was made by Councilmember Carchio, second by Councilmember Sullivan to accept the lowest responsive and responsible bid submitted by Nobest Inc. in the amount of \$328,000; and, authorize the Mayor and City Clerk to execute a construction contract in a form approved by the City Attorney.

The motion carried with the following roll call vote:

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

4. Approved and authorized the Chief of Police to execute Grant Agreements with the California Office of Traffic Safety (OTS) for the Sobriety Checkpoint and Selective Traffic Enforcement Programs; appropriate, and set up separate accounts for expending the Grant funds

A motion was made by Councilmember Carchio, second by Councilmember Sullivan to approve and accept the Sobriety Checkpoint Grant Program between OTS and the City of Huntington Beach for \$95,000; approve and accept the Selective Traffic Enforcement Grant Program between OTS and the City of Huntington Beach for \$270,264; authorize the Chief of Police to sign and execute both grant contracts; approve appropriations and estimated revenue in the amount of \$95,000, as well as \$270,264; and, establish a separate business unit for this funding and authorize the Chief of Police to expend up to a total of \$365,264 plus accrued interest on the Sobriety Checkpoint Grant Program and the Selective Traffic Enforcement Program.

The motion carried with the following roll call vote:

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

5. Approved and authorized execution of a Cooperative Agreement with the County of Orange and the City of Seal Beach for Improvements associated with the County's Edinger Bridge Project over Bolsa Chica Channel

A motion was made by Councilmember Carchio, second by Councilmember Sullivan to approve and authorize the Mayor and City Clerk to execute the "Cooperative Agreement Between County of Orange and City of Huntington Beach and City of Seal Beach for Funding and Construction of Edinger Avenue Bridge Over Bolsa Chica Channel."

The motion carried with the following roll call vote:

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

6. Approved and authorized execution of Agreement No. D12-055 with the Orange County Flood Control District (OCFCD) for Improvements to the District's Newland Channel

A motion was made by Councilmember Carchio, second by Councilmember Sullivan to approve and authorize the Mayor and City Clerk to execute "Agreement No. D12-055" with the Orange County Flood Control District.

The motion carried with the following roll call vote:

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

7. Awarded and authorized execution of a contract in the amount of \$98,038 to Nobest, Inc. for the Lakeview Drive Sidewalk Neighborhood Rehabilitation Project, CC-1441

A motion was made by Councilmember Carchio, second by Councilmember Sullivan to accept the lowest responsive and responsible bid submitted by Nobest, Inc., in the amount of \$98,038.00; authorize the Mayor and City Clerk to execute a construction contract in a form approved by the City Attorney; and, authorize 20% construction contingency.

The motion carried with the following roll call vote:

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

8. Approved and authorized execution of an Agreement with the Municipal Water District of Orange County (MWDOC) for participation in the Weather Based Irrigation Timer (Smart Timer) Rebate Program

Mayor Boardman pulled the aforementioned item for separate discussion and consideration. She highlighted rebates available to residents, noting that they are for weather-based timers for residential and commercial properties, and the potential savings that could be generated. She reported that the maximum rebate available to homeowners is \$400 and the purchase price is approximately \$490. She hoped that many homeowners will take advantage of it.

Councilmember Shaw commented positively on the program and urged the Public Works Department to distribute information so that all homeowners who desire can participate.

Mayor Boardman suggested including information on the program in the water bill.

A motion was made by Mayor Boardman, second by Councilmember Carchio to approve and authorize the Mayor and City Clerk to execute the "Agreement Between the City of Huntington Beach and the Municipal Water District of Orange County for Participation in the Weather Based Irrigation Timer (Smart Timer) Rebate Program for Single-Family Residential and Commercial Properties."

The motion carried with the following roll call vote:

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

9. Approved and authorized the Chief of Police to reallocate \$150,000 from within the Police Department Budget for the purchase and implementation of a downtown video system

Mayor Pro Tem Harper pulled the aforementioned item for separate discussion and consideration. He expressed concerns regarding the expansion of local government into citizens' daily lives.

Councilmember Shaw felt that this is a necessary item to ensure public safety, did not think it is intrusive and felt that it will serve to curb crime in the downtown area.

A motion was made by Councilmember Shaw, second by Councilmember Carchio to approve and authorize the Chief of Police to reallocate \$150,000 within the Police Department General Fund Budget to pay for the implementation and maintenance of a video system in Downtown Huntington Beach.

The motion carried with the following roll call vote:

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

10. Adopted Resolution No. 2013-29 confirming reports of cost for Weed Abatement on private property within the City for the 2013 season, and authorized all charges listed be certified to the Orange County 2013/14 Property Tax Roll

A motion was made by Councilmember Carchio, second by Councilmember Sullivan to adopt Resolution No.2013-29, "A Resolution of the City Council of the City of Huntington Beach Confirming the Report of the Public Works Director Regarding the Cost for Weed Abatement on Private Property Within the City for the 2013 Season;" and, direct that all charges listed thereon be certified to the Orange County 2013/14 Property Tax Roll.

The motion carried with the following roll call vote:

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

11. Adopted Resolution No. 2013-31 for Local Coastal Program Sea Level Rise Adaptation Grant Application

Mayor Pro Tem Harper pulled the aforementioned item for separate discussion and consideration, wondering if the City will have to provide matching funds in relation to the grant.

Planning and Building Director Scott Hess reported that the instrument to prepare the study on sea-level rise is approximately \$250,000 and the grant proposal requests \$150,000. The difference is \$100,000, of which staff is proposing to contribute \$50,000 which will come from the General Fund Maintenance Fee since it will be part of the total General Plan Update. Staff will be applying for a second grant in the amount of \$50,000 from a different organization to cover the remaining costs of the study.

In response to Mayor Pro Tem Harper's inquiry, Mr. Hess reported that the study will consider the overall impact of sea-level rise and coastal resiliency.

Councilmember Shaw commented positively on consideration of the matter and noted that the issue needs to be addressed in order to protect the City's coastlines, residents and their homes.

Mayor Boardman indicated that the Coastal Commission is requiring that sea-level rise be analyzed for all new development where sea-level rise could be an issue. In the absence of other data, they will require individual homeowners to prepare wave run-up studies. She added that CEQA guidelines now require an analysis of greenhouse gas emissions and that if a General Plan program level EIR contains this analysis, subsequent projects can tier off that and this will be helpful for any project going forward after the General Plan update.

A motion was made by Mayor Boardman, second by Councilmember Katapodis to adopt Resolution No. 2013-31, "A Resolution of the City Council of the City of Huntington Beach for Local Coastal Program Sea Level Rise Adaptation Grant Application;" direct staff to submit the grant application package attached as Attachment 1 to Resolution No. 2013-31, to the Ocean Protection Council to provide financial and planning assistance, under the authority of the Ocean Protection Act, and authorize the amount of \$50,000 in matching funds to fund the project more particularly described in the grant application package; and, authorize the City Manager of the City of Huntington Beach to execute, in the name of the City of Huntington Beach, all necessary applications, contracts and agreements and amendments thereto to implement and carry out the grant application package attached hereto and any approved through the approval of the grant application.

The motion carried with the following roll call vote:

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

12. Approved Final Tract Map No. 17296 (Huntington Shorecliffs Mobilehome Park Subdivision) located at 20701 Beach Blvd.

A motion was made by Councilmember Carchio, second by Councilmember Sullivan to approve Final Tract Map No. 17296 and accept the offer of easements pursuant to findings and requirements.

The motion carried with the following roll call vote:

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

ABSENT: Hardy

13. Approved and authorized execution of an agreement with Municipal Water District of Orange County (MWDOC) for transfer of equipment (Potable Water Trailer) for FY 2011 Urban Areas Security Initiative (UASI); and, grant signing authority for the Department of Motor Vehicles Power of Attorney form

A motion was made by Councilmember Carchio, second by Councilmember Sullivan to approve and authorize the Mayor to execute the "Agreement for Transfer of Equipment (Potable Water Trailer) for FY 2011 Urban Areas Security Initiative (UASI) between the City of Huntington Beach and Municipal Water District of Orange County"; and, grant the City Manager the authority to sign the Department of Motor Vehicles Power of Attorney Form for preparing the necessary license for the trailer.

The motion carried with the following roll call vote:

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

14. Approved Waterfront Hilton Market Value Rent Adjustment pursuant to the Waterfront Ground Lease Agreement with Mayer Corporation

A motion was made by Councilmember Carchio, second by Councilmember Sullivan to approve the Hilton Market Value Rent Adjustment, pursuant to Section 2.2(b) of the April 28, 1989 Waterfront Hilton Lease.

The motion carried with the following roll call vote:

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

15. Adopted Resolution No. 2013-30 directing the Police Department to formally protest with the Department of Alcoholic Beverage Control any future application for an "off-sale" Alcoholic Beverage License within the Downtown Specific Plan Area, District 1

Mayor Pro Tem Harper pulled the aforementioned item for separate discussion and consideration. He reported that the item has been previously discussed and noted that he will be voting against this item.

A motion was made by Mayor Boardman, second by Councilmember Shaw to adopt Resolution No. 2013-30, "A Resolution of the City Council of the City of Huntington Beach Directing the Chief of Police Regarding Off-Sale Alcohol Establishments" in the Downtown Specific Plan Area, District 1.

The motion carried with the following roll call vote:

AYES: Sullivan, Boardman, Carchio, Shaw, Katapodis

NOES: Harper
ABSENT: Hardy

16. Adopted Resolution No. 2013-32 to Double Civil Fines for Alcohol Related Violations of the Huntington Beach Municipal Code on various Events and Holidays by revising the Fee Schedule

Mayor Pro Tem Harper pulled the aforementioned item for separate discussion and consideration. He wondered whether the fines would double on the basis of when the incident occurs or when the citation is assessed.

City Attorney Jennifer McGrath reported it would be based upon when the incident occurred. She added that the measurement would be "midnight-to-midnight".

Mayor Pro Tem Harper noted there was no date assigned to the U.S. Open of Pro Surfing and City Attorney McGrath reported that it begins as soon as the U.S. Open is opened to the public and lasts until it is closed to the public.

Councilmember Carchio requested including public intoxication and City Attorney McGrath confirmed that it will be added to the schedule.

Mayor Pro Tem Harper referenced a recent sun-rise event at the Bolsa Chica Wetlands where Champaign was served and the annexation of the area to the City and wondered if this type of event would be affected in the future.

City Attorney McGrath noted that the matter relates specifically to the downtown area.

A motion was made by Councilmember Carchio, second by Councilmember Shaw to adopt Resolution No. 2013-32 as amended, "A Resolution of the City Council of the City of Huntington Beach Amending Resolution 2009-34 to Double Civil Fines for Alcohol Related Violations of the Huntington Beach Municipal Code on Various Event(s) and Holidays by Revising the Fee Schedule;" to include Section 9.44.010 and correct name of the U.S. Open, if appropriate.

The motion carried with the following roll call vote:

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

17. Adopted Ordinance No. 3981 adopting revisions to the Huntington Beach Zoning and Subdivision Ordinance (HBZSO) as approved by the California Coastal Commission Approved for introduction July 1, 2013 (Vote: 7-0)

A motion was made by Councilmember Carchio, second by Councilmember Sullivan to adopt Ordinance No. 3981, "An Ordinance of the City Council of the City of Huntington Beach Amending Section 233.10 of the Huntington Beach Zoning and Subdivision Ordinance Thereof to Conform to LCP Amendment No. 2-11 Made By the California Coastal Commission."

The motion carried with the following roll call vote:

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

18. Adopted Ordinance No. 3982 adopting Development Agreement with Elan Huntington Beach, LLC Approved for introduction July 1, 2013 (Vote: 7-0)

A motion was made by Councilmember Carchio, second by Councilmember Sullivan to adopt Ordinance No. 3982, "An Ordinance of the City of Huntington Beach Adopting a Development Agreement By and Between the City of Huntington Beach and Elan Huntington Beach LLC (Developer) (Development Agreement No. 13-001)."

The motion carried with the following roll call vote:

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

ORDINANCES FOR INTRODUCTION

19. Approved for introduction amended Ordinance No. 3983 amending Chapter 2.64 of the Huntington Beach Municipal Code changing the makeup of the Community Services Commission to include seven (7) at-large individually appointed members and six (6) school district appointees

Councilmember Shaw indicated that he introduced this ordinance at the last Council meeting and reported on park volunteers who have expressed interest in becoming involved in the Commission and there has not been room for them in the past. He wanted to increase the City's residents ability to be heard on Community Services issues.

Councilmember Carchio thanked Councilmember Shaw for amending the recommended action and commented positively on representation from the Community College District.

Mayor Pro Tem Harper acknowledged changes in the structure of the proposed ordinance and commented positively on restoring the Community College District representation. He felt that this issue should be visited in terms of other commissions as well.

Councilmember Sullivan agreed with the changes made but indicated he had no problem with the previous method of appointment.

A motion was made by Councilmember Shaw, second by Mayor Boardman to approve for introduction amended by Supplemental Communication stating a word omission from the second sentence of Chapter 2.64.020 where the word "district" is missing. (The sentence should be changed to the following: Each elementary and high school *district* having facilities within the city may recommend to the Council, on or before the third Monday in June of each year, two or more persons, residents of the city of Huntington Beach, to represent their district.) and as presented in Alternative Action, which includes two revisions as follows: Sections 2.64.020 – to include and total of thirteen members; and Section 2.64.040 – to include six

members, one from each elementary, high school, and community college district having facilities within the City, Ordinance No. 3983, "An Ordinance of the City of Huntington Beach Amending Chapter 2.64 of the Huntington Beach Municipal Code Relating to the Community Services Commission."

The motion carried with the following roll call vote:

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

COUNCILMEMBER ITEMS

20. Submitted by Mayor Pro Tem Harper and Councilmember Hardy - Review of Huntington Beach Municipal Code, Chapter 9 and Recommendations

Mayor Pro Tem Harper acknowledged and thanked the Police Chief and the Huntington Beach Police Department for further identifying some of the other areas within Chapter 9 that needed updating.

A motion was made by Mayor Pro Tem Harper, second by Councilmember Carchio to as a result of the review and in an effort to update Chapter 9 of the Huntington Beach Municipal Code, direct the City Attorney to prepare an ordinance to repeal the following sections that are outdated and no longer necessary:

HBMC 9.24.090 - Card Games
HBMC 9.44.015 - Regulation of Alcohol Consumption on or about Independence Day
HBMC 9.84.070 (c) (i), (ii), (iii) and (iv) Alcohol Use Permit Requirements

The motion carried with the following roll call vote:

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

21. Submitted by Councilmember Katapodis – Directed the City Attorney to Draft Moratorium Ordinance to Prevent Senior Mobilehome Parks Form Becoming Family Parks and Establish Senior Mobilehome Park Overlay District for Consideration

Councilmember Katapodis acknowledged the various public speakers regarding the matter this evening and encouraged the support and protection of seniors in the community.

In response to Mayor Pro Tem Harper's inquiries regarding value of units at mobile home parks, City Attorney McGrath reported that they are market-driven. She added that if the park is a senior park, homeowners would have to sell to seniors and that removal of the unit would be another option available.

Mayor Pro Tem Harper expressed concerns regarding "over-reach" of government into the daily lives of citizens and using the City as a tool to dictate to property owners. He felt that the first

point of contact for residents should be mobile home park property owners and then the Mobile Home Advisory Board.

Councilmember Katapodis reported that they have approached owners and the owners have indicated they have no problem in maintaining the senior park. He added that this solidifies the issue with an ordinance that will support the City's seniors.

In response to an inquiry from Councilmember Shaw, it was noted that mobile home parks are not counted as part of the senior housing mandatory requirement because the State does not allow the City to use those numbers.

Councilmember Shaw felt that the matter is timely and commended Councilmember Katapodis for bringing the matter forward.

Councilmember Carchio felt that the issue is just scratching the surface and does not address what seniors really need. He listed many issues that should be considered by the Mobile Home Advisory Board for recommendations to Council. He stated the need to protect seniors, but protect them in the right way. He felt that the matter should be heard by the Mobile Home Advisory Board.

Councilmember Sullivan noted that the City is not placing itself in jeopardy because the process has been followed. He stated that he will support Councilmember Katapodis's motion.

Councilmember Katapodis noted that this is a senior issue rather than a mobile home park issue.

Councilmember Shaw felt that there is adequate time for the Mobile Home Advisory Board to give recommendations for how the ordinance should be written.

Councilmember Carchio suggested including the Mobile Home Advisory Board in the motion.

Councilmember Shaw responded that this is an opportunity to give seniors protection, right now.

Councilmember Carchio indicated this is why the Mobile Home Advisory Board was established.

Mayor Pro Tem Harper commented on Council's opinions regarding the relevancy of the Mobile Home Advisory Board.

Mayor Boardman indicated that she will oppose the motion and that it has nothing to do with how she feels regarding the relevancy of the Mobile Home Advisory Board but rather because of the need to act quickly on the matter and because this is a senior issue.

Mayor Pro Tem Harper wondered why this issue needs to be acted upon quickly.

Mayor Boardman noted that any Council Member has the right to bring items up for consideration and that there will be further opportunity for public input as the City Attorney brings back ordinances as well as adding consideration by the Mobile Home Advisory Board.

Motion by Mayor Pro Tem Harper, second by Councilmember Carchio to refer the item to the

Mobile Home Advisory Board for further consideration.

The motion failed with the following roll call vote:

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

Councilmember Carchio indicated that he would support the action if the Mobile Home Advisory Board is included in the recommended action.

Councilmember Katapodis stated that he did not think there is a need to do so as they will consider the issue, anyway.

City Attorney McGrath suggested making it part of the motion that all three bodies will have an opportunity to review the ordinance.

Mayor Pro Tem Harper felt that there is an ideological agenda and reiterated concerns regarding the heavy hand of government controlling people's daily lives and property. He felt this sends the wrong message that Council wants to decide as to how private property is used within the City.

Councilmember Carchio noted that park owners sit on the Mobile Home Advisory Board and they would have an opportunity to discuss the relevant issues.

Councilmember Shaw stated that Council is sending a message that it listens to the City's residents. This, along with other matters has been the result of citizens approaching the City for support and this is how ordinances are generated. The City is trying to protect its residents instead of letting them fend for themselves.

Mayor Pro Tem Harper felt that Council is pursuing an agenda that is different from what the City has projected, historically and that it is a move to the left like more liberal and left-winged cities that have a history of trampling on private property rights. He felt that over time, the voters of the City will not stand for it.

Mayor Boardman commented that Council is following in the footsteps of "radical" cities like Hayward and Yucaipa in protecting an investment by senior citizens; protecting the property rights of people who live in senior mobile home parks.

In response to Mayor Boardman's inquiry, Planning and Building Director Scott Hess reported that it will take approximately ten months for the ordinance to return to Council for approval and addressed the process.

Staff discussed the process and time involved in changing senior parks to family parks.

Regarding establishing a moratorium to stop property owners from converting senior parks to family parks, City Attorney McGrath indicated that she will have to conduct further research and draft a moratorium for Council's next meeting.

In response to Councilmember Sullivan's inquiry, City Attorney McGrath reported that it will take approximately three weeks to establish the findings and present the moratorium to Council. She added that part of the findings would be the necessity to have it effective today.

In response to Mayor Pro Tem Harper's inquiry regarding Council's action on a moratorium at this time since it is not on the agenda, City Attorney McGrath reported that it is not authorized for action tonight so that direction will be to draft it for the next meeting.

In reply to Councilmember Carchio's inquiry regarding removal of the moratorium, City Attorney McGrath reported that the item would have to be reconsidered after thirty days and will need to be brought before Council after the process to extend it.

Motion by Councilmember Shaw, second by Councilmember Katapodis to direct the Planning and Building Director and City Attorney to draft the Senior Mobile Home Park Overlay District for consideration by the Planning Commission and the City Council, ensuring the Mobile Home Advisory Board has an opportunity to review and give input during the process,.

Mayor Boardman offered an amendment to the motion to include direction to the City Attorney to draft a moratorium to prevent senior mobile park owners from converting them into family parks during the process of establishing an ordinance for consideration at the next Council meeting.

Councilmember Shaw and Councilmember Katapodis agreed with the amendment to the motion.

Mayor Pro Tem Harper asked that the motion be divided.

Mayor Boardman stated her desire to move on both items, together.

The motion carried, as amended with the following roll call vote:

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

22. Submitted by Councilmember Shaw - Directed the City Attorney to prepare a Resolution requiring a minimum number of Electric Vehicle (EV) capable parking spaces for new residential, commercial, and industrial developments

Councilmember Shaw referenced a pending Assembly Bill making EV parking spaces mandatory in 2017 and commented on input from Southern California Edison regarding the issue. He stated that SCE indicated that Huntington Beach is known as "first adopters" and commented on the importance of having charging stations in the City. The resolution will not require the charging stations to be built, but will require the installation of wiring for future development of charging stations.

Mayor Pro Tem Harper felt that this is another proposal to expand the role of government into people's daily lives, that it is not market-driven, is City-mandated and is the heavy hand of government intruding into citizen's daily lives and property. He suggested that the City is

creeping toward socialism.

Councilmember Sullivan requested clarification from a previous public speaker, Mark Bixby. In response to his inquiry, Mr. Bixby affirmed that the matter is supported by the Building Industry Association (BIA). Mr. Bixby added the he doesn't consider them to be a big proponent of socialist ideas.

Councilmember Carchio reported checking with many developers who were happy about the issue because it would make it easier and a lot less expensive if this was accomplished in the beginning rather than later in a development. Therefore, he reported that he will support the recommendation.

Mayor Boardman stated this is an opportunity to offer an important amenity for the residents of Huntington Beach as well as developers trying to attract high-end renters.

A motion was made by Councilmember Shaw, second by Councilmember Carchio to direct the City Attorney to prepare a Resolution that requires a minimum number of EV-capable parking spaces (wiring only) for both new residential, commercial, and industrial developments.

The motion carried with the following roll call vote:

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

23. Submitted by Councilmember Carchio - Established a Downtown Public Safety and Residential Quality of Life Task Force

Councilmember Carchio presented the matter, referenced a former Downtown Image Committee which focused on improving the environment in the area and developed recommendations many of which have been successfully implemented. He felt that the proposed task force would ensure continuation of improvements in the downtown area.

In response to Mayor Pro Tem Harper's inquiry, Councilmember Carchio indicated that he would hope that the Task Force would complete their study in three or four months.

Mayor Pro Tem Harper felt that what is really needed in terms of policy is the ability to measure what is done. If things are constantly changing, it will be difficult to determine which policy has had an impact or not. He indicated that he will support the matter.

Councilmember Sullivan felt that there is not enough resident representation within the proposed Task Force and suggested increasing the number.

Councilmember Carchio felt that if the right four people are appointed, this will get done easier and faster.

Mayor Boardman suggested changing the number of representatives to five (5) to obtain an odd number in the number of members on the Task Force. Councilmember Carchio agreed.

Councilmember Katapodis indicated his support of five (5) representatives. He commented positively on the partnership of businesses and residents to get together to solve problems in their area.

A motion was made by Councilmember Carchio, second by Councilmember Katapodis to establish an ad-hoc committee to serve as the Downtown Public Safety and Residential Quality of Life Task Force consisting of five (5) representatives from the Downtown Residential neighborhoods, three (3) representatives from Downtown restaurant/bars, one (1) Downtown Business owner, one (1) Downtown BID representative, one (1) Chamber of Commerce representative; and one (1) HB Marketing and Visitors Bureau representative.

In addition, there should be three (3) City Council Members serving on the Task Force along with representatives from the Police Department, City Attorney's Office, Planning and Building, Economic Development and the three City Council Members (Boardman, Carchio and Katapodis) appointed to serve on the Task Force be responsible for appointing the other members.

The motion carried with the following roll call vote:

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

Anyone interested in serving on the Task Force can submit their name for consideration to the Council Members serving on the Task Force.

COUNCILMEMBER COMMENTS (Not Agendized)

Councilmember Shaw commented positively on the Fourth of July events including the parade. He commended the Fourth of July Committee for the success of the event. In addition, he reported attending the AQMD Public Hearing regarding fire rings and reported that the City of Huntington Beach will be able to keep its fire rings.

Councilmember Sullivan reported that a member of his American League Post works at the Long Beach Veterans Hospital and conveyed, on behalf of the wounded Veterans that were in the parade, their gratitude for the reception they received by the people of Huntington Beach.

Mayor Pro Tem Harper stated that he saw no reports of injuries related to California-approved fireworks and Deputy Fire Chief Engberg confirmed that there were none but that there was one structure fire related to same. Mayor Pro Tem Harper requested that the information be forwarded to Council for follow-up.

Councilmember Katapodis commented positively on participating in the parade and reported on the run. He commented positively on the El Viento awards.

Councilmember Carchio thanked the Kiwanis Club for the Fourth of July breakfast. He commented positively on the parade and thanked those who made it a success. In addition, he thanked TNT for the financial support of the fireworks display. He thanked Assemblyman Travis

Allen for coordinating the rally for the fire rings. Additionally, Councilmember Carchio reported attending the AQMD Public Hearing on fire rings and commented on the matter. He reiterated information regarding donations for a bench in memory of Kelly Bleu.

Councilmember Katapodis expressed his appreciation to Bob Hall and wished him well. He acknowledged the attendance of his daughter at the meeting.

Mayor Boardman congratulated Paul Carlson who recently became an Eagle Scout and explained his project as well as Mitchell Anderson who will have his Court of Honor later in the year. She thanked the Fourth of July Board and all the volunteers, the Police and Fire Department and the Beach Clean-up Crew who made it a successful day. Additionally, she reported attending the AQMD Public Hearing on fire rings and the Junior Lifeguard Barbeque.

Councilmember Carchio thanked Bob Hall for everything he has done for the City.

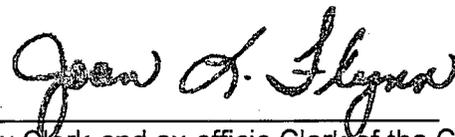
Mr. Hall commented positively on the experience and the opportunity of working with Council as well as the City. He stated this has been the best eight years of his career.

ADJOURNMENT OF THE REGULAR MEETING OF THE CITY COUNCIL/PUBLIC FINANCING AUTHORITY AND THE SPECIAL MEETING OF THE SUCCESSOR AGENCY TO THE FORMER REDEVELOPMENT AGENCY OF THE CITY OF HUNTINGTON BEACH

There being no further business to come before Council, Mayor Boardman adjourned the meeting at 9:03 PM in honor of Bob Hall.

There will be a Special Meeting of the City Council (semi-annual Strategic Planning Session) on Friday, August 2, 2013, at 8:00 AM at the Huntington Beach Central Library, Rooms C and D, 7111 Talbert Ave., Huntington Beach, California.

The next regularly scheduled meeting of the Huntington Beach City Council/Public Financing Authority is Monday, August 05, 2013, at 4:00 PM in Room B-8, Civic Center, 2000 Main Street, Huntington Beach, California.



City Clerk and ex-officio Clerk of the City Council/Successor Agency of the City of Huntington Beach, Secretary of the Huntington Beach Public Finance Authority of the City of Huntington Beach, California

ATTEST:



City Clerk-Clerk-Secretary



Mayor-Chair