

## **MEETING ASSISTANCE NOTICE - AMERICANS WITH DISABILITIES ACT**

In accordance with the Americans with Disabilities Act the following services are available to members of our community who require special assistance to participate in City Council and Redevelopment Agency meetings. If you require special assistance, 72-hour prior notification will enable the city to make reasonable arrangements. For American Sign Language interpreters, a reader during the meeting, and/or large print agendas, please call: **Office of the City Clerk (714) 536-5227**. To make arrangements for an assisted listening system (ALD) for the hearing impaired, please contact: the **Sergeant at Arms** at the meeting or the **City Clerk (714) 536-5227**.

## **ACTION AGENDA**

### **ADJOURNED REGULAR CITY COUNCIL/REDEVELOPMENT AGENCY CITY OF HUNTINGTON BEACH**

**MONDAY AUGUST 22, 2005**

#### **4:00 P.M. - Council Chambers**

Civic Center, 2000 Main Street  
Huntington Beach, California 92648

#### **4:00 P. M. - Council Chambers**

#### **Call City Council/Redevelopment Agency Meeting to Order**

**Roll Call** Hansen, Coerper, Sullivan, Hardy, Green, Bohr, Cook  
**Present (Hansen & Green arrived at 4:05 p.m.)**

The City Council and the Redevelopment Agency of the City of Huntington Beach will regularly convene in joint session for the purpose of considering the following City Council-Redevelopment Agency Agenda Items. The Huntington Beach Parking Authority, Civic Improvement Corporation, and the Huntington Beach Public Financing Authority are also agencies on which Council serves as members. On each Agenda these Agencies may have items scheduled. When an Agenda Item requires action by any of these Agencies, it will show in parenthesis preceding the item, for example (City Council-Redevelopment Agency).

#### **Pursuant to the Brown (Open Meetings) Act the City Clerk Announces Late Communications Received by Her Office Which Pertain to Items on the Agenda**

(1) The Brown (Open Meetings) Act requires that copies of late communications submitted by City Councilmembers or City Departments are to be made available to the public at the City Council meeting. (2) Late communications submitted by members of the public are to be made available to the public at the City Clerk's Office the morning after the Council meeting. (Late Communications are communications regarding agenda items that have been received by the City Clerk's Office following distribution of the agenda packet.)

**None**

Hello and welcome to the Huntington Beach City Council meeting. If you would like to address the Council, please fill out the pink public comment sheet attached to the agenda. After completing the form, hand it to the Sergeant at Arms and he will give it to the City Clerk. **As a courtesy to those in attendance, I would ask that cellphones and pagers be turned off or set in their silent mode. Thank you.**

**Public Comments Regarding Closed Session Portion of the Meeting** (3 minutes per speaker)  
*None*

**Call Closed Session of City Council/Redevelopment Agency**

**Recommended Action: Motion to recess to Closed Session on the following item:**  
*By consensus of all present, none absent*

**(City Council) Closed Session** – Pursuant to Government Code Section 54956.9(b)(3)(B) to confer with its attorney regarding pending litigation (facts and circumstances, including but not limited to, an accident, disaster, incident, or transactional occurrence that might result in litigation against the agency and that are known to a potential plaintiff or plaintiffs, which facts or circumstances shall be publicly stated on the agenda or announced). Subject: **Potential Litigation – Verizon Wireless Public Right-of-Way Facility; 18652 Edwards Street, Huntington Beach, CA** (120.80)

*No Action for Reporting Out is Anticipated*

**Reconvene City Council/Redevelopment Agency Meeting**  
*Motion to give public speakers the option to speak before or after the staff report is given. Approved 7-0*

**B. Public Comments**

This is the time of the meeting for the Council to receive comments from the public regarding items of interest or agenda items OTHER than Public Hearings. Generally, Council will not enter into a dialogue during this period.

Pursuant to the Brown (Open Meeting) Act, the City Council may not discuss items unless they are on our agenda. So if you are speaking on an item not on the agenda, we cannot discuss the issue with you at this meeting. However, if you wish to meet with any of us please call the Council's Secretary at 714-536-5553. Thank you for taking the time to come to the council meeting to address the Council. Councilmembers strive to treat members of the public with respect, and we ask that you also express your concerns and opinions in a civil and respectful manner.

Each speaker is allowed 3 minutes and time may not be donated to others. No action can be taken by Council/Agency on this date unless the item is agendaized.

Complete the attached pink form and give to the Sergeant-At-Arms (the Police Officer located near the speaker's podium).

***Speaker working with a statewide coalition of organizations asked to submit comments on impingement and entrainment. He stated his opinion that Huntington Beach shouldn't be the first city in the state to try this type of project. He announced the 3 documents he would be submitting: July 13, 2001 memo from City Administrator, April 2005 report from AES study, and May 2001 California Energy Commission report.***

***Southern California Regional Manager, Surfrider Foundation spoke regarding questions he has about the proposed desalination plant and asked Council to slow down and reschedule the 9/6 public hearing. He gave examples of perceived inadequacies in the Environmental Impact Report (EIR) including an inadequate job describing alternatives.***

***Speaker in opposition to the proposed Poseidon desalination project stated concerns regarding land-based turbines and property devaluation that may result from adding another industrial plant in the area.***

***Twenty-seven year resident and retired Boeing engineer voiced opinions on water shortage and support for the proposed desalination plant. He noted that there are 200 desalination plants in operation worldwide and refuted allegations made by individuals who oppose the plant.***

***Resident of southeast Huntington Beach spoke in opposition to the proposed plant citing de-watering and toxic chemical concerns. He listed other plants in the area and other projects, which he stated are incomplete.***

***Local business owner and southeast Huntington Beach resident spoke regarding her choice to purchase a home in the area, having received disclosures. She voiced her support for new water and power sources and thanked Council for its time to consider the project carefully.***

***Speaker alleged 64 residences in southeast Huntington Beach have foundation and other problems due to a City approved plan to install a sewer pipe. He voiced concerns with de-watering of the area in conjunction with the proposed desalination project. He also spoke regarding Ascon-Nesi site concerns asking Council to consider residents and taxpayers when making a decision.***

***Speaker voiced appreciation for the Huntington Beach coastal area and its value to the City. He voiced his opinion that 8.5 miles of beach and wetlands should not be further industrialized and asked Council to vote "No" on the proposed project.***

***Speaker spoke about pride in the community, referred to the City's mission statement and asked Council to make decisions in the best interest of the residents.***

***Resident of southeast Huntington Beach voiced concerns about whether the proposed project would succeed. He asked Council to let some other city try this type of project first.***

**(City Council/Redevelopment Agency) Study Session - Presentation by the Planning Department to Provide Overview of New Information and Revisions of Draft Recirculated Environmental Impact Report for Seawater Desalination Project (Poseidon) (520.70)**

City Council study session to provide an overview of the new information and revisions contained in the Draft Recirculated Environmental Impact Report (REIR No. 00-02) for the Seawater Desalination Project at Huntington Beach.

***Principal Planner Mary Beth Broeren gave a PowerPoint report that reviewed background of the project and gave an overview of the Recirculated Environmental Impact Report (REIR) including impingement and entrainment impacts, potential growth inducing impacts, compatibility of the desalination facility's product water, and other issues. She announced that responses to comments received by the deadline are available on the City's website.***

***Discussion ensued amongst Council and staff relative to the acreage needed for the project, the heat treatment process at the AES plant, benefits of the Poseidon project, differences in size of pipes used by the Sanitation District and for the proposed project, concerns about turbines and insulated tanks, funding for building the project, mitigation for dumping of brine, specifics on the trenches for the pipelines and on the survey for de-watering impacts, the process of approval or denial of the EIR and the CUP, method in which the pipeline will cross streets, and additional permitting required regarding the Ascon-Nesi site.***

***Further inquiries were made and discussion was held regarding the end-user of the desalinated water, comments received post-deadline, potential Findings for Denial, research on activities with desalination conducted by other agencies such as Metropolitan Water District, development agreements, agreements between AES and Poseidon, and potential outfall discharge.***

***Staff to address Council inquiries in staff report to be presented at September 6, 2005 public hearing.***

***Public Comments:***

***Speaker gave a PowerPoint report that detailed some comments submitted to the REIR and the staff responses. He voiced his opposition to the project, alleging that pollution in the air cannot be mitigated.***

***Speaker in opposition to the proposed desalination project stated concerns with intake pipes and with the use of the word "watershed." He asked Council to find the EIR inadequate.***

***Speaker stated he attended Metropolitan Water District Meetings and found them informative. He announced that a representative from the Water District, Michelle Tuchman, was present in the audience and available to answer questions. He questioned the need for additional water sources in the area.***

***Southeast Huntington Beach resident thanked Councilmembers for allowing citizens to speak after the staff report. He suggested anyone who believes staff report conclusion that the EIR complies with the California Environmental Quality Act (CEQA) should rethink the issues. He stated his opinion that the EIR does not begin to mitigate the impacts.***

***Speaker spoke regarding the Metropolitan Water District of Orange County (MWDOC) meeting and complimented the presentation given. She highlighted data from the report including an opinion that existing water programs are sufficient for the next 25 years. She voiced her opinion that there is no water crisis and no need to rush to judgment on this project. She announced that MWDOC would also do a presentation for the City Council, if requested.***

***Speaker addressed process questions posed earlier by Council. He stated his opinion that the EIR may be certified, CUP and CDP may be approved, but the Statement of Overriding Considerations (SOC) must also be approved for the project to move forward. He advised that discretion and judgment may be reflected in the SOC.***

**Council/Agency Adjournment – 6:17 p.m.**

***Council adjourned to a Special Meeting August 23, 2005 at 5:30 p.m.***

The next regularly scheduled Council meeting is ***Tuesday, September 6, 2005 (moved from Monday in observance of the Labor Day Holiday)***, at 4:00 p.m., in Room B-8, Civic Center, 2000 Main Street, Huntington Beach, California.

Council/Agency Agendas and Minutes are Available at No Charge to the Public at the City Clerk's Office, on the City's Website, Via Email, and Through Paid Subscription. Complete Agenda Packets are Available at the Central Library and Library Branches on Friday Prior to Meetings. Videotapes of Council Meetings are Available for Checkout at the Central Library at No Charge.

**JOAN L. FLYNN, CITY CLERK  
City of Huntington Beach  
2000 Main Street - Second Floor  
Huntington Beach, California 92648**

**COMPUTER INTERNET ACCESS TO CITY COUNCIL/REDEVELOPMENT AGENCY  
AGENDA WITH STAFF REPORTS IS AVAILABLE PRIOR TO CITY COUNCIL MEETINGS  
<http://www.surfcity-hb.org>**