



# AGENDA

Monday, July 14, 2014

CITY COUNCIL

**MAYOR  
AND  
CITY COUNCIL**

**FRED A. WILSON**  
City Manager

**JENNIFER MCGRATH**  
City Attorney

**JOAN L. FLYNN**  
City Clerk

**ALISA CUTCHEN**  
City Treasurer

## CITY OF HUNTINGTON BEACH

**6:00 PM - SPECIAL MEETING**  
**Council Chambers - 2000 Main Street**  
**Huntington Beach, CA 92648**  
<http://www.huntingtonbeachca.gov>

**MATTHEW M. HARPER**  
Mayor

**JOE SHAW**  
Mayor Pro Tem

**JOE CARCHIO**  
Councilmember

**JIM KATAPODIS**  
Councilmember

**CONNIE BOARDMAN**  
Councilmember

**JILL HARDY**  
Councilmember

**DAVE SULLIVAN**  
Councilmember

### WEB ACCESS:

Live Broadcast and audio and video archives  
can be accessed at <http://huntingtonbeach.granicus.com>

### \*\*REMINDER\*\*

As a courtesy to those in attendance, please  
silence your cell phones and pagers

### 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 meetings. If you require special assistance, 48-hour prior notification will enable the city to make reasonable arrangements. To make arrangements for an assisted listening device (ALD) for the hearing impaired, American Sign Language interpreters, a reader during the meeting and/or large print agendas, please contact the City Clerk's Office at (714) 536-5227, or request assistance from the Sergeant-at-Arms at the meeting.

### CITY COUNCIL/PUBLIC FINANCING AUTHORITY

The City Council/Public Financing Authority of the City of Huntington Beach will regularly convene in joint session on the first and third Monday of each month for the purpose of considering agenda items. The Huntington Beach Parking Authority and Civic Improvement Corporation are also agencies on which the Council serves as members. On each agenda these agencies may have items scheduled.

### CITY COUNCIL AGENDA

The City Council agenda and supporting documentation is made available for public review during normal business hours in the Office of the City Clerk, 2000 Main Street immediately following distribution of the agenda packet to a majority of the City Council. Packet delivery typically takes place on Wednesday afternoons prior to the regularly scheduled meeting on Monday. The agenda packet is posted on the city's website at <http://www.huntingtonbeachca.gov/Government/agendas/>. Questions on agenda items may be directed to the City Clerk's Office at (714) 536-5227.

### AUDIO/VIDEO ACCESS TO CITY COUNCIL MEETINGS

City Council meetings are televised live on cable TV Channel 3, and can be viewed via live or archived web cast at <http://www.huntingtonbeachca.gov/Government/agendas/>. DVD recordings of meetings are available for public checkout at the Central Library.

### SUPPLEMENTAL COMMUNICATION

Staff and members of the public have the opportunity to submit information related to an agenda item following distribution of the agenda packet to the City Council. This information is identified as "Supplemental Communication" and is assembled into a packet by the City Clerk on the day of the City Council meeting. The Brown (Open Meetings) Act requires that copies of Supplemental Communication be made available to the public immediately upon distribution of material to a majority of the City Council. Communication received by any individual at the meeting will be made available to the public in the City Clerk's Office the following morning.

### AWARDS AND PRESENTATIONS

Awards, presentations, and proclamations made by the Mayor on behalf of the City of Huntington Beach. The Public

Information Office will coordinate the arrangements with the Mayor and submit the list of presentations through the City Manager's Office.

#### **PUBLIC COMMENTS**

This is the time of the meeting for the City Council to receive comments from the public regarding items of interest or agenda items not scheduled for Public Hearing. Pursuant to the Brown (Open Meeting) Act, the City Council may not enter into discussion regarding items not on the City Council agenda. Members of the public who wish to speak to a member of the Council on an item not on the agenda may consider setting up an individual appointment by contacting the Council's Administrative Assistant at 714-536-5553. The City Council strives to treat members of the public with respect. Comments or concerns provided by the public shall be done in a civil and respectful manner.

To participate in Public Comments, **pink Request to Speak** forms are available at the Chambers entrance and are collected by the Sergeant at Arms (the Police Officer located near the speakers' podium). Each speaker is allowed 3 minutes, and time may not be donated to another speaker.

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

This is the opportunity for Councilmembers to make announcements regarding Council committees, appointments or liaison reports and all individuals as appropriate to disclose any conferences, training, seminars, etc. attended at the Agency's expense, per Government Code §53232.3(d).

Lists of the conferences, training, seminars, and other activities generally attended by the City Council, City Manager, City Attorney, City Clerk, and City Treasurer are included as appendices to the City Budget. The budget is available on the city's website at [http://www.huntingtonbeachca.gov/Government/budget\\_information/](http://www.huntingtonbeachca.gov/Government/budget_information/). Exceptions to these lists have been submitted as a report to the City Clerk for inclusion in the record of this meeting.

#### **PUBLIC HEARING**

Public Hearings allow citizens the opportunity to speak in favor or against specific items brought to Council by staff. Staff may provide a presentation. The Mayor will open the Public Hearing to receive public comments on that specific item. Upon hearing all public comments, the Mayor will close or continue the Public Hearing. Council may then decide to engage in discussion and/or take action on the item.

To participate in a Public Hearing, **green Request to Speak** forms are available at the Chambers entrance and are collected by the Sergeant at Arms (the Police Officer located near the speakers' podium).

#### **ADMINISTRATIVE HEARING**

Administrative Hearings required by Huntington Beach Municipal Code Section 1.18 entitle only affected property owners to speak on a respective item.

To participate in the Administrative Hearing, **blue Request to Speak** forms are available at the Chambers entrance and are collected by the Sergeant at Arms (the Police Officer located near the speakers' podium).

#### **CONSENT CALENDAR**

Consent Calendar items are considered routine items that do not normally require separate consideration. The City Council/Public Financing Authority usually makes one motion for approval of all the items listed under this section. However, Council may remove an item from the motion for discussion purposes.

#### **ADMINISTRATIVE ITEMS**

Administrative Items are considered separately and require separate motions. These actions are normally of a non-routine nature, and frequently require a staff presentation.

#### **ORDINANCES**

Ordinances require two readings before the City Council. They are first introduced, and then adopted at a subsequent meeting. Ordinances typically become law thirty (30) days after adoption. However, an emergency ordinance may be adopted upon introduction, and is effective immediately.

#### **COUNCILMEMBER ITEMS**

This portion of the agenda is provided for Items of business presented by individual members of the City Council/Public Financing Authority.



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Councilmember

## CALL TO ORDER

## ROLL CALL

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

## PLEDGE OF ALLEGIANCE

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

## PUBLIC COMMENTS (3 Minute Time Limit)

## COUNCILMEMBER ITEM

1. **Submitted by Councilmember Joe Carchio and Councilmember Jim Katapodis – Direct the City Attorney to prepare documents regarding Safe and Sane Fireworks Ballot Measure for City Council's consideration on July 21, 2014**

### **Recommended Action:**

A) Direct the City Attorney to prepare a resolution, ballot title, statement, and impartial analysis for City Council's consideration at the City Council meeting of 7/21/14; and,

B) Direct the City Attorney to prepare a resolution making a one-time exemption for the sole purpose of this ballot measure, regarding Resolution 2001-85, which mandates the opportunity for rebuttals to the Ballot arguments.

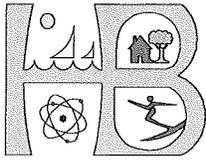
## COUNCILMEMBER COMMENTS (Not Agendized)

## **ADJOURNMENT**

The next regularly scheduled meeting of the Huntington Beach City Council/Public Financing Authority is **Monday, July 21, 2014**, at the Civic Center, 2000 Main Street, Huntington Beach, California.

**INTERNET ACCESS TO CITY COUNCIL/PUBLIC FINANCING AUTHORITY AGENDA  
AND STAFF REPORT MATERIAL IS AVAILABLE PRIOR TO CITY COUNCIL  
MEETINGS AT**

**<http://www.huntingtonbeachca.gov>**



# CITY OF HUNTINGTON BEACH

## City Council Interoffice Communication

**To:** Honorable Mayor and City Council Members

**From:** Joe Carchio, City Council Member  
Jim Katapodis, City Council Member

**Date:** July 11, 2014

**Subject:** ***CITY COUNCIL MEMBER ITEM FOR JULY 14, 2014, SPECIAL CITY COUNCIL MEETING – SAFE AND SANE FIREWORKS BALLOT MEASURE***

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### **STATEMENT OF ISSUE:**

The proposed ballot measure is a charter amendment allowing the use of Safe and Sane fireworks. If the proposed ballot measure passes, the City Council shall retain the ability to establish who will benefit from the proceeds of the sale of the fireworks, including where and when the fireworks may be sold/used.

Currently, the Huntington Beach Municipal Code prohibits all fireworks, including Safe and Sane Fireworks, as defined by State law. The City initiated a two year trial period from July 2011 through July 2013 and this immediate Fourth of July celebration was the first since then to not allow Safe and Sane fireworks. Both at City Council meetings and in general, there was a debate on whether the prohibition of Safe and Sane Fireworks should be put to a vote by Huntington Beach residents.

Given the great discord this issue is causing the community as well as the necessity to act quickly to meet deadlines for inclusion on the November ballot, discussion and immediate action on this issue is needed.

We are making this request to permit a full opportunity for comprehensive ballot arguments to be written in support or opposition of the ballot measure.

### **RECOMMENDED ACTION:**

1. Direct the City Attorney to prepare a resolution, ballot title, statement, and impartial analysis for City Council's consideration at the City Council meeting of 7/21/14.
2. Direct the City Attorney to prepare a resolution making a one-time exemption for the sole purpose of this ballot measure, regarding Resolution 2001-85, which mandates the opportunity for rebuttals to the Ballot arguments.

xc: Fred Wilson, City Manager  
Ken Domer, Assistant City Manager  
Joan Flynn, City Clerk  
Jennifer McGrath, City Attorney