



**CITY OF HUNTINGTON BEACH
SUPPLEMENTAL COMMUNICATION
Joan L. Flynn, City Clerk
Office of the City Clerk**

TO: Honorable Mayor and City Councilmembers

FROM: Joan L. Flynn, City Clerk 

DATE: 8/18/2014

SUBJECT: SUPPLEMENTAL COMMUNICATION FOR THE AUGUST 18, 2014, REGULAR CITY COUNCIL/PFA MEETING

Attached is a Supplemental Communication to the City Council (received after distribution of the Agenda Packet):

CONSENT CALENDAR

#7. Communication submitted by Joan L. Flynn, City Clerk, dated August 18, 2014 making a correction to pages 22 and 23 of the City Council/Public Financing Authority minutes dated July 21, 2014.



City of Huntington Beach

INTER-DEPARTMENT COMMUNICATION

TO: Honorable Mayor and City Council

FROM: Joan L. Flynn, CMC, MPA, City Clerk 

DATE: August 18, 2014

SUBJECT: SUPPLEMENTAL COMMUNICATION FOR CONSENT ITEM NO. 1 --
CORRECTION TO PAGES 22 AND 23 OF THE CITY COUNCIL/PUBLIC
FINANCING AUTHORITY MINUTES DATED JULY 21, 2014

Revisions are necessary to pages 22 and 23 of the draft City Council/Public Financing Authority minutes dated July 21, 2014. A brief explanation follows:

Page 22 – While the minutes accurately captured the motion to approve Staff's Recommendation, the mover of the motion verbally referred to a "5-year plan." The request presented with associated findings and conditions of approval for Conditional Use Permit No. 12-026, Coastal Development Permit No. 12-001 and Noise Deviation Permit No. 13-009 is not restricted to 5 years. The project was also publically noticed without reference to a 5-year restriction. Discussion with Planning and Building Department staff provided possible justification for the reference in that the previous Temporary Use Permit for the Surf City Nights Project was limited to 5 years. Therefore, it is recommended to strike reference to a 5-year plan.

Page 23 – The amendment is recommended to be consistent with what was published in the July 21, 2014 City Council Action Agenda.

Recommended Action:

Approve and adopt City Council/Public Financing Authority regular meeting minutes dated July 21, 2014, as amended to remove strike-through language identified on pages 22 and 23 (attached).

Attachment:
City Council/PFA Minutes
July 21, 2014 -- Pages 22 and 23

SUPPLEMENTAL COMMUNICATION

Meeting Date: 8/18/2014

Agenda Item No. 1

Guy Guzzardo stated he doesn't have a problem with the existing event or expanding it onto Fifth Street. However, he expressed concerns if it were to expand to the second or third block of Fifth Street as it would impact nearby residents. Additionally, he expressed concerns with the Noise Deviation Permit adding that existing noise levels are already in excess of City standards and the permit allows for up to a 9 dB increase of ambient noise. He added that approving this action grants the permit to override the City's Municipal Code and asked that Council deny that portion of the item. (04:44:48)

Susan Worthy commented in opposition to the expansion of the event onto Fifth Street as it is a further encroachment into residential areas and will impact traffic flows. She added that she is concerned with the noise deviation permit and suggested separating it from consideration. She opined that the latter goes against the City's Municipal Code and residents' rights to complain about noise. (04:45:20)

Mayor Harper closed the public hearing.

Mayor Pro Tem Shaw commented on the success of the event and stated it makes sense to expand it to Fifth Street. He addressed noise impacts and noted he is excited about making the event even better.

A motion was made by Mayor Pro Tem Shaw, second by Councilmember Katapodis to approve Staff's Recommendation and certify Environmental Impact Report No. 13-003 as adequate and complete in accordance with CEQA requirements by adopting Resolution No. 2014-44 , "A Resolution of the City Council of the City of Huntington Beach Certifying the Final Environmental Impact Report (SCH#2013051088) for the Surf City Nights Project;" approve Conditional Use Permit No. 12-026, Coastal Development Permit No. 12-001 and Noise Deviation Permit No. 13-009 with suggested findings and conditions of approval (~~5-year plan~~); and, approve CEQA Findings of Fact with a Statement of Overriding Considerations – EIR No. 13-003.

Councilmember Boardman stated that the Planning Commission was wise in wanting to see what would happen after one (1) year. She noted there could be unknown consequences of expanding the event to Fifth Street and expressed support for the matter, as long as there is a one (1) year trial.

Councilmember Sullivan agreed with Councilmember Boardman's comments.

Councilmember Hardy noted that one of the features of the Strand is that streets were able to close for special events. She spoke in support of expanding the event and agreed with a one (1) year trial.

Councilmember Carchio stated he agrees with the Planning Commission in terms of having a one (1) year trial. He commented on the number of vendors and asserted that retailers are not getting any money as people visit the vendors and not the businesses. He wondered if vendors have sales permits and whether the City is getting its share of money.

In responses to Mayor Harper's inquiry, Lori Eckman, Property Manager for the Strand, stated this would be a key opportunity to encourage visitors onto Fifth Street. She added that she would be open to a one (1) year trial period.

Councilmember Boardman asked if the maker and second of the motion would agree to amend the motion to a one (1) year trial.

Mayor Pro Tem Shaw and Councilmember Katapodis agreed.

Director of Planning and Building Scott Hess explained the distinctions between the Planning Commission's and staff's recommendations.

Discussion followed regarding the BID renewal process and Council actions necessary and options to facilitate changes in the future.

An amended motion was made by Mayor Pro Tem Shaw, second by Councilmember Katapodis to approve Staff's Recommendation to certify Environmental Impact Report No. 13-003 as adequate and complete in accordance with CEQA requirements by adopting Resolution No. 2014-44 , "A Resolution of the City Council of the City of Huntington Beach Certifying the Final Environmental Impact Report (SCH#2013051088) for the Surf City Nights Project;" and approve Conditional Use Permit No. 12-026, Coastal Development Permit No. 12-001 and Noise Deviation Permit No. 13-009 with suggested findings and conditions of approval, ***as amended to indicate it was for in one (1) year, and Staff to report back to Council on any issues related to the addition of Fifth Street on Tuesday nights***; and, approve CEQA Findings of Fact with a Statement of Overriding Considerations – EIR No. 13-003.

The motion carried with the following vote:

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

A motion was made by Councilmember Hardy, second by Councilmember Boardman to approve holding Public Hearing Items No. 14 and 15 after the hour of 11:00 PM, pursuant to City Council Resolution No. 6547.

The motion carried with the following vote:

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

14. Approved the 2014-2015 Housing and Urban Development (HUD) Action Plan for the Community Development Block Grant (CDBG)/HOME Investment Partnership Program (HOME); and authorized the City Manager to sign the Application for Federal Assistance Funds

City Manager Wilson introduced the item noting that the matter was previously considered in a study session and that recommendations have not changed.

Economic Development Project Manager Simone Slifman provided details of the report and addressed expected allocations for the coming year. She added this is a yearly process but also part of a five (5) year plan and addressed the CDBG Allocation Process, CDBG Category Allocations, Public Services Allocations, Home Allocations and recommendations.

In response to Councilmember Sullivan's inquiry, Mr. Hess reported that the \$225,000 for Code Enforcement under Housing is used for two (2) full-time Code Enforcement Officers who are assigned solely to CDBG areas within the City.