

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

**Monday, April 7, 2014
6:00 PM – Regular Meeting
Council Chambers Civic Center,
2000 Main Street
Huntington Beach, California 92648**

**An audio recording of the 4:00 PM portion of this meeting,
and 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/agengas/**

4:00 PM - ROOM B-8

CALL TO ORDER – 4:02 PM

ROLL CALL

Present: Katapodis, Hardy, Shaw, Harper, Boardman, Sullivan (arrived at 4:03 PM),
Carchio (arrived at 4:05 PM)
Absent: None

ANNOUNCEMENT OF SUPPLEMENTAL COMMUNICATIONS (Received After Agenda Distribution)

Pursuant to the Brown "Open Meetings" Act, City Clerk Joan Flynn announced supplemental communications received by her office following distribution of the Council agenda packet:

Study Session #1

PowerPoint communication submitted by Lori Ann Farrell, Director of Finance, dated April 7, 2014, entitled *City of Huntington Beach Miscellaneous and Safety Plans, CalPERS Actuarial Issues – 6/30/12 Valuation Preliminary Results*.

Study Session #2

PowerPoint communication submitted by Jane James, Senior Planner entitled *Huntington Beach Energy Project Visual Enhancement Plan AES Huntington Beach Energy Project*,

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

STUDY SESSION

- 1. Presentation by Bartel & Associates regarding CalPERS proposed actuarial valuation changes and the projected impact on the City's future employer contribution rates**

Finance Director Lori Ann Farrell introduced John Bartel, Bartel Associates, who provided a PowerPoint entitled *City of Huntington Beach Miscellaneous and Safety Plan, CalPERS Actuarial*

Issues - 6/30/12 Valuation Preliminary Results that included the following titled slides: Definitions, CalPERS Upcoming Issues, Summary of Demographic Information Miscellaneous, Plan Funded Status - Miscellaneous, Funded Ratio Miscellaneous, and Contribution Rates - Miscellaneous.

Councilmember Sullivan and Consultant Bartell discussed CalPERS assumed 7.5% return on investment rate, how CalPERS should consider what will be earned long term (over the next 30 years), and what happens if/when the earned rate equals zero.

Consultant Bartel continued the presentation with Contribution Projections - Miscellaneous, Before DRS, with DRS, and with DRS, Mortality and Other Assumption Changes - Miscellaneous, Contribution Projections with Approved Mortality and Other Assumption Changes - Miscellaneous, Summary of Demographic Information - Safety, Members Included in Valuation - Safety, Plan Funded Status - Safety, Funded Ratio - Safety, Contribution Rates - Safety, Contribution Projections - Safety, Before DRS, with DRS, and with DRS, Mortality and Other Assumption Changes - Safety, GASB 68, and PEPPA Cost Sharing.

Councilmember Sullivan and Consultant Bartel discussed optimism in relation to CalPERS realizing a 7.25% return on investment based on predictions made by independent advisors. Discussion ensued regarding bond and equity markets.

Councilmember Boardman and Consultant Bartel discussed how the Comprehensive Annual Financial Report (CAFR) will now need to list unfunded liabilities.

2. Reviewed Architectural Improvements and Height - Huntington Beach Energy Project (AES)

Senior Planner Jane James provided a PowerPoint presentation entitled *Huntington Beach Energy Project Visual Enhancement Plan AES Huntington Beach Energy Project*, that included the following titled slides: Existing Beach View, Existing & New - Scale Comparison, New Plant with Landscape Enhancement, Existing View from Magnolia, New Plant with Landscape Enhancement, Existing KOP-5, Landscape Enhancement KOP - 5, Project Attributes, Scheme 1: Aerial and Beach View, Scheme 2: Aerial and Beach View, and Huntington Beach Energy Project Resolution.

Councilmember Sullivan and Planner James discussed concerns related to California Energy Commission (CEC) responsiveness.°

Councilmember Carchio thanked staff for incorporating suggestions made by Council at the October 21, 2013 Study Session.

Councilmember Boardman and Planner James discussed the next opportunity for Council and the public to voice concerns to the CEC about noise, etc. Planner James explained that the CEC will publish preliminary staff reports, and that City staff will review and provide feedback to ensure compliance with local law and regulations. She also described how the public can interact through the hearing process which most likely will occur at the Huntington Beach Civic Center.

Councilmembers Boardman and Sullivan voiced concerns about the Air Cooled Condenser (ACC) piping, suggesting that the color of the pipes be changed for visual enhancement.

After Council shared concerns about long-term maintenance of the recommended appearance, Councilmember Hardy and Planner James discussed the CEC requiring that AES establish a long term maintenance plan. Discussion ensued about better blending with surrounding hotel developments, and structures being sound during severe weather conditions.

RECESS TO CLOSED SESSION

Mayor Harper announced: Pursuant to Government Code Section 54957.6.a, the City Council takes this opportunity to publicly introduce and identify designated labor negotiator City Manager Fred Wilson, who will be participating today in Closed Session discussions regarding labor negotiations with MEA, MSMA, SCLEA, POA, FMA, and/or PMA.

A motion by acclamation was made and approved to recess to Closed Session for Item Nos. 3-5.

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]: Jill Randall v. City of Huntington Beach, et al. United States District Court Case No. SACV11-01740 CJC (MLGx). In this case, Plaintiff claims civil rights violations against Orange County and the City in connection with the County's investigation and removal of Plaintiff's 4-year-old son from her custody. The claim against the City concerns assistance provided by City police officers to County Social Services personnel during their removal of Plaintiff's son from her residence.
4. Pursuant to Government Code § 54956.9(d)(1), the City Council recessed into Closed Session to confer with the City Attorney regarding the following lawsuit: Sepulveda Construction v. City of Huntington Beach, OCSC Case No. 30-2013-00644071, which involves the City's contract with Sepulveda Construction to construct the Ranger Lift Station, located at Ranger Lane, immediately north of Adams Avenue and west of the Santa Ana River.
5. Pursuant to Government Code § 54957.6, the City Council recessed to Closed Session to meet with its designated labor negotiators and Fred Wilson, City Manager regarding the following: MEA, MSMA, SCLEA, POA, FMA, and/or PMA.

6:00 PM – COUNCIL CHAMBERS

RECONVENE CITY COUNCIL/PUBLIC FINANCING AUTHORITY MEETING – 6:20 PM

CLOSED SESSION REPORT BY CITY ATTORNEY - None

ROLL CALL

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

PLEDGE OF ALLEGIANCE – Led by Councilmember Connie Boardman

INVOCATION - Led by Tom Hohmann from Sts. Simon & Jude Catholic Church, and member of the Greater 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 Harper called on Police Chief Robert Handy to present Deuce Awards to Huntington Beach Police Officers.

Vicky Macia, Mothers Against Drunk Drivers (MADD) Volunteer and Victim Advocate, presented Deuce Awards to Huntington Beach Police Officers for their efforts in taking drunk drivers off the road. Among them were Officer Brian Knorr, Officer Stephanie Williams, Officer Mary Jo Gamblin, Officer Roman Altenbach, Officer Wade Wilson and Officer Tai Huynh.

Police Chief Robert Handy pointed out that Officer Huynh has arrested over 2,000 DUI offenders in the City and he commended all the Officers who received awards for their efforts

Mayor Harper presented Fair Housing Month Proclamation to Director Martha Torres of the Fair Housing Foundation.

Martha Torres, Director of Investigations with the Fair Housing Foundation, provided information on the organization and what it has done for the City.

Mayor Harper presented her with a Proclamation in acknowledgement of their efforts.

Mayor Harper presented April 26, 2014 Compassionate Day of Service Proclamation to Maneck Bhujwala, President of the Greater Huntington Beach Interfaith Council and other community leaders.

Maneck Bhujwala, President of the Greater Huntington Beach Interfaith Council introduced community leaders in attendance and provided information regarding the upcoming Compassionate Day of Service which will be held on April 26, 2014. He addressed activities, informational flyers and volunteers and encouraged residents to participate.

Mayor Harper presented a Proclamation in acknowledgement of their work and efforts.

Mayor Harper called on Mayor Pro Tem Shaw to present a Proclamation to Mr. Ron Lowenberg, Dean of the Criminal Justice Training Center and Ms. Fran Faraz, Peace Studies Program Director of Golden West College in recognition of the 8th Annual Peace Conference scheduled for Friday, April 18, 2014.

Ron Lowenberg, Dean of the Criminal Justice Training Center of Golden West College congratulated the City and City Council for their selection of Robert Handy as Police Chief. He introduced Fran Faraz, Peace Studies Program Director of Golden West College.

Ms. Faraz provided information on the upcoming 8th Annual Peace Conference scheduled for April 18, 2014. She encouraged the community to participate in the conference and listed issues that will be discussed.

Mayor Pro Tem Shaw commented positively on the program and the event and presented them with a Proclamation in recognition of same.

Mayor Harper called on Jenelle Godges from Southern California Edison who presented the City with an award for achieving Platinum Energy Leader status.

Jenelle Godges, Southern California Edison, presented the City with an award for achieving Platinum Energy Leader status and provided information on the Energy Leader program and what it entails. She addressed accomplishments by the City in achieving the award.

Mayor Harper announced the National Mayors' Challenge sponsored by the Wyland Foundation that will promote water conservation.

Mayor Harper provided information on the National Mayor's Challenge for water conservation and encouraged residents to participate. He urged those interested to visit www.mywaterpledge.com.

ANNOUNCEMENT OF SUPPLEMENTAL COMMUNICATIONS (Received After Agenda Distribution)

Pursuant to the Brown "Open Meetings" Act, City Clerk Joan L. Flynn announced supplemental communications that were received by her office following distribution of the Council agenda packet:

Councilmember Items

Communication received from Mayor Harper for Agenda Item No. 17 additional supporting information for street name change to "Golden West Street".

Communication received for Agenda Item No. 18 from Richardson Gray, dated April 3, 2014, supporting a letter be sent to the National Trust for Historic Preservation for the Wintersburg site.

Communication received for Agenda Item No. 18 from Mary Urashima, Chair of the Historic Wintersburg Preservation Task Force, dated April 3, 2014, supporting a letter be sent to the National Trust for Historic Preservation for the Wintersburg site.

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 Harper opened the Public Comments portion of the meeting.

Alexandra Winnik, Therapeutic Riding Center, invited Council and the public to Derby Day on Saturday, May 3, 2014, from 1:00 p.m. to 6:00 p.m. She listed activities that will take place at the event. (00:24:14)

Jim Adams, Building Trades Council, announced a Work Day at Bolsa Chica Wetlands on May 4,

2014, from 8:00 a.m. to noon, provided information on sponsors and invited residents to participate. Regarding Item No. 15 in the agenda, he reported that the Building Trades has an agreement with AES utilizing local craft unions as workers. He expressed support of the item and thanked City Council for its efforts. (00:25:10)

Gloria Alvarez spoke in support of Item No. 18 and provided testimony on her experience and encouraged preservation of the site. (00:27:00)

Richardson Gray, HB Neighbors, spoke in support of Item No. 18 and urged Council to send a letter of support to the National Trust for Historic Preservation for the Wintersburg site. (00:30:05)

Craig Sheets, Fullerton, dedicated the meeting to his father, Gil Sheets and voiced concerns related to illegal weapons and drug trafficking. (00:31:57)

Barbara Haynes, Historic Resources Board, spoke in support of Item No. 18 regarding preservation of the Wintersburg site. (00:34:22)

Herb Lakin voiced concerns about local sober living homes adding there is nothing on the books to keep group-living homes out of residential neighborhoods and that there are no local regulations governing them. He added that most are for-profit and are able to charge high rental rates depending on their location. (00:36:52)

Mary Urashima, Chair of the Historic Wintersburg Preservation Task Force, spoke in support of Item No. 18 regarding the Wintersburg site. She referenced her new book on the site, and invited Council and residents to a book discussion at the Central Library on April 19, 2014, at 2:00 p.m. She commented on the significance of being included in the National Registry of Historic Places. (00:39:37)

Don Garrick, Huntington Beach Coordinating Council Vice President, spoke regarding National Volunteer Week and commented positively on the culture of volunteerism in the City and presented examples of same. He reported that additional information is included in the City's website. He noted that the Volunteer Expo will be held on April 12, 2014, from 10:00 a.m. to 2:00 p.m. in front of the Central Library as well as the upcoming Volunteer Day of Dialogue on April 18, 2014, at the Central Library. (00:42:36)

Ellen Polsky, Jewish Family and Children's Services of Long Beach and West Orange County, provided information on the services provided by the organization, addressed the organization's mission and announced their upcoming fundraiser, Race with a View. She invited Council and residents to participate in the 5K/10K Walk/Run which will be held in Long Beach, May 18, 2014, at 8:00 a.m. at the Granada Avenue Boat Launch at Ocean Boulevard. She reported that additional information and registration can be accessed at www.racewithaview.com. (00:45:26)

John Shipman commented positively on the City's conservation efforts and spoke in support of Item No. 7 regarding the California HERO (Home Energy Renovation Opportunity) Program. He invited Council and residents to the CHEROP Community Launch on April 29, 2014, at the Central Library. (00:48:21)

Robert Johnson spoke regarding the importance of organ donation, and voiced concerns regarding the City's policies and procedures related to inclusionary (affordable) housing. (00:49:39)

Mayor Harper encouraged him to submit his contact information in order that staff may follow up with responses to his questions.

Jon Ely spoke in support of Item No. 15 regarding the Huntington Beach Energy Project (AES). He addressed location of the new facilities, air quality and screening. (00:52:54)

Maureen Lawson noted that the meeting should have started at 6:00 p.m. but did not start until 6:20 p.m. She voiced concerns about too many presentations keeping the public from speaking at a reasonable hour. She voiced her opinion that using voter time to recognize City employees is poor judgment and added that as a voter, she resents the preference shown to presenters. (00:56:15)

Mayor Harper noted other opportunities to provide public comment, including during study sessions prior to Council's regular meetings. He noted that Council typically meets in Closed Session prior to regular meetings and that some items take more time than others.

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

Councilmember Boardman reported attending the Golden West College Gala, "Dancing for the Stars" event and the Assistance League's Treasures of the Sea.

Councilmember Katapodis reported attending the SCAG Committee meeting and the League of California Cities Public Safety Committee meeting.

Mayor Pro Tem Shaw reported attending the League of California Cities Public Safety Committee meeting.

Councilmember Sullivan reported attending the Orange County Senior Citizens Advisory Council Main meeting and Executive session.

Councilmember Carchio reported attending the Golden West College Gala, "Dancing for the Stars" event as well as the Library Volunteer Appreciation Day event and thanked City volunteers.

Mayor Harper reported attending the Golden West College Gala, "Dancing for the Stars" event and appointed Nick Tomaino to the Community Services Commission.

CITY MANAGER'S REPORT

City Manager Fred Wilson reported that Channel 7, ABC News, has agreed to televise the City's 4th of July Parade and thanked Julie Toledo for coordinating the efforts. He deferred to Police Chief Handy for a brief report on recent criminal activity in the downtown.

Police Chief Handy provided an update on the efforts being taken to address issues in the downtown area. He commented on the recent multiple-victim stabbing and unruly crowds and events. He reported that some of the events were caught on video and noted that some of the officers were outnumbered as violent crimes were occurring. He addressed a shift of focus and changes in schedules and work hours as well as deployment of additional officers, inspections and outreach. He addressed an increase in bicycle Officers and efforts in starting a mounted

Officer Program as well as coordination with other agencies for increased staffing. Chief Handy addressed violations and efforts to increase compliance as well as technology upgrades for increased security.

Councilmember Boardman announced that at Council's next study session on April 21, 2014, the Downtown Task Force will hold a joint meeting with Council and one (1) of the recommendations developed by the Task Force was for Council to work with the Police Department to add more cameras downtown. She added that it is possible for the City to have access to a greater regional resource of mounted Police Officers by having its own mounted team and participating in coordinated efforts.

Mayor Pro Tem Shaw thanked Chief Handy for the report and commented positively on the proposed plan to expand security and public safety measures. He added that Council supports adding more Police Officers in the City's next budget.

Mayor Harper noted that the matter will be on Council's agenda in two (2) weeks and cautioned against providing specific comments at this time.

Councilmember Katapodis commended Chief Handy for the report and the Department's efforts.

Councilmember Carchio thanked Chief Handy for the quick response to the recent event. He noted that many disturbances occur during the daytime noting the concern of many businesses in the area.

Councilmember Sullivan described his disappointment about the Marines who were recently assaulted during their attempts to protect someone else. He stated that it is time to stop creating all of the various committees and ad hoc committees and do something about crime and incidents in Downtown Huntington Beach. He believed that the problems relates to bars and drinking and commented on the "Palm Springs Plan". He commented on an ABC requirement that distinguishes between a restaurant and a bar and stated that there are places that were approved by Council as restaurants and which are in fact, bars. He stressed the need for enforcement and noted this is a very serious problem that needs to be addressed and called for an action plan.

Mayor Harper agreed with the need to get quick resolution and reiterated that the matter will return to Council at its next meeting.

CONSENT CALENDAR

Councilmember Boardman pulled Items No. 3, 5, 7 and 9 for separate discussion and consideration.

Mayor Harper pulled Item No. 8 for separate discussion and consideration.

1. Approved and adopted minutes

A motion was made by Councilmember Carchio, second by Councilmember Boardman to review and approve the City Council/Public Financing Authority regular meeting minutes dated March 17, 2014, as written and on file in the Office of the City Clerk.

The motion carried with the following vote:

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

2. Approved the appointments of Tony Soriano and Jessica Bechtold to the Environmental Board as recommended by City Council Liaisons, Mayor Pro Tem Shaw and Councilmembers Hardy and Boardman

A motion was made by Councilmember Carchio, second by Councilmember Boardman to approve the appointments to the Environmental Board: Tony Soriano for a first term to expire June 30, 2015, and Jessica Bechtold for a first term to expire June 30, 2014, as recommended by City Council Liaisons Mayor Pro Tem Shaw and Councilmembers Hardy and Boardman.

The motion carried with the following vote:

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

3. Authorized appropriation of funds for the Northwest Catch Basin Retrofit Project

Councilmember Boardman commented on the aforementioned item and stated she is glad that the City is pursuing this grant funding. She described the amount of debris that the filters will remove from the waterways and noted that this will help reduce the pollutants that end up in the ocean.

A motion was made by Councilmember Boardman, second by Councilmember Katapodis to authorize the appropriation of \$199,588 of grant funds to OCTA Grant Fund Account 87390013.82500.

The motion carried with the following vote:

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

4. Approved Fiscal Year 2012/13 Audit Close-Out Adjustments

A motion was made by Councilmember Carchio, second by Councilmember Boardman to approve final adjustments to the Fiscal Year 2012/13 Revised Budget.

The motion carried with the following vote:

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

5. Accepted donation from the Friends of the Huntington Beach Library and approved appropriation of \$70,000 for print books and other materials

Councilmember Boardman commented positively on the money raised by a volunteer group and thanked the community for its support of the Library.

Staff noted that the Friends of the Library have donated \$140,000 this year for books and listed other efforts, adding that they have supplemented the Library's budget, significantly.

Councilmember Katapodis expressed his appreciation for their efforts.

Councilmember Carchio encouraged residents to attend the upcoming Taste of Huntington Beach in support of the Library.

Councilmember Sullivan reported attending the Volunteer Luncheon at the Library today and commented positively on the work of volunteers.

A motion was made by Councilmember Katapodis, second by Councilmember Boardman to accept and approve budget appropriation for \$70,000 donation received from Friends of the Huntington Beach Library for print books and other materials; and, authorize the Finance Department to allocate the donated funds to the Library donation account, Adult Donations Books, business unit 10350102.64455.

The motion carried with the following vote:

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

6. Approved recommendations by the Intergovernmental Relations Committee (IRC) to support the Public Library Broadband Initiative and three redevelopment dissolution clean-up bills: SB 1129, AB1963, and AB 1582

A motion was made by Councilmember Carchio, second by Councilmember Boardman to approve a position of support and authorize the Mayor to sign letters of support as necessary for the Public Library Broadband Initiative; approve a position of support and authorize the Mayor to sign letters of support as necessary for Senate Bill 1129 (Steinberg); approve a position of support and authorize the Mayor to sign letters of support as necessary for Assembly Bill 1963 (Atkins); and, approve a position of support and authorize the Mayor to sign letters of support as necessary for Assembly Bill 1582 (Mullin).

The motion carried with the following vote:

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

7. Adopted Resolution 2014-14 consenting to the inclusion of properties within the City's Jurisdiction in the California HERO (Home Energy Renovation Opportunity) Program to finance Distributed Generation Renewable Energy Sources, Energy and Water Efficiency Improvements, and Electric Vehicle Charging Infrastructure and approving an Amendment to a certain Joint Powers Agreement related thereto

Councilmember Boardman introduced Energy Manager Aaron Klemm and deferred to him for a presentation.

Energy Manager Klemm presented a PowerPoint presentation detailing the California HERO Program. He addressed program qualifications and examples of eligible improvements.

In response to Councilmember Sullivan's inquiry, Energy Manager Klemm reported that the program is a voluntary assessment of the current property in exchange for the financing and does not affect property tax remittances to the City.

Mayor Harper clarified that the assessment goes along with the property and Energy Manager Klemm added that it depends on the individual lender.

A motion was made by Councilmember Boardman, second by Councilmember Hardy to adopt Resolution 2014-14, "A Resolution of the City Council of the City of Huntington Beach Consenting to the Inclusion of Properties Within the City's Jurisdiction in the California Hero Program to Finance Distributed Generation Renewable Energy Sources, Energy and Water Efficiency Improvements and Electric Vehicle Charging Infrastructure and Approving the Amendment to a Certain Joint Powers Agreement Related Thereto" adding the City as an Associate Member in order to authorize the City's participation in the California HERO Program, which will enable property owners to finance permanently fixed renewable energy, energy and water efficiency improvements and electric vehicle charging infrastructure on their properties.

The motion carried with the following vote:

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

8. Adopted Resolution Nos. 2014-15 and 2014-16 amending Fee Resolutions 2009-33 and 2009-31 for facility rentals, recreation services, and user fees

Mayor Harper asked for clarification on the proposed changes, noting that some of the changes are in coding fees that have already been on the fee schedule, with some decreases and some film fees.

City Manager Wilson stated that the other main change relates to City-sponsored or City-co-sponsored events and would allow waiving of fees. He added there are no fee increases as a result of this item.

A motion was made by Councilmember Carchio, second by Councilmember Boardman to adopt Resolution 2014-15, "A Resolution of the City Council of the City of Huntington Beach Amending Resolution No. 2009-33 Which Established a Citywide Schedule for Charges for Facility Rentals and Recreation Services and Repealed Resolution No. 2007-60 and All Supplemental Resolutions Thereto (Supplemental Fee Resolution No. 5);" and, adopt Resolution 2014-16, "A Resolution of the City Council of the City of Huntington Beach Amending Resolution No. 2009-31 Which Established a Citywide User Fee Schedule and Repealed Resolution No. 2007-58 and All Supplemental Resolutions Thereto (Supplemental Fee Resolution No. 5)."

The motion carried with the following vote:

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

9. Awarded and authorized execution of a contract in the amount of \$154,131 to Bali Engineering & Construction Inc., for the 1st Street Storm to Sewer Diversion

Project, CC-1461; and, authorized an appropriation in the amount of \$63,000 and up to fifteen percent (15%) in construction change orders

Councilmember Boardman provided a brief description of the item noting that it will prevent storm water discharge onto City beaches throughout the year.

A motion was made by Councilmember Boardman, second by Mayor Pro Tem Shaw to accept the lowest responsive and responsible bid submitted by Bali Engineering & Construction Inc. in the amount of \$154,131; authorize the Mayor and City Clerk to execute a construction contract in a form approved by the City Attorney; authorize the appropriation of \$63,000 in OCTA grant funds to account 87390015.82500; and, authorize the Director of Public Works to approve up to fifteen percent (15%) in construction change orders.

The motion carried with the following vote:

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

10. Approved the name change from Huntington Beach Marketing and Visitors Bureau (HBMVB) to Visit Huntington Beach (VHB) through adoption of Resolution No. 2014-17, Amendment # 2 to the Grant Agreement and approval of an Agreement to Administer the Huntington Beach Hotel/Motel BID Funds

A motion was made by Councilmember Carchio, second by Councilmember Boardman to adopt Resolution No. 2014-17 " A Resolution of the City Council of the City of Huntington Beach Amending Resolution 2002-69 to Change the Name of the Huntington Beach Hotel/Motel Business Improvement District Advisory Board;" approve and authorize the Mayor and City Clerk to execute "Amendment No. 2 to Grant Agreement Between the City of Huntington Beach and Visit Huntington Beach (Formerly called the Huntington Beach Marketing and Visitors Bureau) for Public Relations Services;" and, approve and authorize the Mayor and City Clerk to execute "Agreement Between the City of Huntington Beach and Visit Huntington Beach to Administer Huntington Beach Hotel/Motel BID Assessment."

The motion carried with the following vote:

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

11. Authorized the execution of a One-Day Right of Entry License for an Environmental Assessment for the proposed Heil Avenue Storm Water Rehabilitation Project located at 16371 Gothard Street

A motion was made by Councilmember Carchio, second by Councilmember Boardman to authorize the Mayor and City Clerk to execute the "One-Day Right of Entry License" (16371 Gothard Street), in a form approved by the City Attorney for the proposed Heil Avenue Storm Water Rehabilitation Project.

The motion carried with the following vote:

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

12. Approved and authorized execution of Amendment No. 1 to a Service Agreement between the City and Sterling OC Enterprises, LLC for technical Theater and Events Support extending contract through September 30, 2014 and authorizing additional compensation in the amount of \$44,486

A motion was made by Councilmember Carchio, second by Councilmember Boardman to approve and authorize the Mayor and City Clerk to execute the Service Agreement "Amendment No. 1 Between the City of Huntington Beach and Sterling OC Enterprises, LLC for Technical Theater and Events Support" extending the current Service Agreement to September 30, 2014 and authorizing additional compensation in the amount of \$44,486 for a total contract amount not-to-exceed \$164,486.

The motion carried with the following vote:

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

13. Approved and authorized execution of a License Agreement with Southern California Edison (SCE) for Traffic Signal Equipment on Center Avenue at Bella Terra

A motion was made by Councilmember Carchio, second by Councilmember Boardman to approve the "License Agreement" with Southern California Edison for use of the portion of their property at the eastern driveway of Bella Terra and Center Avenue for the location and maintenance of traffic signal equipment; and, authorize the Mayor and City Clerk to execute any and all documents to conclude this transaction.

The motion carried with the following vote:

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

PUBLIC HEARING

14. Approved Substantial Amendment No. 2 to the City of Huntington Beach 2010-2015 Consolidated Plan for Housing and Urban Development Programs and Amendment No. 1 to FY 2013-2014 Annual Action Plan for the Community Development Block Grant (CDBG) and HOME Investment Partnership Program for the Oceana Project located at 18151 Beach Boulevard

Deputy Director of Business Development Kellee Fritzal presented details of the staff report addressing the requested amendments and noting the need for a Public Hearing.

Mayor Harper opened the Public Hearing. With no one present to speak on the item, the Public Hearing was closed.

In response to Councilmember Sullivan's inquiry, Director Fritzal addressed location of the

project, reported that City Council approved the Affordable Housing Agreement in November, 2012, and that an amendment was done in 2013. She added that the project is four (4) stories with a total of seventy-eight (78) units and that the first story is for parking. She noted that this was approved as part of the Beach/Edinger corridor specific plan.

Councilmember Sullivan expressed his opposition to the Edinger/Beach plan, noting the preponderance of apartment complexes in the City and stated he will vote against the item.

Councilmember Carchio reported visiting the project site and addressed the partnership between the developer and the Affordable Housing representatives and commented on the need for affordable housing in the community.

Councilmember Boardman commented on the originally proposed plan, meetings with nearby residents and noted that the developer voluntarily reduced the number of proposed units. She commended the developer for taking the concerns of residents into consideration.

A motion was made by Councilmember Hardy, second by Mayor Pro Tem Shaw to approve Substantial Amendment No. 2 to the City of Huntington Beach 2010-2015 Consolidated Plan and Amendment No. 1 to the FY 2013-2014 Annual Action Plan for the Community Development Block Grant (CDBG) and HOME Investment Partnership Program; and, authorize City Manager to sign all necessary documents.

The motion carried with the following vote:

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

ADMINISTRATIVE ITEMS

15. Adopted Resolution No. 2014-18 supporting architectural improvements and approximate 125 ft. height of the proposed Huntington Beach Energy Project (AES) and transmit the recommendation to the California Energy Commission

City Manager Wilson introduced the item and deferred to staff for a report.

Senior Planner Jane James presented details of the staff report addressing the proposed site plan, background, authority through the California Energy Commission (CEC), compliance with local ordinances and regulations, review of the project by City staff, and items of note identified by staff regarding height limitations and architectural improvements. She addressed existing and proposed conditions, the City's response to AES and CEC and the subsequent resolution developed by staff. Additionally, she addressed screening and architectural features and presented recommendations as stated in the report. She added that if the public would like to participate in the review and submit comments, they would need to do so through the California Energy Commission.

In response to Mayor Harper's inquiries, Senior Planner James commented on the massing, height of the stacks and effects of height on emissions, and opportunities for public input.

Regarding the effect of height on emissions, Senior Planner James stated the information can be obtained from the CEC or the South Coast Air Quality Management District (AQMD).

Mayor Harper asked that staff follow up with the respective agency regarding the matter.

Senior Planner James understood that the Public Hearings by the CEC would be held in the City's Council Chambers for the benefit of the community.

Councilmember Sullivan asked to speak with a member of AES and asked regarding the company's position regarding the height of the stacks.

Stephen O'Kane, Manager of Sustainability and Regulatory Compliance with AES, reported analyzing the height of the stacks with the intent of obtaining the lowest height where they can get the greatest air-quality benefit. He reported it was demonstrated through numerical modelling which was submitted to the CEC and the AQMD.

Councilmember Sullivan suggested continuing the item until the next Council meeting in order to obtain additional information regarding stack heights and views.

Discussion followed regarding the timing and whether there is urgency regarding the matter.

Mr. O'Kane reported that the project is moving towards the final staff assessment and indicated he would appreciate Council passing the resolution in order to move the project into the next stage. He noted it has been a long process and that they have worked through the issues with the City.

Councilmember Sullivan withdrew his suggestion to continue the matter and commented on the importance of security.

In response to Councilmember Boardman's inquiry regarding the availability of modelling relative to emissions and Mr. O'Kane reported there is substantial modelling under all possible meteorological conditions, looking at every single type of pollutant and that the information is available through the CEC website. He added that he will provide the information to Council for review.

Councilmember Carchio noted that subsequent changes can be made if needed, after approval of the matter at this time.

Mr. O'Kane addressed next steps in including final design adding that the CEC will appoint a Chief Building Official who will ensure that the final design is what the City wants to see. He added that the delivery date for the electricity will be in 2019.

A motion was made by Councilmember Carchio, second by Councilmember Katapodis to adopt Resolution No. 2014-18, "A Resolution of the City Council of the City of Huntington Beach Supporting Proposed Architectural Improvements as Modified and Approximate 125 Foot High Structures Related to the Reconstruction of the Huntington Beach Energy Project."

The motion carried with the following vote:

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

ORDINANCES FOR INTRODUCTION

16. Approved for introduction Ordinance No. 4022 amending Chapter 14.18 of the Huntington Beach Municipal Code (HBMC) relating to the Water Management Program

Public Works Director Travis Hopkins introduced the item and deferred to staff for a report.

Utilities Manager Brian Ragland provided details of the staff report addressing authority, the Water Management Program, permanent conservation measures, current Level 1 restrictions, amendments to the Water Management Plan and proposed amendments to the Ordinance.

Senior Administrative Analyst Chris Davis addressed conservation efforts noting recognition of the City by the Southern California Water Committee. He provided information regarding currently available residential and commercial rebates, educational programs, areas for enhanced water conservation outreach, water conservation activities, Shipley Nature Center upcoming events, the Mayors' Challenge, free California-friendly landscape classes, free Rainwater Harvesting Classes. He provided contact information for those interested in learning more about rebates and programs.

In response to Councilmember Boardman's inquiry regarding the criteria for determining the various level restrictions and possible additional restrictions in the future, Public Works Director Hopkins reported that much of the City's water source is from ground water and noted that the Orange County Water District has done well in ensuring that the reservoir is full. He added that water is also imported through the Metropolitan Water District (MWD) which has also been storing water. Currently, the public is being asked to voluntarily conserve 10% but that Level 1 may need to be implemented if drought conditions continue. Additionally, he commented on sensors to monitor conditions and water usage and noted that a majority of the City's parks are on weather-based sensors and there is a remote operating system to detect how much water is being used and if there is a water break. He addressed plans to address City medians.

Councilmember Sullivan and Director Hopkins discussed permitting and other uses for fire hydrants.

Councilmember Hardy expressed her interest in continuing to pursue an allocation-based, tiered water pricing system noting that it would serve to encourage homeowners to conserve and save money.

Councilmember Katapodis encouraged residents to conserve and noted he just had artificial turf installed in his front and back yards.

A motion was made by Councilmember Carchio, second by Councilmember Katapodis to approve for introduction Ordinance No. 4022, "An Ordinance of the City of Huntington Beach Amending Chapter 14.18 of the Huntington Beach Municipal Code Relating to the Water Management Program."

The motion carried with the following vote:

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

NOES: None

COUNCILMEMBER ITEMS

17. Submitted by Mayor Harper and Mayor Pro Tem Shaw – Filed Regarding the Clarification of Street Name - Golden West Street

Mayor Harper presented background to the item and addressed the historical use of “Golden West” in the City. He noted the proposal would have no additional expense to the City.

Councilmember Boardman reported that Council settled this matter in 2009 when it approved the use of “Goldenwest” as one (1) word. At that time, the City changed street signage and she noted that since the City already went through that expenditure, it should continue with depicting “Goldenwest” as one (1) word.

Councilmember Hardy stated she supported the 2009, single-word “Goldenwest” vote and will continue to do so. She added that there would be a cost involved.

Discussion followed regarding the significant efforts made to standardize the streets throughout the City and to make it easier for mapping and vehicle location. It was noted there is a cost to the City in pursuing this as well as staff time in addition to other cities, counties and agencies.

Councilmember Katapodis agreed that changing the name would create a big problem and stated he will not support the item.

Councilmember Carchio commented on Council’s prior consideration of this matter in 2009 and stated this is something that is not needed. He stated he will not support the item.

Mayor Pro Tem Shaw agreed with Mayor Harper that “Golden West” should be two (2) words noting that it is evident in the historical records.

A motion was made by Mayor Harper, second by Mayor Pro Tem Shaw to direct the City Attorney to amend Resolution No. 2009-77 "A Resolution of the City Council of the City of Huntington Beach Changing the Names of Certain Streets within the City of Huntington Beach" to reflect the name change to "Golden West Street;" and, direct the City Clerk to notify all impacted agencies of the change.

The motion failed with the following vote:

AYES: Shaw, Harper, Sullivan

NOES: Katapodis, Hardy, Boardman, Carchio

18. Submitted by Councilmember Boardman - A request to authorize the Mayor to sign a letter to The National Trust for Historic Preservation failed which would have recommended that the Wintersburg site be included on their annual "America's 11 Most Endangered Historic Places" list

Councilmember Boardman reported that she is one of the Council liaisons to the Historic Wintersburg Preservation Task Force noting that it is charged with increasing public awareness of the site and raising funds to help preserve/relocate the buildings on the site within a limited time

span. One avenue that could raise awareness of the importance of the site is listing it on the "America's 11 Most Endangered Historic Places" list. She stated that the National Trust for Historic Preservation is a non-profit organization that coordinates funding for preservation and provides various services and resources towards preservation. She reported that the Wintersburg property has already been nominated and asked for Council's support of the matter. Additionally, she provided a sample letter and referenced an article about the site, reported that Mary Urashima has published a book about it and the site was filmed as part of a PBS program that will air later this year. She thanked Rainbow Environmental Services for cooperating in granting access to the site to various groups interested in preservation.

Mayor Pro Tem Shaw noted there is no harm to doing this and encouraged Council to support it.

In response to Councilmember Carchio's inquiry, Mary Urashima noted that the site was nominated last year but did not make the list. This year, there is more documentation available and there is a high level of confidence that it will make the list. She added that 97% of properties listed have been successful in achieving some preservation. She reported that it was learned that previously, donations had not been recorded and that currently, there have been approximately \$10,000 in donations but much more is needed and this is the vehicle that will help achieve that. She added this will get the attention of the City's Congressmen and will open the door for additional interest and donations. Ms. Urashima reported that she will continue donating her time and money as she has in the past. She added that she has donated a portion of the proceeds she has received from the sale of her book. She added that she received correspondence from Rainbow in support of the matter.

Jerry Moffatt, Executive Chairman of Rainbow Environmental Services, noted their support of preservation efforts and reported receiving correspondence from interested parties regarding relocation of the buildings. He commented on the Trust and indicated the company does not endorse going forward with the letter to the National Trust for Historic Preservation and that it would be at the pleasure of Council.

Ms. Urashima reported that Rainbow is on the Task Force and that the issue has been discussed thoroughly. She added that this would not take away private property rights but would achieve the preservation goal of raising funds in order to achieve some type of preservation.

Discussion followed regarding the protocol for having a dialogue with the interested parties.

Ms. Urashima reported that during discussions of the matter with the Task Force, no objections were raised by Rainbow.

Mr. Moffatt noted that he is not in support of the item, at the advice of Rainbow's Counsel.

Councilmember Sullivan commented on the statement that this will do no harm. He noted that Rainbow has purchased the land in good faith and have been tied up regarding this matter. He added that Rainbow has been cooperative and generous and that this issue cannot go on forever. Additionally, he related the desires of the Furuta Family matriarch relative to the cornerstone of the church. He noted there are a number of wealthy people of Japanese descent and felt that they could be stepping up but have not. He stated that the issue is tying up the land and that he is opposed to the motion.

Councilmember Boardman noted that the landowner graciously agreed to wait eighteen (18)

months after the EIR was processed to allow for the opportunity to raise funds for preservation. She added that the letter will help to raise funds adding that the process could be over sooner rather than later. Councilmember Boardman asked regarding the comments of the Family matriarch at the Planning Commission meeting.

Ms. Urashima stated she is in direct contact with the Furuta Family and has been for several years. She reported that the matriarch of the family is 91 years old and does not know why she was called regarding this matter, does not use the internet and has not been following this process. She added that the Family spokesperson indicated that they are very supportive of preservation and she explained the issue regarding the cornerstone. She added that it has been disturbing for the Family to have the statements of the matriarch, misrepresented.

In response to Councilmember Boardman's inquiry, Mr. Moffatt stated that they prefer that Council not support the item.

Councilmember Boardman stated she would have appreciated the issues being raised at the Task Force meeting adding that if she had understood Rainbow's opposition, it could have made a difference in the way the item was brought forward.

Councilmember Hardy thanked Ms. Urashima for her hard work and indicated she will support the item.

Councilmember Katapodis stated that the matter is a bit premature noting that a decision has not been made relative to relocating the structures.

Ms. Urashima stated this would not place the property on the National Registry but rather identifies the property as endangered and could provide the funding to achieve some type of preservation and noted the need to work on multiple tracks.

Mayor Pro Tem Shaw noted the proposal does not commit Rainbow to anything and does not change anything other than facilitating fundraising. He commented on the importance of the historical resource and noted that Council has a responsibility to the greater public good. He added that he would like to help get the word out about Wintersburg and its importance in Japanese history and the way the country has come together as a melting pot. He urged Council to give this a chance in documenting the Asian-American experience in the City and County.

In response to Councilmember Carchio's questions, Ms. Urashima reported meeting with Mr. Moffatt two (2) weeks ago and reported that the Board of the National Trust is deploying a team to look at the property to help with the preparation of proposals on the kinds of option available. She stated that they are looking for a win/win solution and to coordinate with Rainbow.

Councilmember Carchio noted that Mr. Moffatt has to listen to his attorney as it is in the company's best interest. He stated that he cannot support the matter.

She reiterated that 97% of properties listed have been successful in achieving some preservation. She hoped that Council would support fundraising efforts by supporting this item. She added that the Task Force is engaging the Japanese community and noted this is not an issue just for Japanese Americans but are reaching out to everyone.

Councilmember Carchio commented on ways to raise funds.

Mayor Harper encouraged Councilmembers to ask questions rather than having dialogues with speakers.

Councilmember Boardman stated that if the Task Force did not think that this would help with fundraising efforts, she would not have brought the item forward. The Task Force believes that having Council send a letter in support of listing the site on the annual "America's 11 Most Endangered Historic Places" list would be helpful. She stressed that the item is all about fundraising, not having the site listed on the Historic Registry. She added that the National Trust has the professionals that would help target sites that are on the list and would speed the process up as well as the fundraising.

In reply to Councilmember Sullivan's inquiry, Mr. Moffatt reported that the last appraisal on the site was over \$5.5 million.

Councilmember Sullivan commended Ms. Urashima for her efforts but stated he is not in agreement with her methods. In response to his inquiry, Mr. Moffatt reported that he learned of the item last week. Councilmember Sullivan did not believe the site is worthy of being included on the list.

Councilmember Boardman addressed conversations with Mr. Moffatt and Ms. Gordon, representing Rainbow, who was present at the Task Force meeting when this matter was discussed.

Mayor Pro Tem Shaw asked whether Councilmembers believe this is a historic site. He asked the same of Mr. Moffatt who stated he does not believe it is a historic site as there has been no noteworthy event associated with it.

Mayor Pro Tem Shaw indicated he cannot understand why some Councilmembers are against placing the site on the list.

Councilmember Hardy stated she believes Wintersburg to be a historic site and that there does not need to be an event or moment in order for it to be considered as such. She added that the site addresses a specific part of the City's history requiring time and understanding of how things changed over time. She indicated that she is sad that the majority of Council does not want to support efforts to raise money to preserve the site and its history.

Councilmember Katapodis commended Ms. Urashima for her efforts but acknowledged the concerns of Rainbow and their attorney.

Councilmember Carchio commented on his support of minorities and questioned that the property is an historic site.

Ms. Urashima noted that it is in the City's General Plan as well as an environmental assessment that was done in connection with the EIR. Additionally, she referenced the Galvin Survey and a report from the National Park Service noting that the site is historically important. She noted that Council has received sufficient documentation that the site is historic.

Councilmember Sullivan stated that he believes the site is historic and listed other sites that he believe are also historic but stated Wintersburg is not within his top eleven (11) sites.

Mayor Pro Tem Shaw stated that historically, minority historical sites are discounted.

A motion was made by Councilmember Boardman, second by Mayor Pro Tem Shaw to authorize the Mayor to sign a letter to The National Trust for Historic Preservation recommending that the Wintersburg site be included on their annual "America's 11 Most Endangered Historic Places" list.

The motion failed with the following vote:

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

COUNCILMEMBER COMMENTS (Not Agendized)

Councilmember Carchio reported attending Surfboards on Parade and commented on the Andy Warhol surfboard. He reported meeting Dr. Terrence Roberts from HB Reads One Book ("Lessons from Little Rock"). Additionally, he attended the Celebration of Life for John Thomas and commended Councilmember Hardy for her efforts regarding Youth in Government Day. He attended the Golden West College Gala "Dancing with the Stars" and the Library Volunteer Appreciation Day.

Councilmember Sullivan reported attending a meeting of the ACC-OC and United Way with County Supervisors and reported their identification of the most pressing needs including education, income, health and housing.

Councilmember Boardman reported attending the Vans Skate Park Grand Opening, Huntington Beach Tomorrow and the Sister City Japanese Cultural Festival in Central Park. She reminded residents of the upcoming Day of Service on April 26, 2014. Additionally, she reported that at the next study session on April 21, 2014, Council will meet with the Downtown Task Force to receive their recommendations to Council. She stated that she will be writing her own letter in support of including Wintersburg in the "America's 11 Most Endangered Historic Places" list and encouraged Councilmembers to do the same.

Mayor Pro Tem Shaw reported attending the Vans Skate Park Grand Opening and the Sister City Japanese Cultural Festival in Central Park and complimented Councilmember Hardy for her efforts in Youth in Government Day. Additionally, he reported attending the Library Volunteer Appreciation Day luncheon.

Councilmember Hardy reported attending the HB Reads One Book, the Vans Skate Park Grand Opening and commented on the recent Youth in Government Day and thanked the students for making it a successful event. She thanked the lunch time speaker, Jennifer Friend.

Councilmember Katapodis reported installing officers for the Sand Dollars of Huntington Beach and attending the Ride the Next Wave Bonfire event and the Sneak Peak at Hoag Hospital. Additionally, he reported attending the Sister City Japanese Cultural Festival in Central Park and commended Natalie Anzivino, student for her efforts. He reported attending the Baker to Vegas run and congratulated participating Huntington Beach Police Officers. He expressed his thoughts and prayers for the Los Angeles Motor Police Officer who was hit by a drunk driver.

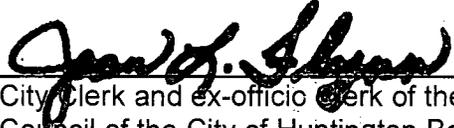
Mayor Harper reported attending Surfboards on Parade events, the Ride the Next Wave event,

HB Reads One Book and the Chamber of Commerce Ribbon Cutting for Sola Salon. Additionally, he reported participating in SeniorServ's March for Meals and the 14th Annual Huntington Beachcruiser Meet as well as the Vans Skate Park Grand Opening and the Celebration of Life for John Thomas. In addition, he reported attending "50 Years of Faithfulness" at the Calvary Baptist Church, the Sneak Peak at Hoag Hospital, and Lunch with the Mayor and the Sister City Japanese Cultural Festival in Central Park. He reported attending the swearing in ceremony for new Police Officers and speaking at the Lunch meeting for the Huntington Harbor Sea Belles. He commended Councilmember Hardy for the recent Youth in Government Day event and announced attendance at the ribbon cutting for Java Bakery as well as the Surfcity Paintball Open and commented on the raising of the Donate Life flag.

ADJOURNMENT

There being no further business to come before Council, Mayor Harper adjourned the meeting at 10:18 p.m.

The next regularly scheduled meeting of the Huntington Beach City Council/Public Financing Authority is Monday, April 21, 2014, 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 of the City of Huntington Beach and Secretary of the Public Financing Authority of the City of Huntington Beach, California

ATTEST:



City Clerk-Secretary



Mayor-Chair