

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

Monday, August 6, 2012  
4:00 PM - Room B-8  
6:00 PM - 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 archived at  
[www.surfcity-hb.org/government/agendas/](http://www.surfcity-hb.org/government/agendas/)**

4:00 PM - ROOM B-8

CALL TO ORDER - 4:03 PM

ROLL CALL - (Councilmember Connie Boardman requested and was granted permission to be absent pursuant to Resolution No. 2001-54)

Present: Shaw, Dwyer, Harper, Hansen, Carchio, and Bohr  
Absent: Boardman

ANNOUNCEMENT OF SUPPLEMENTAL COMMUNICATIONS (Received after Agenda Distribution)

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

A PowerPoint communication was submitted by Lori Ann Farrell, Director of Finance, dated August 6, 2012 and entitled *Fiscal Year 2012/2013 Highlights*.

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

STUDY SESSION

1. Street Light Update: City staff presented a street light update highlighting the recently filed street light rate settlement agreement and a significant opportunity for Huntington Beach to reduce ongoing street lighting costs.

Energy Conservation Manager Aaron Klemm provided a PowerPoint presentation dated August 6, 2012 entitled *Street Lighting Update* with titled slides: Agenda, Street Light Overview, HB FY 10/11 Electric Costs, General Rate Case (GRC), GRC Settlement Agreement, SCE Policy Change, Opportunity Purchase, Street Light Purchase - HB, Purchase Pro Forma, Public-Private Partnership, and Street Light Update.

Councilmember Harper and Manager Klemm discussed other cities' preferences in relation to purchasing utilities from public versus private vendors.

Councilmember Shaw, Mayor Pro Tem Dwyer and Director Klemm discussed rate case settlements, the annual savings realized from them, and how they adjust rates every three years.

2. Budget Update: The City Manager and Public Works Director provided an overview of the recommended FY 2012/2013 Capital Improvement Program (CIP)

Travis Hopkins, Director of Public Works, provided a PowerPoint entitled *FY 2012/2013 Capital Improvement Program*, with titled slides: Capital Improvement Program (CIP), New Appropriations, CIP Projects by Category, CIP Projects by Funding Source, Drainage and Storm Water \$2.7M, Facilities \$890K, Neighborhood \$3.7M, Parks and Beaches \$1.5M, Sewer Improvements \$2.55M, Streets and Transportation \$6.3M, Water Improvements \$5.57M, Continuing Appropriations, Continuing Projects \$14.7M, and Timeline of Proposed Budget/CIP for FY 2012/13.

In response to an inquiry from Councilmember Harper, Director Hopkins distinguished City versus County flood control projects.

Mayor Pro Tem Dwyer and Director Hopkins discussed design versus repair at Lambert Park.

Councilmember Harper and Director Hopkins discussed Safe Routes to School projects involving Stacey Middle and Clegg Elementary schools.

Mayor Hansen and Director Hopkins discussed extenuating conditions at Talbert Lake and if a potential for second-round environmental mitigation grants exist.

Councilmember Bohr and Director Hopkins discussed slope/sidewalk issues near Huntington Lake, public website access to information on the Edinger Avenue Traffic Synchronization project (Bolsa Chica to SR55), and funding for and CalTrans involvement with pedestrian crossing at Seapoint and Pacific Coast Highway.

Mayor Pro Tem Dwyer and Deputy City Manager Emery discussed park acquisition funds devoted towards design, and the timeline of when proposed design appropriations will come to fruition.

Mayor Pro Tem Dwyer and Director Hopkins discussed why study is necessary for the traffic signal project at Ellis and Main Street.

Councilmember Carchio and Director Hopkins discussed prioritization of items and rehabilitation of the Shipley Nature Center parking lot. Councilmember Shaw described meetings between Public Works staff and Shipley Nature Center board members that resulted in an immediate decision to upgrade ADA parking. He also shared hopes that an environmentally friendly design would be considered, and also requested staff research grant opportunities.

Councilmember Harper and Dave Dominguez, Facilities, Development & Concessions Manager discussed the design process of developing a vision/concept, citing examples such

as Worthy Park.

Councilmember Harper and Director Hopkins discussed bicycle master plan, bicycle task force, and plans to include a bike path from Gothard through Seapoint to the beach.

Lori Ann Farrell, Director of Finance, provided a PowerPoint presentation entitled *Fiscal Year 2012/2013 Highlights*, with titled slides: FY 2012/13 Budget Highlights, \$2.5 Million Potential Service Impacts - By Department, Highlights of Proposed Reductions, FY 2012/13 Program Budgets, Legal Services RFQ, Winding Down of Successor Agency, and Budget Calendar.

Mayor Pro Tem Dwyer and Director Farrell discussed redevelopment funds lost by the cities of Walnut and Brea.

Mayor Hansen questioned the final date to adopt the FY 2012/13 budget, and shared concerns about there being enough time to consider the legal services RFQ data before budget adoption. He suggested Council keep an open calendar for a possible special meeting on September 24.

Mayor Pro Tem Dwyer recommended that the Police Officers' Association commit to a two-tiered retirement system to save positions anticipated for layoff.

#### RECESS TO CLOSED SESSION

A motion was made by Carchio, second Dwyer to recess to Closed Session. The motion carried by the following roll call vote:

AYES:	Shaw, Harper, Dwyer, Hansen, Carchio, and Bohr
NOES:	None
ABSENT:	Boardman

#### CLOSED SESSION

3. Pursuant to Government Code § 54957.6, the City Council recessed to Closed Session to meet with its designated labor negotiators: Fred Wilson, City Manager; Paul Emery, Deputy City Manager; Bob Hall, Deputy City Manager; Michele Carr, Director of Human Resources; and Lori Ann Farrell, Director of Finance, regarding labor negotiations with MEO.

4. Pursuant to Government Code § 54957.6, the City Council recessed to Closed Session to meet with its designated labor negotiators: Fred Wilson, City Manager; Paul Emery, Deputy City Manager; Bob Hall, Deputy City Manager; Michele Warren, Director of Human Resources; and Lori Ann Farrell, Director of Finance, regarding labor negotiations with SCLEA (Surf City Lifeguard Employees' Association).

5. Pursuant to Government Code § 54956.9, the City Council recessed into Closed Session to confer with the City Attorney regarding the following lawsuit: MCP v. Vadnais, et al., Orange County Superior Court Case No. 30-2008 00113320. The City has filed a cross-complaint against Bureau Veritas for the negligent design of the Warner Avenue Gravity Sewer line.

6. Pursuant to Government Code § 54956.9, the City Council recessed into Closed Session to confer with the City Attorney regarding the following lawsuit: Pacific Mobile Home Park, LLC v.

City of Huntington Beach (Atlanta Widening Project), Orange County Superior Court Case No. 30-2011-00449749, challenging the City's adoption of a mitigated negative declaration under CEQA for the Atlanta Avenue Widening Project.

7. Pursuant to Government Code § 54956.9, the City Council recessed into Closed Session to confer with the City Attorney regarding the following lawsuit: Pacific Mobile Home Park, LLC v. City of Huntington Beach, Orange County Superior Court Case No. 30-2011-00497684, challenging the City's denial of Tentative Tract Map No. 17397 and CDP No. 10-017, to subdivide an existing for-rent mobile home park of 252 units for ownership purposes.

8. Pursuant to Government Code § 54956.9, the City Council recessed into Closed Session to confer with the City Attorney regarding the following lawsuit: Sean Lancaster v. City of Huntington Beach, WCAB Case Nos. ADJ6927900, ADJ6919325, and ADJ7264792; Claim Nos. COHB-05-0122, COHB-09-0059, and COHB-09-0131.

6:00 PM - COUNCIL CHAMBERS

RECONVENE CITY COUNCIL/PUBLIC FINANCING AUTHORITY MEETING - 6:13 PM

CLOSED SESSION REPORT BY CITY ATTORNEY

City Attorney McGrath reported that on Monday, August 6, 2012, by a 6-0 vote (Boardman Absent), the Council voted in closed session to appeal the award of attorney's fees granted on 6/29/12 in Pacific Mobile Home Park, LLC v. City of Huntington Beach (Atlanta Widening Project), OC Case No. 30-2011-00449749.

ROLL CALL - (Councilmember Connie Boardman requested and was granted permission to be absent pursuant to Resolution No. 2001-54)

Present: Shaw, Harper, Dwyer, Hansen, Carchio, and Bohr  
Absent: Boardman

PLEDGE OF ALLEGIANCE - Led by members of Boy Scout Troop Nos. 1, 442, 555 and 558.

INVOCATION - Provided by Father Christian Mondor, Sts. Simon and Jude Catholic Church.

AWARDS AND PRESENTATIONS

Presentation - Mayor Hansen called on Jenelle Godges from Southern California Edison Company to present a check to the City for energy saving lighting retrofits.

Presentation - Mayor Hansen called on Huntington Beach Lions Club President Steve Christy to present contribution checks in the amount of \$5,000 to Boy Scout Troop 1 and the Therapeutic Riding Center, organizations that helped them in their fireworks booth.

Presentation - Mayor Hansen called on Friends of Shipley Nature Center President Chuck Glenn to present a commendation in honor of the Friends tenth anniversary. Mr. Glenn provided a PowerPoint presentation that highlighted the formation of the Center, its mission

statement, programs, projects, volunteers, contributions, and visitors. Mr. Glenn discussed the number of hours devoted/donated by the Friends to the Shipley Nature Center.

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

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

A communication for Consent Item No. 8 submitted by Lori Ann Farrell, Director of Finance, dated August 1, 2012 and entitled *Supplemental Communication for the City Council Meeting of August 6, 2012 (approved Certificate of Liability Insurance)*.

#### PUBLIC COMMENTS (3 Minute Time Limit)

(The number (hh:mm:ss) following the speakers' comments indicates the approximate starting time in the archived video located at <http://www.surfcity-hb.org/government/agendas/>).

David Coffman voiced concerns about gardeners leaving behind polluted debris from blowers and weedwackers, and how his gardener uses an outdoor vacuum. He also acknowledged his neighbor, a public employee, has taken the initiative to improve a public parkway by cleaning it up and watering it. (00:32:49)

Randell Costello asked if the City would consider placing psychological professionals in Police patrol cars to improve the health, safety and welfare in Huntington Beach. (00:35:06)

Barb Donohue voiced concerns regarding future public safety and how the loss of Police personnel due to the economy will have a negative impact on the residents of Huntington Beach. (00:37:03)

Pam Vallot spoke in opposition to Councilmember Item No. 21 - Introduction of Ordinance 3956 - Modify Council Compensation. (00:39:23)

Tim Geddes spoke in opposition to Councilmember Item No. 21 - Introduction of Ordinance 3956 - Modify Council Compensation. (00:41:59)

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

Mayor Pro Tem Dwyer reported on the Downtown Art Center's *Escape From The Landfill* event scheduled for August 28 from 6:00 to 8:00 PM.

Councilmember Bohr submitted a written report that will be made available in the City Clerk's Office.

#### CITY MANAGER'S REPORT

Manager Wilson introduced Information Services Director Jack Marshall and members of the Information Services Department to educate the Council and members of the public on the *HB*

*Mobile Website*, a new mobile application developed for smart phones to access services via the City's website.

#### CITY TREASURER'S REPORT

##### 1. Received and Filed the City Treasurer's June 2012 Investment Summary Report

City Treasurer Alisa Cutchen provided a PowerPoint entitled *Treasurer's Investment Report As of June 30, 2012*, with titled slides: Portfolio Summary as of June 30, 2012, Investments by Type, Portfolio Earning and Performance, 10-Year U.S. Treasury, and Conclusion.

A motion was made by Carchio, second Bohr to receive and file the Monthly Investment Report for June 2012, pursuant to Section 17.0 of the Investment Policy of the City of Huntington Beach.

The motion carried by the following roll call vote:

AYES: Shaw, Harper, Dwyer, Hansen, Carchio, and Bohr  
NOES: None  
ABSENT: Boardman

#### CONSENT CALENDAR

##### 2. Received and Filed the City Treasurer's May 2012 Investment Summary Report

A motion was made by Hansen, second Dwyer to receive and file the Monthly Investment Report for May 2012, pursuant to Section 17.0 of the Investment Policy of the City of Huntington Beach. The motion carried by the following roll call vote:

AYES: Shaw, Dwyer, Harper, Hansen, Carchio, and Bohr  
NOES: None  
ABSENT: Boardman

##### 3. Accepted the Human Relations Task Force report regarding Bullying and adopt Resolution No. 2012-46 which includes a Proclamation against Bullying

Pulled by Councilmember Shaw who introduced Human Relations Task Force Chair Joe Dagley. Mr. Dagley provided a PowerPoint dated August 6, entitled *Bullying: A Report from the Human Relations Task Force*, with titled slides: Summary, Definition of Bullying, Significant Findings, and Recommendations.

Councilmember Carchio discussed his intentions to stay involved in public education on bullying.

A motion was made by Harper, second Shaw to accept the report entitled "Bullying: A Report from the Huntington Beach Human Relations Task Force." The motion carried by the following roll call vote:

AYES: Shaw, Dwyer, Harper, Hansen, Carchio, and Bohr

NOES: None  
ABSENT: Boardman

4. Approved project plans and specifications and awarded Construction Contract in the amount of \$139,075.00 to CS Engineering, for the Water Main Extension Project, CC1430, CC1431 and CC1388; and authorized execution of Construction Contract and 15% in Change Orders

A motion was made by Hansen, second Dwyer to accept the lowest responsive and responsible bid submitted by CS Engineering, in the amount of \$139,075.00; and, authorize the Mayor and City Clerk to execute a construction contract in a form approved by the City Attorney; and, authorize the Director of Public Works to approve up to fifteen percent (15%) in construction change orders. The motion carried by the following roll call vote:

AYES: Shaw, Dwyer, Harper, Hansen, Carchio, and Bohr  
NOES: None  
ABSENT: Boardman

5. Approved project plans and specifications and awarded Construction Contract in the amount of \$478,569.00 to Nobest Inc. for reconstruction of Aulhay Lane on the Tree Petition List, CC-1418

A motion was made by Hansen, second Dwyer to accept the lowest responsive and responsible bid submitted by Nobest Inc. in the amount of \$478,569.00; and, authorized the Mayor and City Clerk to execute a construction contract in a form approved by the City Attorney. The motion carried by the following roll call vote:

AYES: Shaw, Dwyer, Harper, Hansen, Carchio, and Bohr  
NOES: None  
ABSENT: Boardman

6. Approved project plans and specifications and awarded Construction Contract in the amount of \$87,775.50 to Sancon Engineering, Inc. for the FY 2011/12 Sewer Rehabilitation Project at Edinger Avenue, Lynn Lane, Keelson Lane, and Rotterdam Lane, CC-1419

A motion was made by Hansen, second Dwyer to accept the lowest responsive and responsible bid submitted by Sancon Engineering, Inc. in the amount of \$87,775.50; and, authorize the Mayor and City Clerk to execute a construction contract in a form approved by the City Attorney. The motion carried by the following roll call vote:

AYES: Shaw, Dwyer, Harper, Hansen, Carchio, and Bohr  
NOES: None  
ABSENT: Boardman

7. Approved and authorized execution of a contract with Turbo Data Systems, Inc., for the provision of Parking Citation Payment Processing Services

A motion was made by Hansen, second Dwyer to approve and authorize the Mayor and City Clerk to execute "Service Agreement Between the City of Huntington Beach and Turbo Data Systems, Inc. for Parking Citation Payment Processing" in an amount not to exceed \$370,000

for a three-year term; and, authorize the City Manager to execute all documents in furtherance of this Agreement. The motion carried by the following roll call vote:

AYES: Shaw, Harper, Dwyer, Hansen, Carchio, and Bohr  
NOES: None  
ABSENT: Boardman

8. Approved and authorized execution of a contract with Infosend Inc., to provide utility bill statement print, mail, and electronic delivery services

A motion was made by Hansen, second Dwyer to approve and authorize the Mayor and City Clerk to execute "Service Agreement Between the City of Huntington Beach and Infosend, Inc. for Utility Bill Statement Print and Delivery Services with Online Payment Servicing" in an amount not to exceed \$780,000 for a three-year term; and, authorize the City Manager to execute all documents in furtherance of this Agreement. The motion carried by the following roll call vote:

AYES: Hansen, Carchio, Bohr, Harper, Dwyer, and Shaw  
NOES: None  
ABSENT: Boardman

9. Approved and authorized execution of Amendment #3 to the contract between the City and the Ferguson Group, LLC for professional services related to the acquisition of Federal funds for priority projects within the City and related legislative issues

Mayor Pro Tem Dwyer pulled the item to encourage Councilmembers to utilize services provided by the Ferguson Group.

Councilmember Shaw requested that staff provide information on the services provided by The Ferguson Group.

A motion was made by Dwyer, second Bohr to approve waiving Municipal Code Section 3.03.120, prohibiting the extension of an agreement beyond three years; and, authorize the Mayor and City Clerk to execute "Amendment # 2 to Agreement between the City of Huntington Beach and the Ferguson Group, LLC" for a one year period with the option for a one year extension. The motion carried by the following roll call vote:

AYES: Shaw, Harper, Dwyer, Hansen, Carchio, and Bohr  
NOES: None  
ABSENT: Boardman

10. Approved and authorized execution of the First Extension to the License and Operation Agreement between the City and PPS Parking, Inc. for Parking Valet Services for the Main Promenade Parking Structure

Councilmember Carchio pulled the item to share concerns about incidents he has witnessed in the parking structure downtown, and those reported to him by citizens and downtown business owners.

Councilmember Harper shared concerns about regular cars parking in spaces designated for electric cars.

Councilmember Bohr stated he hadn't heard of problems associated with this request, but wanted staff to look at future auditing of the process to consider what improvements could be made.

Councilmember Shaw felt that the concerns shared deserve further discussion.

Mayor Hansen encouraged the public to notifying staff of problems associated with valet parking.

Councilmember Carchio described his relationship with downtown business owners and his knowledge of problems that exist among them that often prevent action on certain downtown issues.

A motion was made by Hansen, second Dwyer to approve the "Extension No. 1 to License and Operation Agreement Between the City of Huntington Beach and PPS Parking, Inc. for Parking Valet Services" at the Main Promenade Parking Structure; and, authorize the Mayor and City Clerk to execute the "Extension No. 1 to License and Operation Agreement Between the City of Huntington Beach and PPS Parking, Inc. for Parking Valet Services" and all other related documents. The motion carried by the following roll call vote:

AYES: Shaw, Harper, Dwyer, Hansen, and Bohr  
NOES: Carchio  
ABSENT: Boardman

11. Approved and authorized execution of a Lease Agreement between the City and Michael and Christine Bartusick, dba Park Bench Café, for the operation of a restaurant/food concession in Central Park

A motion was made by Hansen, second Dwyer to approve and authorize the Mayor and City Clerk to execute the "Lease Agreement Between the City of Huntington Beach and Michael and Christine Bartusick, dba Park Bench Café" for a restaurant/food concession in Huntington Central Park. The motion carried by the following roll call vote:

AYES: Shaw, Dwyer, Harper, Hansen, Carchio, and Bohr  
NOES: None  
ABSENT: Boardman

12. Approved allocation of funds and authorized execution of a Lease Agreement between the City and Mariners Church for non exclusive use of the Public Library Theater and Rooms

Councilmember Bohr pulled the item to discuss use of the Library auditorium for purposes other than its intended use. Stephanie Beverage, Library Director, described meetings held with Mariner's Church to negotiate the lease, and confirmed that services take place on Sundays only until 1:30 PM.

A motion was made by Bohr, second Harper to approve and authorize the Mayor to execute a

"Lease Agreement Between the City of Huntington Beach and Mariners Church for Non Exclusive Use of the Public Library Theater," **amended to include a caveat that the Playhouse have the option to move matinee events later in the day on Sundays**; and, allocate \$23,660 to Library Administration/Facility Rentals & Maintenance (account number 10050206.52000); and, authorize the City Manager to sign all documents to implement this Lease,. The motion carried by the following roll call vote:

AYES: Shaw, Harper, Dwyer, Hansen, Carchio, and Bohr  
NOES: None  
ABSENT: Boardman

13. Adopted Resolution No. 2012-55 designating American Family Housing as the Community Housing Development Organization (CHDO); and, approved and authorized execution of an Agreement with American Family Housing for a Home Investment Partnership Program (HOME)

A motion was made by Hansen, second Dwyer to adopt Resolution No. 2012-55 "A Resolution of the City Council Designating American Family Housing As The Community Housing Development Organization (CHDO) Under The United States Department of Housing and Urban Development (HUD) Home Investment Partnership Programs Act (HOME);" and, approve and authorize the Mayor and City Clerk to execute the "Community Housing Development Organization (CHDO) Agreement Home Investment Partnership Program (HOME)" with American Family Housing; and, authorize the City Manager to sign all necessary documents for this project. The motion carried by the following roll call vote:

AYES: Shaw, Dwyer, Harper, Hansen, Carchio, and Bohr  
NOES: None  
ABSENT: Boardman

14. Approved and authorized execution of an Agreement for Acquisition and Escrow Instructions for the purchase of two (2) Encyclopedia Parcels in Central Park

Councilmember Bohr and Deputy Economic Development Director Kellee Fritzal discussed why the indemnity clause had been struck from the agreement.

A motion was made by Bohr, second Harper to approve Agreement for Acquisition and Escrow Instructions and authorize the Mayor and City Clerk to sign; and, authorize the appropriation of \$39,000 from the Park Acquisition and Development Fund balance to the Park Acquisition and Development Land Purchase account 20945101.81000; and, authorize the City Manager to execute any other related escrow documents. The motion carried by the following roll call vote:

AYES: Shaw, Harper, Dwyer, Hansen, Carchio, and Bohr  
NOES: None  
ABSENT: Boardman

15. Adopted Resolution No. 2012-54 for a Capital Improvement Program to comply with Renewed Measure M Requirements

A motion was made by Hansen, second Dwyer to adopt Resolution No. 2012-54, "A Resolution of the City Council of the City of Huntington Beach Adopting a Capital Improvement Program

For the Years 2012-2013 Through 2018-2019 For Compliance With Renewed Measure M Eligibility Requirements." The motion carried by the following roll call vote:

AYES: Shaw, Harper, Dwyer, Hansen, Carchio, and Bohr  
NOES: None  
ABSENT: Boardman

16. Denied proposed clarification to Resolution 2012-41 Regarding the City's Statutory Maximum Tax Override

A motion was made by Hansen, second Dwyer to adopt Clarification to Resolution 2012-41 Regarding the City's Statutory Maximum Tax Override. The motion failed by the following roll call vote:

AYES: Shaw, and Carchio  
NOES: Harper, Dwyer, Hansen, and Bohr  
ABSENT: Boardman

17. Denied adoption of Ordinance No. 3954 capping the Retirement Property Tax at the rate set for Fiscal Year 2012/13 to pay for pre-1978 Employee Retirement Benefits Approved for introduction July 16, 2012

A motion was made by Hansen, second Dwyer to adopt Ordinance No. 3954, "An Ordinance of the City of Huntington Beach Amending the Huntington Beach Municipal Code by Adding Chapter 3.07 Relating to Capping the Retirement Property Tax at Fiscal Year 2012/13 Rates" to pay for pre-1978 Employee Retirement Benefits. The motion failed by the following roll call vote:

AYES: Shaw, and Carchio  
NOES: Harper, Dwyer, Hansen, and Bohr  
ABSENT: Boardman

Councilmember Bohr stated his intent to bring Consent Item Nos. 16 and 17 for reconsideration at the next regular meeting so a full Council could decide on the items.

#### PUBLIC HEARING

(The number (hh:mm:ss) following the speakers' comments indicates the approximate starting time in the archived video located at <http://www.surfcity-hb.org/government/agendas/>).

18. Approved the 2012-13 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

Deputy Economic Development Director Kellee Fritzel provided a PowerPoint presentation entitled *Action Plan 2012-13 Community Development Block Grant and HOME Program*, with titled slides: Action Items, Consolidated Plan, CDBG Allocation Process, CDBG Category Allocations, CPAB/Staff Recommendations for Non-Public Services, CPAB/Staff Recommendations, Public Service, and 2012/13 HOME Allocation.

Mayor Pro Tem Dwyer and Deputy Director Fritzal discussed the Aids Foundation and their first time application status.

Mayor Hansen opened the public hearing.

Shirley Dettloff, representing the AltaMed Community Care Health Clinic, spoke in support of CPAB's 2012/13 funding recommendation for the Clinic. She described the Clinic's services, and how it has been recognized by note-worthy organizations. (01:44:55)

Mayor Pro Tem Dwyer recognized donations benefitting services in Huntington Beach.

Councilmember Bohr thanked Speaker Dettloff for her service to the community.

Dustin Manhart spoke in support of the Congregate Meal and Home Delivered Meals programs. He discussed performance-based outcomes, and reported findings. (01:48:51)

With no one else present to speak on the item, Mayor Hansen closed the public hearing.

A motion was made by Bohr, second Carchio to approve the 2012-2013 Housing and Urban Development (HUD) Action Plan for the Community Development Block Grant (CDBG)/HOME Investment Partnership Program (HOME); and, Authorize the City Manager to sign the federal assistance application and all other documents. The motion carried by the following roll call vote:

AYES:	Shaw, Harper, Dwyer, Hansen, Carchio, and Bohr
NOES:	None
ABSENT:	Boardman

19. Approved for introduction Ordinance No. 3955 approving Development Agreement No. 12-002 with DCO Beach Walk LLC (Developer) for the Beach Walk Apartments Project

Scott Hess, Director of Planning and Building, provided a PowerPoint entitled *Development Agreement No. 12-002 Beach Walk Apartments Project*, with titled slides: Request, The Beach Walk Apartments Project Site Plan Review No. 11-005, and Recommendation.

Mayor Hansen and Director Hess discussed forecasting affordable housing units and choices related to in-lieu fees versus affordable units. Director Hess discussed the site plan approved in March 2012, and its effects on potential projects.

Mayor Pro Tem Dwyer and Director Hess discussed who is responsible for oversight of affordable housing, and whether or not the State would reimburse associated costs.

Councilmember Harper voiced concerns about consistent naming conventions for City streets. Councilmember Bohr questioned 17 affordable dwelling units identified on page 505 of the agenda packet, and had questions on grandfathering permit fee increases due to extensions.

Mayor Hansen opened the public hearing.

Don Mackenzie, Applicant, introduced himself and was available for questions. (02:01:56)

With no one else present to speak on the item, Mayor Hansen closed the public hearing.

A motion was made by Shaw, second Bohr to Approve Development Agreement No. 12-002 with findings for approval; and, after the City Clerk read by title approve for introduction Ordinance No. 3955 , "An Ordinance of the City of Huntington Beach Adopting a Development Agreement By and Between the City of Huntington Beach and DCO Beach Walk LLC (Developer)(Development Agreement No. 12-002)." The motion carried by the following roll call vote:

AYES: Shaw, Harper, Dwyer, Hansen, Carchio, and Bohr  
NOES: None  
ABSENT: Boardman

#### ADMINISTRATIVE ITEMS

20. Approved and authorized execution of contract agreements with Best Towing and Transportation Service, LLC, Mandic Motors, Inc. and Metro Pro Towing, Inc. for Police Directed Tow Services

Police Chief Small explained that a Request for Qualifications (RFQ) was recently performed, how all requirements were met, how the contract has been in place for the past 10 years, and how the same three companies have consistently responded over the past five years.

A motion was made by Carchio, second Harper to approve and authorize execution by the Mayor and City Clerk of the "Agreement Between the City of Huntington Beach and John C. Vaughn, dba Best Towing Services for Police Directed Towing and Storage Services;" and, approve and authorize execution by the Mayor and City Clerk of the "Agreement Between the City of Huntington Beach and Mandic Motors for Police Directed Towing and Storage Services;" and, approve and authorize execution by the Mayor and City Clerk of the "Agreement Between the City of Huntington Beach and Metro Pro Towing, Inc. for Police Directed Towing and Storage Services." The motion carried by the following roll call vote:

AYES: Shaw, Harper, Dwyer, Hansen, Carchio, and Bohr  
NOES: None  
ABSENT: Boardman

#### ORDINANCES FOR INTRODUCTION

21. Approved for introduction Ordinance No. 3956 amending Chapter 2.28 of the Huntington Beach Municipal Code (HBMC) modifying the fringe benefits and expense allowances for City Council members

City Manager Wilson and City Attorney Jennifer McGrath discussed grandfathering of second term Councilmembers.

Councilmember Harper and Attorney McGrath clarified benefits being removed.

A motion was made by Hansen, second Bohr to after the City Clerk read by title approve for introduction Ordinance No. 3956, "An Ordinance of the City of Huntington Beach Amending Chapter 2.28 of the Huntington Beach Municipal Code Relating to City Council Compensation." The motion carried by the following roll call vote:

AYES: Hansen, Bohr, Harper, and Dwyer  
NOES: Carchio, and Shaw  
ABSENT: Boardman

COUNCILMEMBER COMMENTS (Not Agendized)

Councilmember Harper reported attending the Sunset Beach 49th Annual Pancake Breakfast & Disaster Preparedness event on July 21, the ACC-OC City Leader Reception on July 26, the Nike US Open of Surfing July 28-August 5, and the Surfing Walk of Fame Reception on August 1; Councilmembers Harper, Hansen and Carchio reported attending the Neighborhood Market by Walmart Grand Opening on July 27; Councilmember Shaw reported attending the HB Fire Academy Graduation Ceremony on August 1; Councilmembers Harper, Dwyer and Bohr reported attending the Surfing Walk of Fame Induction and Luncheon on August 2; Councilmembers Harper, Dwyer, Carchio and Bohr reported attending the 2012 Surfers' Hall of Fame Ceremony on August 3; and, Councilmember Bohr reported attending the Masonic Lodge Annual Barbecue on August 5.

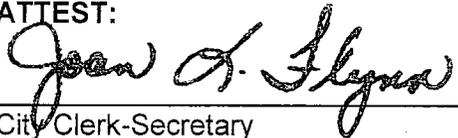
Other items discussed by Council included the *Escape from the Landfill* exhibit at the Downtown Art Center on August 28 @ 6-8:00PM, school bond issues on the November 6, 2012 ballot, and thanks to various parties for their participation and involvement in the Nike US Open of Surfing event.

ADJOURNMENT at 8:21 PM to the next regularly scheduled meeting of Monday, August 20, 2012, at 4:00 PM in Room B-8, Civic Center, 2000 Main Street, Huntington Beach, California.

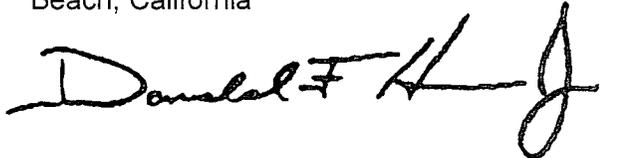


City Clerk and ex-officio Clerk of the City Council of the City of Huntington Beach, Secretary of the Huntington Beach Public Financing Authority of the City of Huntington Beach, California

ATTEST:



City Clerk-Secretary



Mayor-Chair