

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

**Monday, March 17, 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.huntingtonbeachca.gov/government/agengas/**

4:00 PM - Room B-8

CALL TO ORDER – 4:06 PM

ROLL CALL

Present: Katapodis, Hardy, Shaw, Harper, Boardman, Sullivan (arrived at 4:42 PM),
Carchio
Absent: None

ANNOUNCEMENT OF SUPPLEMENTAL COMMUNICATIONS (Received After Agenda Distribution)

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

Study Session #1

A PowerPoint communication submitted by Karen Roper, Director, O.C. Community Services and Executive Director of the Commission to End Homelessness entitled *Ten-Year Plan to End Homelessness*.

A PowerPoint communication submitted by Police Chief Robert Handy entitled *Addressing Homelessness in Huntington Beach – A Community Outreach Program Approach*.

PUBLIC COMMENTS PERTAINING TO STUDY SESSION / CLOSED SESSION ITEMS (3 Minute Time Limit)

Jim Miller, American Family Housing, voiced concerns about the expiration of a program that supports 65,000 homeless people, and discussed problems that create homelessness. He provided support for a system that will help all, including families, and thanked the City for addressing homelessness. (00:00:58)

Kathy Tillotson spoke in support of Council taking action to address homelessness. She discussed the importance of temporary housing, emergency shelter and triage area, and the Beach Cities Interfaith Services (BCIS) getting a multi-service center. (00:03:09)

Pat Goodman spoke in support of Council taking action to address homelessness, work more

on prevention (safety-net systems), and look to our own experience to develop solutions.
(00:04:05)

Ralph Bauer spoke in support of Council taking action to address homelessness and discussed how history shows movement can take place on any issue. He distributed a handout from the Council on Aging and made reference to constructive information provided by Citynet to the City of Anaheim. (00:05:09)

Marilyn Cavener, Surf City United Methodist Church, spoke of two campuses (Fountain Valley and Huntington Beach) that provide services to the homeless on Saturdays. She also spoke of homeless requesting cabana type shelter. (00:08:13)

Alan Walls spoke regarding Closed Session Item No. 5 – Huntington Beach City School District for the purchase of property located at 20451 Cramer Lane (LeBard Park), thanking Council for their work to improve the park. (00:09:47)

STUDY SESSION

1. Discussion held regarding Homelessness

Allan Roeder, Commission to End Homelessness, and Karen Roper, Director, O.C. Community Services and Executive Director of the Commission to End Homelessness, provided a PowerPoint presentation entitled *Ten-Year Plan to End Homelessness* that included the following titled slides: 2013 Point in Time Count, and Ten-Year Plan 2012-2013 Annual Report.

Councilmember Boardman and Director Roper discussed action at the County level to implement "Laura's Law."

Huntington Beach Police Sergeant Dave Wiederman and Police Officer Brian Smith assisted with presenting a PowerPoint entitled *Addressing Homelessness in Huntington Beach - A Community Outreach Program Approach*, that included the following slides: Community Outreach ... Why?, Common Locations where Homeless Congregate, General Calls for Service, Solution, Mission, Phases, Age Breakdown, Survey Results: Time Homeless, 2013 OC Point In-Time Survey, This is not just a Police matter ... it affects EVERYONE, Common Violations, Sources of Income, How can enforcement help someone?, Orange County Community Court, Bartlett Park - Before Clean Up, Bartlett Park - Post Clean-Up, Difficulties and Limitations, Success Stories, and What are our future Goals? Phase III.

Council questions/comments included:

Mayor Harper and Sgt. Wiederman discussed what drives the homeless from one area to another. Director Roper discussed how the cities of Fullerton and Anaheim are working together to tackle the issue, how "resources" and "need" never match up, and stressed the importance of public and private communities working together.

Councilmember Carchio voiced concerns about the presentation not providing information on finding employment for the homeless. Director Roeder apologized and ensued Councilmember Carchio that employment is part of main stream programs. She also discussed one-stop job centers and addressed mental illness and the health care initiative.

Councilmember Sullivan discussed his experience serving on the Senior Citizen's Advisory Council and the multiple causes of homelessness that make employing the homeless difficult.

Discussion ensued regarding court jurisdiction and court-assigned advocates, how the homeless do not feel safe in shelters, how some people who are incapacitated by mental illness should be institutionalized, and how government funding for mental facilities is often cut from the budget.

Mayor Pro Tem Shaw discussed how multiple agencies must work together for one common goal. Director Roper agreed, stating support for partnering with Citynet and faith-based communities that she described as "sleeping giants." Police Chief Handy pointed out that Phase III includes partnering with other agencies.

Councilmember Hardy addressed the non-obvious homeless who live in cars and motels, and informed Council that the Youth Board selected homelessness as the main topic for Youth in Government Day scheduled to take place on April 3rd.

Director Roper acknowledged the efforts of Billy O'Connell and Colette's Children's Home, and American Family Housing.

Councilmember Katapodis, a retired Los Angeles Police Officer, discussed his experience with the homeless and thanked the Police Department for their involvement. Police Chief Handy described how often the homeless task force is deployed.

Councilmember Boardman recognized the work of the Compassionate Cities Committee.

Mayor Harper discussed integration of government and charitable resources, and how Huntington Beach must be ready to provide for, not relocate the homeless.

RECESS TO CLOSED SESSION – 5:30 PM

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 Sessions discussions regarding labor negotiations with MEA, MEO, MSMA, SCLEA, POA, FMA, PMA, HBFA, and Non-Associated.*

Mayor Harper announced: *Pursuant to Government Code Section 54956.8, the City Council takes this opportunity to publicly introduce and identify designated property negotiator City Manager Fred Wilson, who will be participating in today's Closed Session discussions regarding negotiations with the Huntington Beach City School District for the purchase or exchange of up to 10.12 acres of real property located at 20451 Cramer Lane in Huntington Beach.*

CLOSED SESSION

2. Pursuant to Government Code Â§ 54956.9(d)(1), the City Council recessed into Closed Session to confer with the City Attorney regarding the following lawsuit: Edward Colon v. City of Huntington Beach, WCAB Case No. ADJ8465750; Claim No. COHB-11-0204.
3. Pursuant to Government Code Â§ 54956.9(d)(1), the City Council recessed into Closed Session to confer with the City Attorney regarding the following lawsuit: Kent Russell v. City of Huntington Beach, WCAB Case Nos. ADJ3127714, ADJ7109523, and ADJ7825952; Claim Nos. COHB-06-0075, COHB-09-0080, and COHB-11-0079.

4. Pursuant to Government Code Â§ 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, MEO, MSMA, SCLEA, POA, FMA, PMA, HBFA, and/or Non-Associated.
5. Pursuant to Government Code Section 54956.8, the City Council recessed to Closed Session to give instructions concerning price and terms of payment to the City's Negotiator, City Manager Fred Wilson, regarding negotiations with the Huntington Beach City School District for the purchase or exchange of up to 10.12 acres of real property located at 20451 Cramer Lane in Huntington Beach.

6:00 PM – COUNCIL CHAMBERS

RECONVENE CITY COUNCIL/PUBLIC FINANCING AUTHORITY MEETING – 6:39 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 Mayor Pro Tem Joe Shaw

INVOCATION - Led by Maria Khani, who represents the Greater Huntington Beach Interfaith Council and is from the Muslim community.

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 Victoria Alberty and Gisela Campagne to present the Adoptable Pet of the Month.

Victoria Alberty, representing Waggin' Tails Rescue Foundation, deferred to June from the OC Humane Society who introduced Aaron, a three (3)-year-old male cat which is the Adoptable Pet of the Month. She encouraged the public to visit www.ochumanesociety.com.

Mayor Harper called on Shipley Nature Center's Immediate Past President Chuck Glenn to provide a presentation highlighting the accomplishments of 2013.

Chuck Glenn, Past President of the Friends of Shipley Nature Center Board of Directors, provided a presentation of activities and events at the Nature Center over the past year and in the upcoming year. He addressed increases in the number of visitors, volunteering opportunities, partnerships with "Inside the Out Door" and the Orange County Master Gardeners, guided tours, scout projects, fall plant sale, spring festival, compost seminars, Cool Summer Nights program, extension of hours of operation and creation of a "Living Soils" program and display to encourage water conservation. He thanked Council and the City for its continued support.

Mayor Harper, on behalf of Council, thanked the Shipley Nature Center and its Friends for their

efforts and work.

Mayor Harper called on Mark Mariscal from the City of Los Angeles and President Elect of the California Parks & Recreation Society (CPRS) to present to the City of Huntington Beach the CPRS 2013 Award of Excellence in the Category of Creating Community – Aging Well, for the Senior Surf Invitational event.

Mark Mariscal, President Elect of the California Parks and Recreation Society (CPRS) presented the City the 2013 Award of Excellence in the category of Creating Community – Aging Well for the Senior Surf Invitational event.

Mayor Harper presented the Donate Life campaign proclamation to Richard Glover from Huntington Beach Water Utilities, and his wife Julie.

Mr. Glover reported that April is Donate Life Month and that he was honored to donate a kidney to a friend, saving his life. With him were a number of recipients and donors and he spoke about the benefits of organ donation.

Mayor Harper commented on the importance of organ donation and on the work of the Donate Life organization.

Mr. Glover added that a Donate Life flag will be raised at the Huntington Beach Pier on April 4, 2014, under the American Flag and announced a run/walk on April 26, 2014, in celebration of life, at Cal State Fullerton.

Mayor Harper called on Information Services Director Jack Marshall to present the Mayor's Award to Jeff Webb.

Information Services Director Jack Marshall presented the Mayor's Award to Jeff Webb and commented on his background and capabilities.

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:

Consent Calendar

Communication received for Agenda Item No. 7 from Michelle Warren, Director of Human Resources, dated March 17, 2014, submitting replacement pages for Exhibit B to Resolution No. 2014-09 for the Huntington Beach Firefighters' Association (HBFA) Memorandum of Understanding (MOU).

Communication received for Agenda Item No. 8 from Michelle Warren, Director of Human Resources, dated March 17, 2014, submitting replacement pages for Attachment 1, the Legislative Draft of the MOU with the Management Employees' Organization (MEO) and Attachment 2, Exhibit A to Resolution No. 2014-13.

Communication received for Agenda Items Nos. 19 and 20 from The Loftin Firm on behalf of the Huntington Harbour Village Mobile Home Park, opposing adoption of Ordinances Nos. 4021 and 4009 regarding Senior Residential Overlay.

Councilmember Items

Communication received for Agenda Item No. 21 from City Historian Jerry Person, submitting a correction for the address of the Golden Bear Theater to 306 Pacific Coast Highway.

Communication received for Agenda Item No. 23 from Steve Engle, dated March 16, 2014, entitled, "Support for 2nd Community Garden".

Communication received for Agenda Item No. 23 from Sean L. McCarthy, dated March 17, 2014, entitled, "Against Irby Park Community Garden".

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.

Gary Thiessen read a letter of thanks to Council for their support of Consent Items Nos. 17, 18 and 19 - Senior Residential Mobile Home Park Overlay. (00:27:52)

Shain Graham spoke in opposition to Councilmember Item No. 22 - Reinstate City Council Compensation. She expressed concerns with impacts to residents and asked that the matter be placed on the ballot for residents to decide. (00:30:59)

Ron Grundy, Del Mar Estates resident, spoke in support of Consent Items Nos. 17, 18 and 19 - Senior Residential Mobile Home Park Overlay. He asked that Council approve the matter in its second reading. (00:32:35)

Betsy Crimi spoke in support of Consent Items Nos. 17, 18 and 19 - Senior Residential Mobile Home Park Overlay. On behalf of City seniors, she thanked those Councilmembers who voted in support of the matter during the first hearing and urged approval at this time. (00:35:47)

Victoria Cureton spoke of her son's recent and devastating hit-and-run accident on Yorktown Avenue. She reported that Councilmember Carchio helped organize a fundraiser for the family to help ease the financial burdens being faced and noted that this action has restored in her, a sense of hope. She expressed her appreciation for the kindness and compassion shown by the City. (00:37:50)

Mayor Harper acknowledged the leadership of Councilmember Carchio in the matter.

Councilmember Carchio reported that upon hearing of this matter, he was touched and contacted Mike Ali who donated food, and former Mayor Dave Garofalo who cooked the food and held a fundraiser this past Sunday where \$882 was raised for the family through the generosity of the people of Huntington Beach. He presented Ms. Cureton with a check.

Councilmember Katapodis indicated he was unable to attend, as he was out of town, but presented Ms. Cureton with a check bringing the total balance of funds raised to \$1,000.

Natalie Anzivino, Huntington Beach High School Junior and Girl Scout, spoke of her experiences in the Sister City Program and relationship with Anjo, Japan. Additionally, she spoke of her efforts in supporting the Sister City Program including the formation of the Huntington Beach Japanese Cultural Festival adding that it will be held on March 29, 2014, from 11:00 AM to 4:00 PM in Huntington Beach Central Park and listed activities that will take place

during the event. (00:43:12)

Debbie Cook, former Mayor, spoke in support of Councilmember Item No. 22 - Reinstate City Council Compensation. She noted the many events and functions Councilmembers are required to attend and commented on reimbursement of expenses. (00:46:51)

Tim Geddes spoke in support of Consent Items Nos. 17, 18 and 19 - Senior Residential Mobile Home Park Overlay; and also in support of Councilmember Items Nos. 22 and 23. (00:49:50)

John Craney voiced concerns about the volleyball nets on the north side of the pier being taken down for sanitizing of the beach. He reported they have been down for five (5) weeks and urged Council to be responsive to the City's residents. He reported speaking to Beach Operations Supervisor Scott Smith who advised him that the nets would be down because the City will be sanitizing the beach, asked for clarity and offered help to put up the poles. Additionally, he commented on the City's loss of revenue because the nets are down. (00:51:48)

Mayor Harper asked Mr. Craney to fill out a blue card in order that staff may follow up with him regarding the matter.

In response to an inquiry from Mayor Harper, Community Services Director Janeen Laudenback reported on several major events occurring on the beach including a kite party and paint ball, and that during the time that the nets are down, that area of the beach is being cleaned and sifted.

George Wallace, Huntington Harbour Village resident/owner, spoke in support of Consent Item No. 18 - Senior Residential Mobile Home Park Overlay. He addressed the composition of the Board noting that the Developer is the President of the Board and appointed the Vice President and that residents have two (2) members representing them. Additionally, he reported that at a recent Board meeting, resident/owners were urged to do whatever they can to stop the City from including Huntington Harbour Village in the overlay. He stated that most residents of the complex need and want the protection of the City and asked that the City include Huntington Harbour Village in the Senior Residential Mobile Home Park Overlay. (00:58:22)

Betty Tomchick, Huntington Harbour Village resident/owner, spoke in support of Consent Item No. 18 - Senior Residential Mobile Home Park Overlay and asked Council to include the complex in the ordinance. (01:01:15)

Councilmember Sullivan referenced a petition of residents of Huntington Harbour Village who are in favor of the overlay and noted this is different than the information provided during the last Council meeting where the impression was created that everyone in the park was opposed to it being included in the overlay. He thanked Ms. Tomchick for the information.

Robert Adams, Huntington Harbour Village resident/owner, spoke in support of Consent Item No. 18 - Senior Residential Mobile Home Park Overlay and urged Council to include the park in the overlay. (01:02:40)

Charles Payne, Huntington Harbour Village resident/owner, spoke in support of Consent Item No. 18 - Senior Residential Mobile Home Park Overlay and urged Council to include the park in the overlay. He noted that the comments presented at the previous Council meeting indicating that the majority of resident/owners were opposed to the overlay, were inaccurate and that his neighbors are in the audience. At his request they stood, indicating their support of including the park in the overlay. (01:04:58)

In response to Councilmember Sullivan's inquiry regarding the numbers after each signature on the petition, Mr. Payne reported they represent their space numbers.

Judy Ann Morris, Huntington Beach Coordinating Council, announced the 1st Annual Huntington Beach Expo at the Huntington Central Library on April 12, 2014, from 10:00 AM to 2:00 PM to benefit the efforts of the Compassionate City Committee and connecting volunteers with organizations. (01:07:26)

Joanne Rasmussen, Huntington Beach Community Garden, thanked Council for helping with the existing community garden and spoke in support of Councilmember Item No. 23 - Community Garden and Passive Park Improvements in Irby Park. She urged Council to vote in favor of conducting a feasibility study for the project. (01:09:40)

Philip J. Johnson thanked Council for their efforts to combat homelessness in Huntington Beach. He suggested increasing public education efforts for increased understanding of the problem. (01:11:32)

Former Mayor Devin Dwyer spoke in support of Councilmember Item No. 22 - Reinstate City Council Compensation. He commented on his support of eliminating Council benefits in solidarity of the cuts that the City endured during difficult economic times. He stated that because of the work and diligence of past Councils, the City has weathered the recession and now, Huntington Beach is better off than many other California cities and indicated that this is the right time for restoration of Council benefits. He added that Councilmembers work very hard and should be compensated for their time and work. (01:13:50)

In response to Mayor Harper's inquiry of whether Councilmembers are able to vote on their own current pay in their current term, Chief Assistant City Attorney Mike Vigliotta stated that Council has been advised that it be perspective to avoid any Fair Political Practices Commission (FPPC) issues.

Councilmember Boardman noted that it is clearly stated in the agenda item.

Mary Jo Baretich, President of the Golden State Manufactured Home Owners League, spoke in support of Consent Items Nos. 17, 18 and 19 - Senior Residential Mobile Home Park Overlay and to include Huntington Harbour Village. She referenced a similar case in the City of Yucaipa and urged Council to approve the ordinances. (01:17:29)

Peter Wollman, Rancho Huntington Mobile Home Estates, spoke in support Councilmember Item No. 22 - Reinstate City Council Compensation as well as Consent Item Nos. 17, 18 and 19 - Senior Residential Mobile Home Park Overlay. Additionally, he distributed copies of the 2014 Mobile Home Residency Laws (01:20:09)

Maureen Lawson voiced concerns about a nuisance lot on Main Street downtown. She reported that the property owner lives in Beverly Hills, does not maintain the property and asked for help to eliminate the blighted condition of the lot. (01:22:02)

Jason Kalakaua Woodward, Veteran, spoke in support of Med Aid dispensing cannabis and discussed his experiences with treatment of Post Traumatic Stress Disorder (PTSD). He commented on the City's compassion for and care of veterans and provided testimony of how the use of cannabis has helped him. (01:23:20)

Steve Engel spoke in support of Councilmember Item No. 23 - Community Garden and Passive

Park Improvements in Irby Park. (01:26:22)

Janice Falkow spoke in support of Med Aid dispensing cannabis and discussed her experiences with the treatment of breast cancer. She asked that Council allow them to continue doing business in the City so that residents may continue receiving the help they need. (01:28:24)

Ken Muraki spoke in support of Med Aid dispensing cannabis and discussed his sister's experiences with the treatment of breast cancer. (01:29:20)

Jasper Brown, Veteran, spoke in support of Med Aid dispensing cannabis and discussed his experiences serving his country and provided testimony on how the use of cannabis has helped him with his disabilities. (01:31:39)

Anila Ali introduced herself and informed Council and the public of her candidacy for Assembly. (01:33:10)

Daniel Snyder spoke in support of Med Aid dispensing cannabis and discussed his experiences with the treatment of Post Traumatic Stress Disorder (PTSD). He reported he was unable to serve in the Armed Forces because he has had five (5) spinal fusions but served for fourteen (14) years running military funerals in Riverside. He reported that he is not a "pothead" and commented on the convenience of buying his medication from Med Aid and asked for compassion from Council. (01:34:39)

Ariel Bedell, Attorney representing Huntington Harbour Village, spoke in opposition to Consent Item No. 18 - Senior Residential Mobile Home Park Overlay. She stated that the overlay, as it applies to Huntington Harbour Village is not needed nor should it apply. She addressed the unique characteristics of the complex and reported that it has protections in place that only the resident/owners can change. (01:37:01)

Councilmember Sullivan referenced a brochure from Huntington Harbour Village indicating that it is a 55 plus community. He noted that at the last Council meeting, there was no indication given that there were resident/owners who were in favor of the overlay. However, several resident/owners have presented testimony this evening that they are denied their right to vote and are in favor of the overlay in order to protect their interests and investment.

Ms. Bedell reported that only resident/owners have the right to change the CC&Rs by a vote of 67%. The Developer currently has control of the Board but noted that will change at the next annual election of the community. She understands that the entire Board has approved and supports opposition to the overlay.

Gerry Button, Huntington Beach Community Garden, spoke in support of Councilmember Item No. 23 - Community Garden and Passive Park - Irby Park and commented on the benefits of having another community garden in the City. (01:44:01)

Robert Johnson spoke regarding unaffordable low-income housing in Huntington Beach. He commented on income levels as qualifiers for low-income housing and alleged that the City's program benefits the rich. (01:46:33)

Matthew Kessler, Veteran, spoke in support of Med Aid dispensing cannabis and discussed his experiences with treatment of PTSD, unsuccessfully with pharmaceuticals and successfully with cannabis. He urged Council to allow Med Aid to continue operating in the City. (01:50:10)

Bill Jones spoke in support of Med Aid dispensing cannabis and discussed his experiences with

treatment of muscle spasms. He urged Council to allow Med Aid to continue operating in the City. (01:51:41)

Sharon Dana spoke in support of Consent Items Nos. 17, 18 and 19 - Senior Residential Mobile Home Park Overlay. She thanked Council for its efforts with the overlay zoning and urged them to approve the ordinances. (01:53:22)

Annette Parsons, Huntington Beach Community Garden, spoke in support of Councilmember Item No. 23 - Community Garden and Passive Park - Irby Park and thanked Council for its continued support. She addressed outreach efforts of the organization and noted that the results of canvassing of residents immediately adjacent to the land showed that most residents are in favor of a community garden and served in the formation of a community committee.

Furthermore, outreach efforts indicated that residents want to continually use the land as they do now and are concerned regarding increased traffic. She added that a community garden is not an attraction but involves a finite group of people who will be renting plots for use. Priority will be given to people living in the immediate area and it is proposed that plot assignments be phased in and impacts assessed along the way. (01:56:32)

Suzanne Edwards spoke in support of Councilmember Item No. 23 - Community Garden and Passive Park - Irby Park. She noted that the garden provides a great opportunity for children to see how food is grown and addressed financial concerns noting that there are many grants available to community gardens and listed some. She addressed outreach efforts of the organization and that most residents are in favor of a community garden. She urged Council to approve a feasibility study for same. (01:59:50)

Joseph Bigger spoke in support of Med Aid dispensing cannabis and discussed his experiences as a Veteran and in the treatment of his depression. He urged Council to allow them to continue to operate in the City. (02:02:33)

Anthony Ross spoke in opposition to Councilmember Item No. 23 - Community Garden and Passive Park - Irby Park. He stated that he is in favor of developing the land and making it a natural habitat for fowl and other wildlife. He expressed concerns regarding parking and thanked the City for keeping residents informed. (02:04:01)

Mayor Pro Tem Shaw suggested that Mr. Ross remain for the presentation of the item and noted that the process is just beginning with many months to go. He reported that public hearings will be held on the matter and that residents will receive notice.

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

Councilmember Carchio reported attending MADD's Annual Law Enforcement Recognition Luncheon on March 13, 2014. He reported that a Huntington Beach Police Officer received recognition at the event. Additionally, he reported attending the ACC-OC Business Meeting and Board Election, Reception and Dinner Program.

Councilmember Sullivan reported attending the ACC-OC Business Meeting and Board Election, Reception and Dinner Program. He added that United Way conducted a one-day conference where they outlined three (3) major problems in the community, one (1) of which is homelessness. He reported that a report will be issued in the future and that he will report to Council as it develops.

Councilmember Boardman reported that she is on the Compassionate Cities Committee and that it will be meeting on Wednesday, March 19, 2014, at 7:00 PM and encouraged those interested in getting involved, to attend adding that the committee is in the planning stages of activities focusing on homelessness during Compassionate Days in September.

Councilmember Katapodis reported attending the Southern California Association of Governments (SCAG) meeting on March 6, 2014. Additionally, he announced the appointment of Maura Van Strien as Community Services Commissioner.

Mayor Harper reported attending the SCAG meeting and noted a significant presentation regarding water issues in California. In addition, he reported attending the ACC-OC Business Meeting and Board Election, Reception and Dinner Program where he voted for Steve Jones of Garden Grove to be the new Second Vice President, for Jennifer Fitzgerald of Fullerton to be the Large Cities Representative and for Steve Hwangbo of La Palma to continue on as the Second District Representative.

CITY MANAGER'S REPORT

Assistant City Manager Ken Domer reminded residents of the Bon Fire Kick-off for the General Plan Update to be held at the City Beach at Huntington Street on Wednesday, March 19, 2014, from 5:00 to 8:00 PM noting that free parking will be available and Jack's Beach Concession will remain open for those who wish to purchase food and that the City will be serving s'mores. In addition, he reported on road repairs on Brookhurst and Indianapolis adding that the project will conclude by the end of April. He deferred to Fire Chief Patrick McIntosh for a brief report.

Fire Chief McIntosh announced that next week is National Tsunami Preparedness Week and provided information regarding upcoming Tsunami Evacuation and Shelter Exercises. He reported that on March 24, 2014, at 6:30 PM there will be a test of the Alert OC System and that on March 27, 2014, at 9:00 AM at Harbor View Park, there will be a Tsunami Walk Evacuation Exercise. Additionally, in cooperation with the City of Fountain Valley, there will be a Shelter Exercise.

CONSENT CALENDAR

Councilmember Carchio pulled Items Nos. 7 and 8 for separate discussion and consideration.

Councilmember Sullivan pulled Items Nos. 9 and 12 for separate discussion and consideration.

Councilmember Boardman pulled Item No. 13 for separate discussion and consideration.

Mayor Harper pulled Items Nos. 17, 18 and 19 for separate discussion and consideration.

1. Approved and adopted minutes

A motion was made by Councilmember Sullivan, second by Councilmember Boardman to review and approve the City Council/Public Financing Authority regular meeting minutes dated March 3, 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. Received and Filed City of Huntington Beach Strategic Plan Update

A motion was made by Councilmember Sullivan, second by Councilmember Boardman to receive and file the Twelve-Month Strategic Objectives.

The motion carried with the following vote:

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

3. Approved Annual Compliance Reports for the Planned Local Drainage Fund, Sanitary Sewer Facilities Fund and Fair Share Traffic Impact Mitigation Program

A motion was made by Councilmember Sullivan, second by Councilmember Boardman to approve the Planned Local Drainage Facility Fund Annual Compliance Report for Fiscal Year 2012/13; approve the Sanitary Sewer Facilities Fund Annual Compliance Report for Fiscal Year 2012/13; and, approve the Fair Share Traffic Impact Mitigation Fee Program Annual Compliance Report for Fiscal Year 2012/13.

The motion carried with the following vote:

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

4. Approved the appropriation and recorded the liability for the anticipated future payment of \$3,649,634 of Low and Moderate Income Housing Asset Funds to the Orange County Auditor Controller for distribution to other taxing entities

A motion was made by Councilmember Sullivan, second by Councilmember Boardman to approve an appropriation of \$3,649,634 in the FY 2012/13 Low and Moderate Income Housing Fund Budget Account - 35280301.75200.

The motion carried with the following vote:

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

5. Adopted Resolution No. 2014-10, approving Plans and Specifications for the Orange County Flood Control District Newland Storm Channel Project

A motion was made by Councilmember Sullivan, second by Councilmember Boardman to adopt Resolution No. 2014-10, "A Resolution of the City Council of the City of Huntington Beach Approving Construction of the Improvements to the Newland Storm Channel (Facility C05501) to be Funded by the Orange County Flood Control District."

The motion carried with the following vote:

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

6. Adopted Resolution No. 2014-12 amending the City's Classification Plan by changing the title of an existing job classification and adding a new job classification

A motion was made by Councilmember Sullivan, second by Councilmember Boardman to adopt Resolution No. 2014-12, "A Resolution of the City Council of the City of Huntington Beach Amending the City Classification Plan by Amending the Title of Recreation, Human & Cultural Services Superintendent to Community Services Manager and Adding the Classification of Risk Management Specialist" at Range 616 and 467 respectively.

The motion carried with the following vote:

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

7. Adopted Resolution No. 2014-09, approving and implementing the Memorandum of Understanding (MOU) between the Huntington Beach Firefighters' Association (HBFA) and the City for the period October 1, 2013 through September 30, 2015; and, approved budget appropriation

Councilmember Carchio thanked staff and Employee Bargaining Groups for their hard work in negotiating and reaching agreements.

A motion was made by Councilmember Carchio, second by Mayor Pro Tem Shaw to adopt Resolution No. 2014-09, "A Resolution of the City Council of the City of Huntington Beach Approving and Implementing the Memorandum of Understanding Between the Huntington Beach Firefighters' Association and the City of Huntington Beach for 10/01/13 through 09/30/15", **as amended by Supplemental Communication**, and, by adoption of the Resolution approving and implementing the HBFA MOU, the City Council of the City of Huntington Beach hereby approves the required Fiscal Year 2013-14 budget appropriation adjustment in the amount of \$418,551.

The motion carried with the following vote:

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

8. Adopted Resolution No. 2014-13 approving and implementing the Memorandum of Understanding (MOU) between the Management Employees' Organization (MEO) and the City for the period December 21, 2012, through December 31, 2014; and, approved budget appropriation

Councilmember Carchio thanked staff and Employee Bargaining Groups for their hard work in negotiating and reaching agreements.

A motion was made by Councilmember Carchio, second by Mayor Pro Tem Shaw to adopt Resolution No. 2014-13, "A Resolution of the City Council of the City of Huntington Beach Approving and Implementing the Memorandum of Understanding Between the Management Employees' Organization (MEO) and the City for December 21, 2012 through December 31, 2014", **as amended by Supplemental Communication**, and, by adoption of the Resolution approving and implementing the MEO MOU, the City Council of the City of Huntington Beach hereby approves the required Fiscal Year 2013-14 budget appropriation adjustment in the amount of \$275,048.

The motion carried with the following vote:

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

9. Adopted Resolution No. 2014-11 supporting Assembly Bill 1453 which requires the establishment of the Southern California State Veterans Cemetery; and, authorized the Mayor to send a letter of support for Assembly Bill 1453

Councilmember Sullivan reported this matter was recommended, unanimously, by the Inter-government Relations Committee. He discussed his disappointment with the attitude of some of his friends on the Irvine City Council regarding the matter, noting that it is more important for them to accommodate a developer rather than a Veterans Cemetery. Councilmember Sullivan stated that Veterans are 100% behind this and given their sacrifices, there should be a Veterans Cemetery in the area.

Mayor Harper noted that this item was brought forward to Council by Mayor Pro Tem Shaw and while there was discussion by the Irvine City Council, it was ultimately supported by a 4 – 1 vote.

Mayor Pro Tem Shaw addressed the importance of the matter noting that there are more Veterans in Southern California than in the rest of the State.

Councilmember Katapodis stressed the need to take care of our Veterans and stated he will support the motion.

A motion was made by Councilmember Sullivan, second by Mayor Pro Tem Shaw to adopt Resolution No. 2014-11, "A Resolution of the City Council of the City of Huntington Beach In Support of Assembly Bill 1453 Which Requires the Establishment of the Southern California State Veterans Cemetery;" and, authorize the Mayor to send a letter of support for Assembly Bill 1453 - Establishment of a Southern California State Veterans Cemetery.

The motion carried with the following vote:

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

10. Accepted Replacement Bonds for Signal Landmark's Brightwater Development Project Tracts 17033, 17034, and 17076

A motion was made by Councilmember Sullivan, second by Councilmember Boardman to accept new replacement bonds for Faithful Performance and Labor and Material Bonds Nos. K08842012, K08842073 and K08842036 for the Brightwater Development Project, and instruct the City Clerk to file the replacement bonds with the City Treasurer; release the current Faithful Performance and Labor and Material Bonds Nos. 2205221, 2205222 and 2205220 for the Brightwater Development Project; instruct the City Clerk to notify the developer (Signal Landmark) of this action; and, instruct the City Treasurer to notify Westchester Fire Insurance Company and Insurance Company of the West (the new and former project sureties, respectively), of this action.

The motion carried with the following vote:

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

11. Approved the reduction in Security for Tract No. 15460 and 17032 and accepted the Public Improvements of a Sewer Lift Station and Water Services

A motion was made by Councilmember Sullivan, second by Councilmember Boardman to accept the public improvements, consisting of a sewer lift station located on Oakbluff Lane and a number of water services, constructed and dedicated for public use with Tract No. 15460 and 17032; authorize Director of Public Works to determine a specific date to instruct the City Clerk to file with the City Treasurer to accept the amount of bond reduction for the Faithful Performance and Labor and Materials Bond No. K08842000, and to release the Faithful Performance and Labor and Materials Bond No. 2205224; accept Signal Landmark Guarantee and Warranty Bond No. K0896502A, the security furnished for guarantee and warranty of the sewer lift station, and instruct the City Clerk to file the bond with the City Treasurer; instruct the City Clerk to notify the developer, Signal Landmark, of this action, and the City Treasurer to notify the Surety, Westchester Fire Insurance Company, of this action; and, instruct the City Clerk to record the "Notice of Acceptance of Public Improvements" with the Orange County Recorder.

The motion carried with the following vote:

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

12. Approved and authorized execution of a Recreation Facility Use Agreement between City and Fountain Valley School District (FVSD) for joint use of school recreation facilities

Councilmember Sullivan congratulated the Fountain Valley School District for addressing this issue in a quick manner.

Mayor Harper addressed the importance of the cooperation between the City and the School District in ensuring that the recreational needs and wants of the City's residents are met.

A motion was made by Councilmember Sullivan, second by Councilmember Katapodis to approve and authorize the Mayor and City Clerk to execute "Recreation Facility Use Agreement Between the City of Huntington Beach and Fountain Valley School District for Joint Use of School Recreation Facilities."

The motion carried with the following vote:

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

13. Approved and authorized execution of an agreement with National Professional Paintball League (NPPL) to conduct a paintball event in Huntington Beach

Councilmember Boardman stated this item is not only to approve an agreement for one (1) year, but rather it would be Council's only chance, in six (6) years to have a dialogue about whether or not paint ball should be continued at the beach. She noted that going forward, the event coincides with Spring Break and asked regarding the possibility of negotiating with the promoter to move the event earlier in the year. Director Laudenback stated that the promoter wanted the event to coincide with Spring Break, so the request would need to be renegotiated.

Councilmember Boardman expressed concerns with that issue, given the lean staffing of the

Police Department. She added that as a City, only costs can be recovered so that the City will not be getting any direct revenue. She asked whether there was an estimate of how much Transient Occupancy Tax (TOT) and sales tax may be generated with the event.

Director Laudenback reported receiving financial impact estimates for the event last year including \$400,000 in hotel revenue, \$460,000 in daily public spending and approximately \$900,000 in revenues from spectators. It was noted that all-in-all, the event brings in approximately \$2 million spent in the City.

In response to Councilmember Boardman's inquiry regarding increases in vandalism as a result of the event, Police Chief Robert Handy stated that typically, there are many out-of-towners at the event and it does not span any residual problems in the City.

Councilmember Hardy asked whether the promoter is a Huntington Beach business, and Director Laudenback responded that she would need to verify. Councilmember Hardy described the complaints she has received over the years, and that the promises of cleaning up the beach after the event were in her opinion never adequately met. She also voiced concerns about there being no containment of paint balls within the event space and having the event purposely coincide with Spring Break.

Councilmember Carchio reported that the beach is cleaned and it was noted that the promoter has worked with the City to ensure that the beach is cleaned after the event. He noted the amount of money the event brings into the City and reported that businesses support the event. He added that the event does not bring in people that will cause trouble in town.

Councilmember Hardy stated that through her discussions with residents and parents she has learned that they find paint balls in the sand during the event and that although she understands the financial implications, the costs may exceed those and that cleanup efforts are not sufficient.

Councilmember Katapodis asked regarding the possibility of approving a one (1)-year contract at this point to allow Council to review the issues and approve a multi-year contract later.

Director Laudenback noted that the promoter wants a longer contract and that if it is not approved at this time, the event will need to go through the specific events process as it has in past years. Issues can be renegotiated with the promoter if the matter is not approved.

Councilmember Boardman noted her sensitivity to holding the event during Spring Break adding that as Chair of the Downtown Task Force, she heard about the impacts of large events and the active nightlife in the downtown area. She added that most of the comments she has received from residents regarding the event have been negative but that she has supported it in the past as it was held during non-peak times of the year. She reiterated that she has a hard time supporting the matter when it has purposefully been scheduled to coincide with Spring Break.

Councilmember Sullivan commented on his experience with the event and stated that it has greatly improved. He noted that the people attracted to the event do not cause trouble and have made a big investment in the sport. He added that it is held in a confined area and commented on the possibility of addressing issues of concerns in subsequent years.

Mayor Pro Tem Shaw asked if there was anything in the contract that would preclude Council making adjustments to it in the coming years.

Attorney Vigliotta noted there is a termination provision within the contract that allows the City to terminate the contract with eleven (11) months' notice. Additionally, there is the ability to

change dates and make modifications, as needed.

In response to Mayor Pro Tem Shaw's inquiry, Director Laudenback reported that there are usually approximately 1,800 participants, including sponsors and staff and that approximately 36,000 spectators compared to 100,000 who attend the U.S. Open Surfing competition. Mayor Pro Tem Shaw stated this is a good event for the City and that the crowds are not usually unruly.

Councilmember Carchio noted that paint balls are biodegradable and can even be ingested. He added that the promoter is requesting multiple years in order to secure sponsorships and financing.

Councilmember Hardy commented on the event attracting those who bring their own paint balls and reiterated that she will not support the item.

Mayor Harper stated that he found that the event attracts an overwhelmingly positive crowd, that the area is confined and that this is one of the events that helps showcase the City.

A motion was made by Mayor Pro Tem Shaw, second by Councilmember Katapodis to approve and authorize the Mayor to execute "Agreement Between the City of Huntington Beach and National Professional Paintball League to Provide, Promote and Manage the National Professional Paintball League Tournament in Huntington City Beach."

The motion carried with the following vote:

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

14. Approved and authorized execution of contract amendment #1 with Pacific Shoreline Marathon LLC extending the term three (3) years to provide the Distance Derby in Huntington Beach, and requesting to change the name of the event to 'Surf City 10'

A motion was made by Councilmember Sullivan, second by Councilmember Boardman to approve and authorize the Mayor and City Clerk to execute "Amendment No. 1 to Agreement Between the City of Huntington Beach and Pacific Shoreline Marathon, LLC. to Provide the Distance Derby in Huntington extending the term three (3) years and requesting the name of the event be changed to 'Surf City 10.'

The motion carried with the following vote:

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

15. Approved and authorized execution of a Professional Services Contract with Townsend Public Affairs related to State lobbyist services

A motion was made by Councilmember Sullivan, second by Councilmember Boardman to approve and authorize the Mayor and City Clerk to execute the "Professional Services Contract Between the City of Huntington Beach and Townsend Public Affairs for State Lobbyist Services" in an amount not to exceed \$48,000 for one year.

The motion carried with the following vote:

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

16. Approved and authorized execution of a Professional Services Contract with Carl Warren & Co. to provide Third-Party Liability Claims Administration

A motion was made by Councilmember Sullivan, second by Councilmember Boardman to approve and authorize the Mayor and City Clerk to execute "Professional Services Contract Between the City of Huntington Beach and Carl Warren & Company for Liability Claim Investigation and Processing."

The motion carried with the following vote:

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

17. Adopted Ordinance No. 4019 (SR Senior Residential Mobile Home Park Overlay) Approved for Introduction March 3, 2014 (Vote: 6-1 Harper No)

Councilmember Sullivan commented on misinformation provided previously regarding Huntington Harbour Village and referenced a petition of resident/owners who support the overlay. In lieu of the new information received, he stated he will support the item including Huntington Harbour Village in the overlay.

Councilmember Katapodis thanked residents of Huntington Harbour Village for providing their comments to Council as well as all who have spoken regarding this issue.

Councilmember Hardy noted that the intent is to protect all senior parks and stated she will support the matter.

Mayor Harper stated that the rationale based upon affordability is lacking and asked how affordability will be measured.

Councilmember Hardy noted this item was not about affordability but rather about protecting the social, not financial aspect of the Huntington Harbour Village. She added that one of the benefits of maintaining the senior overlay may be affordability.

Mayor Harper read a statement in the ordinance addressing the cost and affordability for the senior population in the City and suggested that if the matter is not about affordability, then the language should be stricken from the ordinance.

Attorney Vigliotta stated that the statement was intended as a "macro" statement that senior mobile home parks are an affordable alternative to other types of family dwellings that may be located within the City. He added that mobile homes are a less-expensive housing option than other single-family dwellings in the City of Huntington Beach.

Councilmember Boardman stated that generally, rents in senior parks are less than in family parks. Additionally, it is less expensive to buy a manufactured home than it is to buy a single-family home. She added that for her, this is about preserving that option for seniors; preserving seniors parks within the community.

In response to an inquiry from Mayor Harper, Attorney Vigliotta reported that there can be no

rent control in the City, pursuant to the Charter.

Mayor Harper pointed out that there is no guarantee that rent will be less expensive as a result of the ordinance.

Councilmember Katapodis noted that it is less expensive to live in a manufactured home than it is to live in a single-family home.

Councilmember Sullivan noted that seniors have their reasons why they want to live in senior parks.

Councilmember Carchio pointed out that seniors feel much more secure in a senior park than a family park and noted the importance of that security for seniors. He added that it costs much less to build a manufactured home than it does a brick and mortar home. He reported that the City's seniors built this community and made Huntington Beach what it is today. He stated that the City owes them security where they live.

Mayor Harper reiterated that the ordinance will not stop rental increases and that people should not expect this will have a downward pressure, in terms of rent. He opined that this ordinance is a "taking" which leaves the City legally vulnerable and could be challenged in court and will drive down property values.

A motion was made by Councilmember Hardy, second by Councilmember Katapodis to adopt Ordinance No. 4019, "An Ordinance of the City Council of the City of Huntington Beach Adopting Zoning Text Amendment No. 13-002 and Amending the Huntington Beach Zoning and Subdivision Ordinance by Adding New Chapter 228 Thereto Entitled "SR Senior Residential Overlay District."

The motion carried with the following vote:

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

**18. Adopted Ordinance Nos. 4011, 4012, 4013, 4014, 4015, 4016, 4017 and 4018 (SR Senior Residential Mobile Home Park Overlay)
Approved for Introduction March 3, 2014 (Vote: 6-1, Harper No)**

A motion was made by Councilmember Hardy, second by Councilmember Katapodis to adopt Ordinance No. 4011, "An Ordinance of the City of Huntington Beach, California Amending District Map 24Z of the City of Huntington Beach Zoning and Subdivision Ordinance to Add the SR Senior Residential Overlay to Real Property Located at 5200 Heil Avenue (South Side of Heil Between Bolsa Chica and Graham) Zoning Map Amendment No. 13-001"; adopt Ordinance No. 4012, "An Ordinance of the City of Huntington Beach, California Amending District Map 31Z of the City of Huntington Beach Zoning and Subdivision Ordinance to Add the SR Senior Residential Overlay to Real Property Located at 17261 Gothard (West Side of Gothard Between Warner and Slater) Zoning Map Amendment No. 13-001"; adopt Ordinance No. 4013, "An Ordinance of the City of Huntington Beach, California Amending District Map 6Z of the City of Huntington Beach Zoning and Subdivision Ordinance to Add the SR Senior Residential Overlay to Real Property located at 19251 Brookhurst (West Side of Brookhurst Between Yorktown and Garfield) Zoning Map Amendment No. 13-001"; adopt Ordinance No. 4014, "An Ordinance of the City of Huntington Beach, California Amending District Map 40Z of the City of Huntington Beach Zoning and Subdivision Ordinance to Add the SR Senior Residential Overlay to Real Property Located at 18601 Newland (Southwest Corner of Ellis and Newland) Zoning Map

Amendment No. 13-001"; adopt Ordinance No. 4015, "An Ordinance of the City of Huntington Beach, California Amending District Map 5Z of the City of Huntington Beach Zoning and Subdivision Ordinance to Add the SR Senior Residential Overlay to Real Property Located at 19350 Ward (North of Yorktown and South of Garfield) Zoning Map Amendment No. 13-001"; adopt Ordinance No. 4016, "An Ordinance of the City of Huntington Beach, California Amending District Map 6Z of the City of Huntington Beach Zoning and Subdivision Ordinance to Add the SR Senior Residential Overlay to Real Property Located at 9850 Garfield (South Side of Garfield West of Brookhurst) Zoning Map Amendment No. 13-001"; adopt Ordinance No. 4017, "An Ordinance of the City of Huntington Beach, California Amending District Map 24Z of the City of Huntington Beach Zoning and Subdivision Ordinance to Add the SR Senior Residential Overlay to Real Property Located at 16444 Bolsa Chica Street (East Side of Bolsa Chica North of Heil) Zoning Map Amendment No. 13-001"; and, adopt Ordinance No. 4018, "An Ordinance of the City of Huntington Beach, California Amending District Map 6Z, of the City of Huntington Beach Zoning and Subdivision Ordinance to Add the SR Senior Residential Overlay to Real Property Located at 19361 Brookhurst (West Side of Brookhurst Between Yorktown and Garfield) Zoning Map Amendment No. 13-001".

The motion carried with the following vote:

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

19. Adopted Ordinance Nos. 4020 and 4021 (SR Senior Residential Mobile Home Park Overlay) - Approved for Introduction March 3, 2014 (Vote: 6-1 Harper No)

A motion was made by Councilmember Hardy, second by Councilmember Katapodis to adopt Ordinance No. 4021, "An Ordinance of the City of Huntington Beach, California Amending District Map 23Z of the City of Huntington Beach Zoning and Subdivision Ordinance to Add the SR Senior Residential Overlay to Real Property Located at 16400 Saybrook (Northeast Corner of Saybrook and Heil) Zoning Map Amendment No. 13-002".

The motion carried with the following vote:

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

20. Adopted Ordinance No. 4009 thereby adding sections 2.07.155, 2.07.165 and 2.07.175 to the Huntington Beach Municipal Code to require electronic filing of campaign statements and reports, approving electronic signatures, and ensuring filing procedures are in accordance with Government Code Section 84615 Approved for Introduction March 3, 2014 (Vote: 7-0)

A motion was made by Councilmember Sullivan, second by Councilmember Boardman to adopt Ordinance No. 4009 "An Ordinance of the City of Huntington Beach Amending Chapter 2.07 of the Huntington Beach Municipal Code Relating to Campaign Reform."

The motion carried with the following vote:

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

COUNCILMEMBER ITEMS

21. Submitted by Mayor Harper and Councilmember Carchio - Directed the City Manager and the City's Historic Resources Board to research options for a Golden Bear Plaque

Councilmember Carchio noted that the Golden Bear was a landmark in the City for more than sixty (60) years and commented on the number of famous performers who frequented it. He reported that it closed in 1986 and believed that a plaque commemorating the venue would serve its legacy, best. He added that it will compliment the Surfers' Hall of Fame and the Surfers' Walk of Fame, and that he and the Mayor recommend that the Historic Resources Board work with City staff to develop plaque options, size and materials and work with Caltrans and the property owner to determine where it should be installed and hoped that it will be installed by Memorial Day.

Councilmember Sullivan indicated that if Caltrans is involved, it will not be installed by Memorial Day.

Councilmember Hardy noted that she and Councilmember Boardman received emails from the Historic Resources Board indicating their excitement about the project.

A motion was made by Councilmember Sullivan, second by Mayor Harper to direct the City Manager and the City's Historic Resources Board to research options, location, and cost for the plaque.

The motion carried with the following vote:

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

22. Submitted by Councilmember Boardman - Directed the City Attorney to prepare an Ordinance to reinstate City Council compensation

Councilmember Boardman presented background including prior Council action on this matter, stating Councilmembers do not receive compensation to even cover their costs as Councilmembers. She stated now that the City is coming out of the recession, it is time to readdress the matter. She added that because of State Conflict-of-Interest laws, Councilmembers cannot vote on any action to reduce their own pay nor to increase same and that depending on Council action regarding the matter, the ordinance would take effect for newly elected Councilmembers in 2014 or for those newly elected or re-elected in 2016. She hoped that the majority of Council colleagues will support this item.

Councilmember Hardy thanked Councilmember Boardman for bringing the item forward and commented on the number of events that Councilmembers are expected to attend and participate in. She noted that the current pay is inadequate and that this will not affect the three (3) Councilmembers receiving the lower pay and that the other four (4) Councilmembers could bring the matter forward to correct that on their behalf, but that not all would be supportive. She reported that her belief in the item is so strong that she would like to fix the pay for future Councilmembers and that Councilmembers need to be paid for the work they do. She noted that the "many benefits" alleged to be received by Councilmembers is comprised of a parking pass for the beach. She added that other Orange County cities pay their Councilmembers more than \$300 per month.

Councilmember Katapodis stated that he loves doing this job, that it is not about the money, for him and that it does not affect him, unless he runs in 2016. He acknowledged that Councilmembers have a lot of expenses and indicated he will support the item.

Councilmember Sullivan noted that the compensation does not even pay for the wear-and-tear of personal vehicles.

In response to Councilmember Carchio's inquiry regarding reimbursement of expenses, Attorney Vigliotta reported that the City Charter breaks it down to three (3) different provisions including a payment provision, a reimbursement provision and a provision allowing for the development of an ordinance setting the salary.

Councilmember Carchio suggested increasing the salary, but not the compensation. He noted that expenses can be reimbursed and that medical insurance should cover only Councilmembers and not family members.

Councilmember Katapodis stated he does not get reimbursed for activities related to the Boys and Girls Club and added there is a cap on reimbursements.

Councilmember Hardy expressed concerns regarding some of the expenses that cannot be reimbursed, such as cutting back on regular work hours in order to dedicate more time to Council activities and noted this is about Councilmembers being paid to do their jobs. She also expressed concerns that the issue will alter who will ultimately run for Council.

Councilmember Sullivan noted there are many indirect expenses in connection with running for Council and pointed out events and activities that Councilmembers are expected to attend.

Councilmember Carchio noted that when Councilmember Boardman was Mayor, she worked extremely hard and gave up time from her regular job to devote more time to Council. However, that was her decision. He stated that Council should receive an increase in pay but reiterated that insurance benefits should not include family members.

Councilmember Hardy stated she would like those elected in 2014 to be paid for the work they do. She added that Councilmember Carchio is paid seven (7) times the pay that she receives and that it would be nice for future Councilmembers to receive appropriate compensation. She added that it is the right and fair thing to do.

A motion was made by Councilmember Boardman, second by Councilmember Katapodis to direct the City Attorney to prepare an Ordinance to reinstate City Council compensation.

The motion carried with the following vote:

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

23. Submitted by Councilmember Shaw - Approved the concept of creating a community garden and passive park improvements on the undeveloped portion of Irby Park

Mayor Pro Tem Shaw presented details of the proposal noting that 2.5 acres would be developed as a community garden. He noted that the Huntington Beach Community Garden group is a non-profit organization run by volunteers and commented on their efforts and achievements during the past years. Mayor Pro Tem Shaw commented on community gardens

bringing community wellness and listed the benefits of community gardens. He stated that he will propose creating a community garden at Irby Park but also provided details of his proposal for creating passive park improvements to the undeveloped portion of the park. He addressed creation of a Community Park Restoration Team as well as groups interested in participating in the team and in support of the concept. He added that it could be implemented at a relatively low cost to the City but he would like for the City to develop the plans for restoring the park. He presented examples of the plants at Shipley Nature Center and addressed opportunities for expansion of the restoration team to address other parks in the City, using community volunteers. He added that this is the beginning of the process and noted the need to send notices to nearby residents and obtain input from the community.

Councilmember Hardy commented on prior Council ideas regarding undeveloped parks in the City. She reported that in speaking to residents living near Irby Park, one concern was the ability to continue walking/running their dogs and the possibility of a community garden interfering. She reported using that as a debate during her students' mock Council meeting and noted that many of the issues they brought forward are being incorporated into Mayor Pro Tem Shaw's proposal. She stressed the importance of community input and indicated she will support the concept.

Councilmember Boardman expressed excitement about the concept and especially utilizing the expertise of volunteers to improve parks that are in need of improvement and the ability for residents to grow their own food. She noted that issues of concern will be addressed and that as the matter moves forward there will be neighborhood meetings and public hearings where residents will have the opportunity to comment. She liked that plots will be offered first to immediate neighbors noting that will serve to reduce traffic impacts.

Councilmember Sullivan asked why Irby Park has never been developed.

Director Laudenback stated that it was not developed for residential use because of a peat problem but that it is included as a passive park in the City's Park Master Plan. Any changes would require amending the Park Master Plan which could be done as part of the public process.

Councilmember Sullivan asked if the matter would require a Measure C vote and Director Laudenback reported that would be addressed as part of the process.

Councilmember Carchio expressed excitement about the concept and commented on ensuring that nearby residents have chances to obtain a lot. He commented on previous related challenges but indicated that as proposed by Mayor Pro Tem Shaw, many of those problems could be eliminated. He addressed the importance of having all those who secure a plot, follow the rules. He inquired about rental fees and how they will be used by the City.

Annette Parsons, Huntington Beach Community Garden reported that the rent is \$100 per year with a \$100 refundable deposit which covers the cost of water, utilities and maintenance. She noted the importance of engaging the neighborhood in the process.

Councilmember Katapodis commented positively on the concept and expressed interest in hearing the community's input.

Ms. Parsons noted that the group has been meeting regularly and has gathered a distribution list to ensure that residents are actively involved in the planning process.

In response to Councilmember Boardman's inquiry regarding consideration of a community

garden as a passive use, Director Laudenback stated that this would be addressed through the public process. Additionally, in terms of requiring a Measure C vote, she reported that the item is triggered by the amount of money that will be spent and by structures which is not applicable to the park.

A motion was made by Mayor Pro Tem Shaw, second by Mayor Harper to approve the concept of creating a community garden and passive park improvements on the undeveloped portion of Irby Park.

The motion carried with the following vote:

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

COUNCILMEMBER COMMENTS (Not Agendized)

Councilmember Carchio reported attending the memorial services for Natalie Kotsche adding that she will be sorely missed. In addition, he reported attending the Surfboards on Parade, "Endless Summer".

Councilmember Sullivan reported that the 5K Fun Run/Walk supporting the City's adopted 3rd Battalion/1st Marines and their families was a huge success. He thanked City employees for their work and efforts. Additionally, he reported attending various Senior Citizen Advisory Board events and commented on the celebration of St. Patrick's Day in the City of Boston and noted that March 17, 1776 was the day that the British evacuated Boston.

Councilmember Boardman reported participating in the 5K Fun Run/Walk and thanked Councilmember Katapodis for walking with her.

Mayor Pro Tem Shaw wished everyone a Happy St. Patrick's Day.

Councilmember Hardy noted she met Councilmember Sullivan exactly twenty-one (21) years ago.

Councilmember Katapodis reported participating in the 5K Fun Run/Walk and thanked the Orange County Sheriff's for their involvement. He announced that former Mayor Gil Coerper is in the hospital and wished him a quick recovery. Councilmember Katapodis remembered LAPD Officer Nicholas Lee who was killed in the line of duty March 7, 2014. His thoughts and prayers go out to his family and the entire LAPD family.

Mayor Harper reported attending the HBPD Baker to Vegas Team BBQ Fundraiser and wished them the best in the competition. Additionally, he reported attending ribbon-cuttings for new facilities and new businesses including Visit Huntington Beach, Fusion and Casey's Cupcakes and noted participating in "A Last Wave" the memorial service for Natalie Kotsche. He reported attending the Eagle Court of Honor for Maxwell Andrew Cisneros, Brett Alexander Kubond, Dhillon Harish Nadasia and Nathan Dan-San Tong from Boy Scout Troop 319 as well as the Surfboards on Parade, "Endless Summer" and commented positively on the event. Mayor Harper reported attending the tree-planting for Arbor Day at Central Park and thanked volunteers and the City's Public Works Department. In addition, he reported attending the ACC-OC Business Meeting and Board Election, Reception and Dinner Program – "Engaging the Public; Encouraging Dialogue" event. He reported being out of town for the 5K Fun Run/Walk but thanked those involved in making it a success.

ADJOURNMENT

There being no other business to come before Council, Mayor Harper adjourned the meeting at 10:34 PM.

The next regularly scheduled meeting of the Huntington Beach City Council/Public Financing Authority is Monday, April 07, 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