

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

Monday, May 4, 2015  
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  
are 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**

**CALLED TO ORDER – 4:07 PM**

**ROLL CALL**

Present: Posey, O'Connell, Katapodis (arrived at 4:08 PM), Hardy, Sullivan, Delgleize, Peterson  
Absent: None

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

Pursuant to the Brown "Open Meetings" Act, City Clerk Joan Flynn announced a supplemental communication for Study Session Item No. 1, a PowerPoint communication dated May 4, 2015, entitled *Streetlight Update*.

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

Dan Kalmick, Chair, Planning Commission, spoke in support of City-owned light poles for enhancement of modern technology (internet, cellular communication).

**STUDY SESSION**

**1. Streetlight Program and Acquisition Process Update**

Senior Administrative Analyst Tony Graham provided a PowerPoint presentation entitled *Streetlight Update – City Council Study Session May 4, 2015*, that included the following titled slides: Agenda, Streetlight Overview, Types of Streetlights, Energy Expenditures, SCE Rate Projections, and Cost Analysis: Coalition for Affordable Streetlights (CASL).

Transportation Manager Robert Stachelski continued with the presentation with: Benefits of LED Streetlights, Streetlight Comparison, Annual Streetlight Cost Comparison, Cash Flow Participation, Streetlight Acquisition and LED Retrofit, Acquisition: SCE Initial Valuation.

Analyst Graham continued with: Revenue Generating Opportunities, Philips Connected City, Street Lighting Becomes Digital Real Estate, Conclusion, Next Steps, and Questions.

Councilmember Peterson and staff discussed LED color, the ability to change it, range specifics, temperature, current locations with LED lights, return on investment (ROI), and platinum partnership.

Staff and Councilmember Delgleize discussed the number of light poles in the City.

Councilmember Sullivan and staff discussed contracting for services, poles not eligible for purchase, network mapping, current pole conditions, and loss of power in the Harbour area.

Councilmember Posey and staff discussed the anticipated 4-12 year ROI, projections for revenue sharing, communications with Philips (letter of intent, preliminary, no projections).

Councilmember O'Connell and staff discussed revenue projections, due diligence on options, Finance Department involvement/scenarios, and Public Financial Manager (PFM).

Mayor Pro Tem Katapodis stated that he looks forward to receiving more information.

#### **RECESS TO CLOSED SESSION – 4:52 PM**

A motion was made by Delgleize, second Sullivan to recess to Closed Session. The motion carried by the following vote:

AYES: Posey, O'Connell, Katapodis, Hardy, Sullivan, Delgleize, and Peterson  
NOES: None

**Mayor Hardy Announced:** Pursuant to Government Code Section 54956.8, the City Council shall recess to Closed Session to give instructions concerning price and terms of payment to the City's Negotiator, Ken Domer, Assistant City Manager, regarding negotiations for the purchase or exchange of real property in the form of a temporary construction easement and permanent street easement for the Atlanta Avenue Widening Project from Pacific Mobile Home Park at 80 Huntington Street in Huntington Beach, APN 024-291-16. The property owner is 80 Huntington I, LLC and 80 Huntington II, LLC.

**Mayor Hardy Announced:** Pursuant to Government Code Section 54957.6, the City Council shall recess 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, and/or HBFA.

#### **CLOSED SESSION**

**2. Pursuant to Government Code § 54956.9(d)(1), the City Council recessed into Closed Session to confer with the City Attorney regarding the following lawsuit: Armando Jauregui v. City of Huntington Beach, et al., United States District Court Case No.: CV 011-09182 DDP (VBK). This is a Federal civil rights action against the Police Department for alleged false arrest and excessive force.**

**3. Pursuant to Government Code § 54956.9(d)(1), the City Council recessed into Closed Session to confer with the City Attorney regarding the following lawsuit: Lynda Lorz v. City of**

Huntington Beach, Orange County Superior Court Case No. 30-2015-00777844. Plaintiff alleges that on February 17, 2014 she fell in an alley behind Warner Avenue near the intersection of Evergreen Circle.

4. Pursuant to Government Code § 54956.9(d)(1), the City Council recessed into Closed Session to confer with the City Attorney regarding the following lawsuit: City of Los Angeles v. Hotels.Com, et al., Los Angeles County Superior Court Case No. BC326693. The City of Los Angeles filed a class action lawsuit on behalf of itself and other California cities (including the City of Huntington Beach) against internet hotel booking companies claiming that they failed to pay the proper amount of transient occupancy taxes.

5. Pursuant to Government Code § 54956.9(d)(1), the City Council recessed into Closed Session to confer with the City Attorney regarding the following lawsuit: Parks Legal Defense Fund v. The City of Huntington Beach, et al.; Orange County Superior Court Case No. 30-2012-00570541. In this second lawsuit challenging the Senior Center, a public interest advocacy organization alleges that the City violated CEQA, City Charter Section 612 (Measure C), and the City's General Plan.

6. Pursuant to Government Code § 54956.9(d)(1) the City Council recessed into Closed Session to confer with the City Attorney regarding the following lawsuit: City of Huntington Beach v. Richmond, Huntington Beach Care Givers, Orange County Superior Court Case No. 30-2014-00745511. The City alleges that Defendants are illegally conducting business as a Medical Marijuana Dispensary within the City.

7. Pursuant to Government Code Section 54956.8, the City Council recessed into Closed Session to give instructions concerning price and terms of payment to the City's Negotiator, Ken Domer, Assistant City Manager, regarding negotiations for the purchase or exchange of real property in the form of a temporary construction easement and permanent street easement for the Atlanta Avenue Widening Project from Pacific Mobile Home Park at 80 Huntington Street in Huntington Beach, APN 024-291-16. The property owner is 80 Huntington I, LLC and 80 Huntington II, LLC.

8. Pursuant to Government Code § 54956.9(d)(1), the City Council recessed into Closed Session to confer with the City Attorney regarding the following lawsuit: Huntington Shorecliff, LP v. City of Huntington Beach, et al. (JS Stadium), Orange County Superior Court Case No. 30-2011-00463995.

9. Pursuant to Government Code § 54957.6, the City Council recessed into Closed Session to meet with its designated labor negotiators and Fred Wilson, City Manager regarding the following: MEA, MEO, MSMA, SCLEA, POA, FMA, PMA, and/or HBFA.

6:00 PM - COUNCIL CHAMBERS

RECONVENE CITY COUNCIL/PUBLIC FINANCING AUTHORITY MEETING – 6:02 PM

CLOSED SESSION REPORT BY CITY ATTORNEY - None.

## ROLL CALL

Present: Posey, O'Connell, Katapodis, Hardy, Sullivan, Delgleize, and Peterson  
Absent: None

**PLEDGE OF ALLEGIANCE** - Led by Councilmember Peterson.

**INVOCATION** - Led by Bob Ewing Executive Pastor at First Christian Church and Chaplain for the Huntington Beach Police Department.

## AWARDS AND PRESENTATIONS

**Mayor Hardy proclaimed May as Asian-Pacific American Heritage Month and Older Americans Month.**

**Mayor Hardy called on Jeff Snow from Rainbow Environmental Services and the Environmental Sustainability Partnership (ESP) to recognize Home Run Media for their AB341 Commercial Recycling achievements.**

Mr. Snow provided a PowerPoint entitled *ESP 2015 Earth Day Award*, that included the following titled slides: *Earth Day Facts, Earth Elements Air - Water - Solid Resources Significant Achievements Since 1970, Local Earth Day Achievements, Earth Day Huntington Beach Facts, Sustainable Results for Huntington Beach, Huntington Beach Commercial Recycling, City of Huntington Beach ESP Commercial Recycler of the Year, Home Run Media Photographs, Superlative Sustainability, and Home Run Media Recycling Leaders.*

Mr. Snow was joined by Home Run Media Founder Patrick Brenden and other staff to accept a plaque honoring their achievements.

**Mayor Hardy called on Kelly Miller from Visit HB to promote National Tourism Week.**

Mr. Miller discussed National Tourism Week and how tourism generates nearly \$2 trillion dollars in the US annually, and approximately 15 million jobs. He provided statistics related to Occupancy, Average Daily Rate and Revenue per Available Room. He discussed programs such as *Surf City Shuttle, Wave Finding Program*, and the *Downtown Ambassador Program*. He announced the Epic Big Board Ride — Visit Huntington Beach is building the world's largest surfboard that will premier on June 20 on the south side of the pier, when 62 individuals will ride a 42'x12' surfboard unassisted. The Big Board will be mounted near the International Surf museum after the event.

Mayor Hardy presented Mr. Miller with a proclamation for National Tourism Week.

## **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:

Consent Calendar #7: Communications received from various individuals regarding the adoption of Ordinance No. 4053 regulating the use of plastic carryout bags and recyclable paper carryout bags: Renee Caligiuri, Joel Griffin, Stacey McDonald, Shannon Pollacchi, Lori (no last name given), Angela T.

Howe and Shane Coons, Surfrider Foundation, Mark Murray, Californians Against Waste, Colin A. Kelly, Orange County Coastkeeper, and Ray Heimstra, Sierra Club Orange County Conservation Committee.

Ordinances for Adoption #12: Communication submitted by City Clerk Joan Flynn, dated May 1, 2015, notating a number change in the Ordinance entitled "*Urgency Measure Adopting an Interim Ordinance of the City of Huntington Beach Adding Section 204.18 to Chapter 204 of the Zoning and Subdivision Ordinance Titled Use Classifications*" from #4054 to #4059.

Councilmember Items #14: Communications submitted by various individuals in support of establishing a "Buy America" Procurement Policy: Ron Kupferstein, Jim Heaney Jr., Electronic Waveform Lab, Inc., Jenelle (Godges) Bader, Southern California Edison.

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

Councilmember Peterson announced the appointment of Hector Valdez to the Homeless Task Force.

### **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/>).

Robert Dettloff, President, Council on Aging (COA), discussed the COA's Volunteer Appreciation Lunch and presented informational slides that highlighted *Accomplishments in 2014*, *Volunteers Make Life Better*, and *Ten Year Community Service Volunteer Hours*. (00:27:27)

Bob Wentzel spoke regarding the Duck-A-Thon on May 15, 16 and 17 on the Huntington Beach Pier to raise funds for the Huntington Beach Community Clinic. This year's theme is *Under the Big Top*. Events include Wine Tasting on May 15th, Duck-A-Thon on May 16, and a Corporate Duck Race on May 17. (00:30:18)

Ralph Bauer encouraged Council support for set-aside housing for Veterans, referenced a proposal to convert Central Park's mobile home lot back to parkland, and spoke in support of Councilmember O'Connell's "Buy America" proposal. (00:33:13)

Clem Dominguez voiced concerns about the volume of important issues on tonight's agenda, and provided support for adopting Resolution No. 2015-20 approving Zoning Text Amendment (ZTA) No. 15-003 to amend Beach and Edinger Corridors Specific Plan (BECSP) as directed by the City Council on March 26, 2015. (00:36:15)

Angela T. Howe, Legal Director, Surfrider Foundation, spoke in opposition to Consent Item No. 7 - Adopt Ordinance No. 4053, Repeal of Municipal Code Section 5.95 regulating the use of plastic carryout bags and recyclable paper carryout bags. (00:39:13)

Dianne Thompson, Chamber of Commerce, spoke in support of Councilmember Item No. 14 - Consider Establishing a "Buy America" Procurement Policy. (00:42:11)

Jerry Wheeler, President/CEO Huntington Chamber of Commerce, spoke in support of Councilmember Item No. 14 - Consider Establishing a "Buy America" Procurement Policy. (00:42:48)

Michelle Clark, Rainbow Environmental Services but speaking on behalf of Tanya Pham, spoke regarding the *2015 Army Ball*, and submitted a communication that describes the event that will take place on May 30 at the Queen Mary in Long Beach. (00:45:50)

Patrick Brenden, Chairman of the Board, Huntington Chamber of Commerce and City Planning Commissioner, spoke in support of Councilmember Item No. 14 - Consider Establishing a "Buy America" Procurement Policy. (00:47:38)

Laurie Hammond spoke in opposition to Consent Item No. 7 - Adopt Ordinance No. 4053, Repeal of Municipal Code Section 5.95 regulating the use of plastic carryout bags and recyclable paper carryout bags. (00:49:50)

Rob Pool spoke in support of Councilmember Item No. 14 - Consider Establishing a "Buy America" Procurement Policy. (00:51:18)

Mike Van Voorhis, President, Sunset Beach Community Association, voiced support for Consent Item No. 6 - Amendment to the Pre-Annexation Agreement by and between the City of Huntington Beach and the County of Orange, and termination of Agreement with Orange County Fire Authority (OCFA) for Fire Development Plan Review and Inspection Services related to Sunset Beach. He also announced the Sunset Beach Annual Art Festival that will be held on May 9 and 10. (00:53:36)

Jessica Budica, Surfrider Foundation, Environmental and General Plan Advisory Committee (GPAC) board member, spoke in opposition to Consent Item No. 7 - Adopt Ordinance No. 4053, Repeal of Municipal Code Section 5.95 regulating the use of plastic carryout bags and recyclable paper carryout bags. (00:56:28)

Shane Coons, Surfrider Foundation, spoke in opposition to Consent Item No. 7 - Adopt Ordinance No. 4053, Repeal of Municipal Code Section 5.95 regulating the use of plastic carryout bags and recyclable paper carryout bags. (00:59:25)

Sharon Benter spoke in opposition to Consent Item No. 7 - Adopt Ordinance No. 4053, Repeal of Municipal Code Section 5.95 regulating the use of plastic carryout bags and recyclable paper carryout bags; and, in support of adopting Resolution No. 2015-20 approving Zoning Text Amendment (ZTA) No. 15-003 to amend Beach and Edinger Corridors Specific Plan (BECSP) as directed by the City Council on March 26, 2015. (01:02:02)

Tony Bisson spoke about Consent Item No. 8 - Adopt Ordinance No. 4054 Repealing Chapter 9.54 of the Huntington Beach Municipal Code relating to Sleeping in Vehicles. (01:04:40)

Gina Clayton-Tarvin, President, Ocean View School District, voiced concerns about trash storage on the Rainbow Republic property and how it effects students and faculty at Oak View School that is located across the street. She provided pictures to support her concerns. (01:08:29)

Margaret Friedmann, Oak View School Teacher, voiced concerns about trash storage on the Rainbow Republic property and how it affects students and faculty at Oak View School. (01:11:38)

Karen Avina, former Oak View School student, voiced concerns about trash storage on the Rainbow Republic property and how it affects students and faculty at Oak View School. (01:13:48)

Brenda Avina voiced concerns about trash storage on the Rainbow Republic property and how it affects students and faculty at Oak View School. (01:15:00)

Roger Lara-Renteria voiced concerns about trash storage on the Rainbow Republic property and how it affects students and faculty at Oak View School. (01:16:03)

Jeff Coffman spoke in opposition to Consent Item No. 7 - Adopt Ordinance No. 4053, Repeal of Municipal Code Section 5.95 regulating the use of plastic carryout bags and recyclable paper carryout bags. (01:18:32)

John Briscoe voiced concerns about trash storage on the Rainbow Republic property and how it affects students and faculty at Oak View School. (01:20:33)

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

Councilmember Sullivan announced the appointment of Karen Jackle to the Citizen's Infrastructure Advisory Board.

Mayor Pro Tem Katapodis reported attending the Taste of Huntington Beach event on April 26, the Assistance League Huntington Beach Annual Fundraiser - Treasures by the Sea 2015 on May 2, and the California Peace Officers Memorial Ceremony in Sacramento on May 3 and 4.

Councilmember Posey reported attending the Taste of Huntington Beach event on April 26.

Mayor Hardy reported attending the Assistance League of Huntington Beach Annual Fundraiser - Treasures by the Sea 2015 on May 2.

**CITY MANAGER'S REPORT** - None.

### **CITY TREASURER'S REPORT**

**1. Received and filed the City Treasurer's March 2015 Quarterly Investment Summary Report**

A motion was made by Katapodis, second O'Connell to receive and file the Quarterly Investment Report for March 2015, pursuant to Section 17.0 of the Investment Policy of the City of Huntington Beach.

The motion carried by the following vote:

AYES: Posey, O'Connell, Katapodis, Hardy, Sullivan, Delgleize, and Peterson  
NOES: None

## CONSENT CALENDAR

Councilmember Peterson pulled Item #4 and Item #5 for further discussion and considerations.

### 2. **Approved and adopted Minutes**

A motion was made by Sullivan, second O'Connell to review and approve the City Council/Public Financing Authority regular, and Successor Agency special meeting minutes dated April 20, 2015, as written and on file in the office of the City Clerk.

The motion carried by the following vote:

AYES: Posey, O'Connell, Katapodis, Hardy, Sullivan, Delgleize, and Peterson  
NOES: None

### 3. **Adopted Resolution No. 2015-15 to approve the updated Citywide Records Retention Schedule**

A motion was made by Sullivan, second O'Connell to adopt Resolution No. 2015-15, "A Resolution of the City Council of the City of Huntington Beach Adopting the Updated Citywide Records Retention Schedule, Authorizing Destruction of Certain City Records and Rescinding Resolution No. 2011-53."

The motion carried by the following vote:

AYES: Posey, O'Connell, Katapodis, Hardy, Sullivan, Delgleize, and Peterson  
NOES: None

### 4. **Adopted Resolution No. 2015-19 authorizing certain City Officials to execute Grant Applications and Documents**

Councilmember Peterson pulled this item to discuss concerns about what grant applications included, i.e., training, equipment, ancillary costs - what is attached to this money? Fire Chief Patrick McIntosh discussed in-kind and administrative costs.

A motion was made by Peterson, second Delgleize to adopt Resolution No. 2015-19, "A Resolution of the City Council of the City of Huntington Beach Authorizing Certain City Officials to Execute Grant Applications and Documents," *as amended to include review by the Finance Director and City Manager to ensure there are no negative financial impacts prior to accepting/executing grant.*

As amended, the motion carried by the following vote:

AYES: Posey, O'Connell, Katapodis, Hardy, Sullivan, Delgleize, and Peterson  
NOES: None

### 5. **Approved Intergovernmental Relations Committee (IRC) recommendations for City Council action: Support for AB 857 - Clean Truck, Bus, and Off Road Vehicle and Equipment Technology Program; Opposition, unless amended, for SB 355 - San Gabriel and Lower Los Angeles Rivers and Mountains Conservancy; Opposition for SB 608 - Right to Rest Act; and authorized the Mayor to sign City position letters accordingly.**

Councilmember Peterson pulled the item to express his opposition to the recommended action.

A motion was made by Hardy, second Sullivan to approve a City position of Support for AB 857 - Clean Truck, Bus, and Off Road Vehicle and Equipment Technology Program; and, approve a City position of Opposition for SB 355 (unless amended to maintain the existing statutory number of voting Orange County members) - San Gabriel and Lower Los Angeles Rivers and Mountains Conservancy; and, approve a City position of Opposition for SB 608 - Right to Rest Act; and, authorize the Mayor to sign City position letters on AB 857, SB 355, and SB 608 as approved by the City Council.

The motion carried by the following vote:

AYES: Posey, O'Connell, Katapodis, Hardy, Sullivan, and Delgleize  
NOES: Peterson

**6. Approved and authorized execution of a First Amendment to the Pre-Annexation Agreement by and between the City of Huntington Beach and the County of Orange; and, approved the termination of an agreement with Orange County Fire Authority (OCFA) for Fire Development Plan Review and Inspection Services related to Sunset Beach**

A motion was made by Sullivan, second O'Connell to approve and authorize the Mayor and City Clerk to execute the "First Amendment to Pre-Annexation Agreement by and between the City of Huntington Beach and the County of Orange;" and, terminate the agreement for Fire Development Plan Review and Inspection Services with the Orange County Fire Authority.

The motion carried by the following vote:

AYES: Posey, O'Connell, Katapodis, Hardy, Sullivan, Delgleize, and Peterson  
NOES: None

**7. Adopted Ordinance No. 4053 repealing of Municipal Code Section 5.95 regulating the use of plastic carryout bags and recyclable paper carryout bags. Approved for introduction April 20, 2015 (Vote: 6-1, Hardy-No)**

A motion was made by Sullivan, second O'Connell to adopt Ordinance No. 4053, "An Ordinance of the City of Huntington Beach repealing Chapter 5.95 of the Huntington Beach Municipal Code relating to reusable bags."

The motion carried by the following vote:

AYES: Posey, O'Connell, Katapodis, Sullivan, Delgleize, and Peterson  
NOES: Hardy

**8. Adopted Ordinance No. 4054 repealing Chapter 9.54 of the Huntington Beach Municipal Code relating to Sleeping in Vehicles. Approved for introduction April 20, 2015 (Vote: 7-0)**

A motion was made by Sullivan, second O'Connell to adopt Ordinance No. 4054, "An Ordinance of the City of Huntington Beach Repealing Chapter 9.54 of the Huntington Beach Municipal Code Relating to Sleeping in Vehicles."

The motion carried by the following vote:

AYES: Posey, O'Connell, Katapodis, Hardy, Sullivan, Delgleize, and Peterson  
NOES: None

#### **ADMINISTRATIVE PUBLIC HEARING**

#### **9. Conducted Public Hearing for Annual Weed Abatement Program and authorized the Director of Public Works to proceed with abatement of public nuisance**

Debra Jubinsky, Senior Administrative Analyst, presented informational slides that described the abatement program's timeline and actions.

Mayor Pro Tem Katapodis and Analyst Jubinsky discussed abatement to reduce fire and other hazards on undeveloped, private property.

Mayor Hardy opened the public hearing to hear any objections and/or protests to the proposed removal of weeds, refuse and rubbish.

City Clerk Flynn announced there were no speakers, nor supplement communication, for this hearing.

Mayor Hardy closed the public hearing.

A motion was made by Katapodis, second Sullivan to authorize the Superintendent of Streets (Director of Public Works) to proceed with the abatement of said nuisance.

The motion carried by the following vote:

AYES: Posey, O'Connell, Katapodis, Hardy, Sullivan, Delgleize, and Peterson  
NOES: None

#### **PUBLIC HEARING**

#### **10. Adopted Resolution No. 2015-20 approving Zoning Text Amendment (ZTA) No. 15-003 to amend Beach and Edinger Corridors Specific Plan (BECSP) as directed by the City Council on March 16, 2015**

City Attorney Gates and Councilmember O'Connell disclosed property ownership in the Specific Plan area, recused themselves from participating in the hearing, and left the room.

Jennifer Villasenor, Planning Manager, provided a PowerPoint presentation entitled *ZTA No. 15-003 BECSP Amendment* that included the following titled slides: *Request to amend the BECSP per the City Council direction of March 16, 2015, BECSP Project Area, Background, Planning Commission Action on April 14, 2015, Reduce the Maximum Amount of New Development (MAND) to 2,100 units, Entitlement Processing, Residential Parking, Building Height, Front Yard Setbacks, Upper Story Setbacks, Assembly Uses, Auto Dealers, Request commercial w/ all residential projects, Public improvements requirements for commercial projects, Planning Commission and Staff Recommendation.*

Mayor Hardy asked if an owner and developer had come to the City before the Beach Edinger Specific Plan, would an EIR have been required? Ms. Villasenor replied "Yes" and stated that the need to get an EIR now is no different than it would have been prior to 2010.

Councilmember Delgleize and Villasenor discussed how a MAND of 2100 might affect Regional Housing Needs Allocation (RHNA) numbers, such as housing element and projected unit counts.

Mayor Hardy opened the public hearing.

Pursuant to the Brown "Open Meetings" Act, City Clerk Flynn announced receipt of various supplemental communications regarding amendments to the Beach and Edinger Corridors Specific Plan (BECSP):

Glen Campora, Assistant Deputy Director of the Department of Housing and Community Development, Steve Dodge (2), William Halligan, Esq., Paula and Michael Hessley, Linda Polkinghorne, Nancy Saksa, Quinn Stahl (2), J. D. Wisenbaker, Gino J. Bruno, Susan & Jon Gary, Steven C. LaMotte, Director of Government Affairs, Building Industry Association (BIA), Donna Little, Anne McGuire, Linda Tang, The Kennedy Commission, R. Stevens, Janine Stiffler, Frank Vozel (4), Bruce Wareh, Nicole Morse, Marguerite Battersby, Sheppard, Mullin, Richter & Hampton, LLP, Michelle Halligan, Amy E. Freilich, Armbruster Goldsmith & DeVac LLP, Donovan Mattson, Danny McKenna, McKenna VW, Robert Tyler, Esq., Tyler & Bursch, LLP (3), Mike Hessley, Catherine Johnson, and Teri Pool.

Sava Dujanovic spoke in support of adopting Resolution No. 2015-20 approving Zoning Text Amendment (ZTA) No. 15-003 to amend Beach and Edinger Corridors Specific Plan (BECSP) as directed by the City Council on March 26, 2015.

Catherine Johnson spoke in support of adopting Resolution No. 2015-20 approving Zoning Text Amendment (ZTA) No. 15-003 to amend Beach and Edinger Corridors Specific Plan (BECSP) as directed by the City Council on March 26, 2015, and submitted a report that included over 2,670 names of citizens in support of the item.

Ron Sterud spoke in support of adopting Resolution No. 2015-20 approving Zoning Text Amendment (ZTA) No. 15-003 to amend Beach and Edinger Corridors Specific Plan (BECSP) as directed by the City Council on March 26, 2015.

Rob Pool spoke in support of adopting Resolution No. 2015-20 approving Zoning Text Amendment (ZTA) No. 15-003 to amend Beach and Edinger Corridors Specific Plan (BECSP) as directed by the City Council on March 26, 2015.

Ron Higby spoke in support of adopting Resolution No. 2015-20 approving Zoning Text Amendment (ZTA) No. 15-003 to amend Beach and Edinger Corridors Specific Plan (BECSP) as directed by the City Council on March 26, 2015.

Nancy Duremdes spoke in support of adopting Resolution No. 2015-20 approving Zoning Text Amendment (ZTA) No. 15-003 to amend Beach and Edinger Corridors Specific Plan (BECSP) as directed by the City Council on March 26, 2015.

Teri Pool spoke in support of adopting Resolution No. 2015-20 approving Zoning Text Amendment (ZTA) No. 15-003 to amend Beach and Edinger Corridors Specific Plan (BECSP) as directed by the City Council on March 26, 2015. She submitted 133 hand-signed letters in support of the item.

Cari Swan spoke in support of adopting Resolution No. 2015-20 approving Zoning Text Amendment (ZTA) No. 15-003 to amend Beach and Edinger Corridors Specific Plan (BECSP) as directed by the City Council on March 26, 2015. She provided a PowerPoint entitled *HB not HD* that included the following titled slides: *MAND (Maximum Amount of Net New Development at 2,100 units), 2,100 MAND ... What does that look like? This is 1,400 MAND!!!, 2,100 MAND - NO EXCEPTIONS.*

Carol Woodworth spoke in support of adopting Resolution No. 2015-20 approving Zoning Text Amendment (ZTA) No. 15-003 to amend Beach and Edinger Corridors Specific Plan (BECSP) as directed by the City Council on March 26, 2015.

Deanne Thompson spoke in support of adopting Resolution No. 2015-20 approving Zoning Text Amendment (ZTA) No. 15-003 to amend Beach and Edinger Corridors Specific Plan (BECSP) as directed by the City Council on March 26, 2015.

Theresa D. Andreasen spoke in support of adopting Resolution No. 2015-20 approving Zoning Text Amendment (ZTA) No. 15-003 to amend Beach and Edinger Corridors Specific Plan (BECSP) as directed by the City Council on March 26, 2015.

Michael Hessley spoke in support of adopting Resolution No. 2015-20 approving Zoning Text Amendment (ZTA) No. 15-003 to amend Beach and Edinger Corridors Specific Plan (BECSP) as directed by the City Council on March 26, 2015, and provided a slide depicting power transmission lines (Barres-Ellis) that carry 220,000 volts near the Lofts apartments being built at Gothard and Center Avenues.

Lilli Wells spoke in support of adopting Resolution No. 2015-20 approving Zoning Text Amendment (ZTA) No. 15-003 to amend Beach and Edinger Corridors Specific Plan (BECSP) as directed by the City Council on March 26, 2015.

Steven LaMotte, Building Industry Association/Orange County, spoke in support of adopting Resolution No. 2015-20 approving Zoning Text Amendment (ZTA) No. 15-003 to amend Beach and Edinger Corridors Specific Plan (BECSP) as directed by the City Council on March 26, 2015, but recommended the MAND either remain at 4,500, or be reduced to 3,000. In regards to building heights, he requested allowing a CUP to deviate; for residential projects, use the word "encourage" rather than "require" commercial uses at street level; and allow the AMCAL project inclusion in the specific plan area.

Dan Kalmick, Chair, Planning Commission, spoke in support of adopting Resolution No. 2015-20 approving Zoning Text Amendment (ZTA) No. 15-003 to amend Beach and Edinger Corridors Specific Plan (BECSP) as directed by the City Council on March 26, 2015. He discussed coastal zone parking requirement and requested that Council consider tandem parking and a parking management plan.

John Leeney, Landscape Architect and Planner, spoke in support of adopting Resolution No. 2015-20 approving Zoning Text Amendment (ZTA) No. 15-003 to amend Beach and Edinger Corridors Specific Plan (BECSP) as directed by the City Council on March 26, 2015, without a reduction to the MAND.

Tommy Thompson, Executive Director, California Apartment Association, spoke in opposition to adopting Resolution No. 2015-20 approving Zoning Text Amendment (ZTA) No. 15-003 to amend Beach and Edinger Corridors Specific Plan (BECSP) as directed by the City Council on March 26, 2015.

Blake Hopkins, Project Manager, AMCAL Multi-Housing, Inc., provided PowerPoint slides that presented an overview of their current project in process, including: *Proposal, Site Location, Background, Benefits to the City, and AMCAL's Request.*

Sharon Benter spoke in support of adopting Resolution No. 2015-20 approving Zoning Text Amendment (ZTA) No. 15-003 to amend Beach and Edinger Corridors Specific Plan (BECSP) as directed by the City Council on March 26, 2015.

Jerry Wheeler, Chamber of Commerce President/CEO, spoke in support of adopting Resolution No. 2015-20 approving Zoning Text Amendment (ZTA) No. 15-003 to amend Beach and Edinger Corridors Specific Plan (BECSP) as directed by the City Council on March 26, 2015, but voiced concerns about decreasing the MAND and creating a lack of trust in the development community.

Bill Dunlap spoke in support of adopting Resolution No. 2015-20 approving Zoning Text Amendment (ZTA) No. 15-003 to amend Beach and Edinger Corridors Specific Plan (BECSP) as directed by the City Council on March 26, 2015, voiced concerns about requiring a conditional use permit for assembly uses on the ground floor, suggesting that such a request be considered through staff review.

Todd Otte, Mariner's Church, spoke in support of adopting Resolution No. 2015-20 approving Zoning Text Amendment (ZTA) No. 15-003 to amend Beach and Edinger Corridors Specific Plan (BECSP) as directed by the City Council on March 26, 2015, but voiced concerns about ground floor assembly uses being required to apply for a conditional use permit.

Bob Tyler spoke in support of adopting Resolution No. 2015-20 approving Zoning Text Amendment (ZTA) No. 15-003 to amend Beach and Edinger Corridors Specific Plan (BECSP) as directed by the City Council on March 26, 2015, but voiced concerns about ground floor assembly uses being required to apply for a conditional use permit.

Carrie Martin spoke in support of adopting Resolution No. 2015-20 approving Zoning Text Amendment (ZTA) No. 15-003 to amend Beach and Edinger Corridors Specific Plan (BECSP) as directed by the City Council on March 26, 2015.

Michael Waiters spoke in support of adopting Resolution No. 2015-20 approving Zoning Text Amendment (ZTA) No. 15-003 to amend Beach and Edinger Corridors Specific Plan (BECSP) as directed by the City Council on March 26, 2015.

Jeff LeBow spoke in support of adopting Resolution No. 2015-20 approving Zoning Text Amendment (ZTA) No. 15-003 to amend Beach and Edinger Corridors Specific Plan (BECSP) as directed by the City Council on March 26, 2015, but voiced concerns about residential parking in the Pammy Lane neighborhood.

Dianne Thompson, Chair, Chamber of Commerce Legislative Action Team, spoke in support of adopting Resolution No. 2015-20 approving Zoning Text Amendment (ZTA) No. 15-003 to amend Beach and Edinger Corridors Specific Plan (BECSP) as directed by the City Council on March 26,

2015, but voiced concerns about decreasing the MAND and creating a lack of trust in the development community.

Steve Dodge spoke in support of adopting Resolution No. 2015-20 approving Zoning Text Amendment (ZTA) No. 15-003 to amend Beach and Edinger Corridors Specific Plan (BECSP) as directed by the City Council on March 26, 2015, but voiced concerns about associated costs for a coastal zone parking requirement, suggesting that the City consult with an expert before making such a decision.

William Halligan spoke in support of adopting Resolution No. 2015-20 approving Zoning Text Amendment (ZTA) No. 15-003 to amend Beach and Edinger Corridors Specific Plan (BECSP) as directed by the City Council on March 26, 2015, but does not support reducing the MAND to 2,100.

Michael Grant spoke in support of adopting Resolution No. 2015-20 approving Zoning Text Amendment (ZTA) No. 15-003 to amend Beach and Edinger Corridors Specific Plan (BECSP) as directed by the City Council on March 26, 2015, but voiced concerns about decreasing the MAND.

Eileen Jewett with the Urban Art Lofts project, spoke in acceptance of modifications to parking included in Resolution No. 2015-20 approving Zoning Text Amendment (ZTA) No. 15-003 to amend Beach and Edinger Corridors Specific Plan (BECSP) as directed by the City Council on March 26, 2015.

Andrea Raynal, representing the owner of the Urban Art Lofts project, voiced concerns about not being advised of communications submitted by McKenna Volkswagen that may have influenced decisions relative to street parking.

Joseph Mastropaolo spoke in support of adopting Resolution No. 2015-20 approving Zoning Text Amendment (ZTA) No. 15-003 to amend Beach and Edinger Corridors Specific Plan (BECSP) as directed by the City Council on March 26, 2015, but voiced strong concerns against high density "slum" housing.

Gina Clayton-Tarvin spoke in support of adopting Resolution No. 2015-20 approving Zoning Text Amendment (ZTA) No. 15-003 to amend Beach and Edinger Corridors Specific Plan (BECSP) as directed by the City Council on March 26, 2015, but voiced strong concerns about high density in Huntington Beach.

John Briscoe recognized friend Rosh Nash and the sign he held "No HD in HB," and spoke in support of adopting Resolution No. 2015-20 approving Zoning Text Amendment (ZTA) No. 15-003 to amend Beach and Edinger Corridors Specific Plan (BECSP) as directed by the City Council on March 26, 2015, but voiced strong concerns about revolving parking spaces.

Jon Stevenson spoke in support of adopting Resolution No. 2015-20 approving Zoning Text Amendment (ZTA) No. 15-003 to amend Beach and Edinger Corridors Specific Plan (BECSP) as directed by the City Council on March 26, 2015, but voiced concerns about ground floor assembly uses being required to apply for a conditional use permit.

Juan Armas spoke in support of adopting Resolution No. 2015-20 approving Zoning Text Amendment (ZTA) No. 15-003 to amend Beach and Edinger Corridors Specific Plan (BECSP) as directed by the City Council on March 26, 2015, but voiced concerns about residential parking in the Pammy Lane neighborhood.

Don Gibas spoke in support of adopting Resolution No. 2015-20 approving Zoning Text Amendment (ZTA) No. 15-003 to amend Beach and Edinger Corridors Specific Plan (BECSP) as directed by the City Council on March 26, 2015.

Danny McKenna, McKenna Volkswagen, voiced strong concerns about the lack of parking created by high density development, specifically near his business on Beach Blvd.

Brett Feuerstein, Living Spaces Shopping Center, spoke in support of adopting Resolution No. 2015-20 approving Zoning Text Amendment (ZTA) No. 15-003 to amend Beach and Edinger Corridors Specific Plan (BECSP) as directed by the City Council on March 26, 2015, and specifically discussed setbacks and reducing street frontage coverage for single-story commercial.

Kira Teshima, Attorney with Sheppard Mullin representing the Auto Club, owner of 16160 Beach Blvd., voiced concerns about a proposed residential project at 16052 Beach Blvd. not receiving the Auto Club's approval (subject to CCR requirements).

Bryan Starr, Orange County Business Council, spoke in opposition to adopting Resolution No. 2015-20 approving Zoning Text Amendment (ZTA) No. 15-003 to amend Beach and Edinger Corridors Specific Plan (BECSP) as directed by the City Council on March 26, 2015.

Linda Urette spoke in support of adopting Resolution No. 2015-20 approving Zoning Text Amendment (ZTA) No. 15-003 to amend Beach and Edinger Corridors Specific Plan (BECSP) as directed by the City Council on March 26, 2015,

Amy Freilich, representing McKenna Volkswagen, voiced concerns about compatibility of uses and grandfathering a residential project that would occupy property adjacent to McKenna Volkswagen. She requested that Council reduce the MAND to 1,900.

Rita Barry spoke in support of adopting Resolution No. 2015-20 approving Zoning Text Amendment (ZTA) No. 15-003 to amend Beach and Edinger Corridors Specific Plan (BECSP) as directed by the City Council on March 26, 2015, and reducing the MAND to 2,100 units.

Ellen Kleizo spoke in support of adopting Resolution No. 2015-20 approving Zoning Text Amendment (ZTA) No. 15-003 to amend Beach and Edinger Corridors Specific Plan (BECSP) as directed by the City Council on March 26, 2015.

Howard Raleigh, Veteran's First, spoke in support of adopting Resolution No. 2015-20 approving Zoning Text Amendment (ZTA) No. 15-003 to amend Beach and Edinger Corridors Specific Plan (BECSP) as directed by the City Council on March 26, 2015,

Cesar Covarrubias, The Kennedy Commission, voiced concerns about limiting growth and opportunities for affordable housing for working families within the City. The proposed MAND limitations will not provide future opportunities for appropriate affordable housing, and asked that the AMCAL proposal be included in Resolution No. 2015-20 approving Zoning Text Amendment (ZTA) No. 15-003 to amend Beach and Edinger Corridors Specific Plan (BECSP).

Brandt Stebbins encouraged Councilmembers to reduce housing density and instead create parks and open play areas for the City's children as his experience shows that increased population density brings on more problems and a less safe living environment.

Peter Blied, North County Consulting, reiterated the recommendation already made to the Planning Commission to reduce the set-back requirements to 15 feet for smaller single-story commercial buildings on primary streets and reduce to 10 feet for secondary streets for Resolution No. 2015-20 approving Zoning Text Amendment (ZTA) No. 15-003 to amend Beach and Edinger Corridors Specific Plan (BECSP).

Bruce Wareh spoke to the issue that a per-acre density cap of 25 units/acre is still missing in Resolution No. 2015-20 approving Zoning Text Amendment (ZTA) No. 15-003 to amend Beach and Edinger Corridors Specific Plan (BECSP).

There being no other speakers, Mayor Hardy closed the Public Hearing and acknowledged Chief Assistant City Attorney Mike Vigliotta's request to comment.

Attorney Vigliotta reminded Councilmembers that no specific project is on the Agenda and recommended that any details on any specific project be very limited if discussed at all.

Mayor Hardy asked Planning and Building staff to explain any consequences to limiting the density, or units per acre, at this time. Attorney Vigliotta responded that density is not an issue on the Agenda and therefore cannot be addressed at this meeting.

Mayor Hardy summarized the issues and recommended the Council take straw votes on the following items:

1. Planning Commission recommends parking for studios and 1 bedrooms be reduced from 2 spaces to 1 1/2 (tandem parking is allowed in Coastal projects, but not in the BECSP)
2. Planning Commission recommends requiring/implementing a parking management plan
3. Single story setback of 15 feet on a primary street and 10 feet on a secondary street
4. Frontage coverage for single story commercial building
5. If CUP for first-floor assembly use is required, should it go to the Zoning Administrator or Planning Commission?
6. MAND discussion and whether it would include any projects that have already been approved -- would they have to meet the new rules or meet the original requirements of the BECSP

Councilmember Sullivan shared his appreciation for citizen input for Council direction, and he would personally like to see MAND reduced to 1,900 and will be supporting the Resolution as presented by the City Council.

Councilmember Peterson discussed parking and setbacks, and supports a MAND of 2,100 but not 1 1/2 car parking spaces.

Councilmember Posey supports the Planning Commission recommendations except the MAND of 2,100 which is too low. He supports a MAND of 3,100 which is 1,400 fewer units than already approved by the BECSP.

Mayor Pro Tem Katapodis stated he supports the comments made by Councilman Peterson, and he intends to support the desires of the citizens of Huntington Beach.

Councilmember Delgleize thanked the citizens for sharing their concerns and ideas, and supports the MAND at 3,100 (to encourage retail/business growth) along with the other changes presented.

Mayor Hardy discussed that she voted against the original BECSP when there was minimal public response and she shared her appreciation for the citizens currently voicing their ideas and concerns. She supports following the coastal parking plan which allows tandem parking and would like to allow that in a parking management plan. She also supports the MAND of 2,100, and regarding assembly/cultural use, the CUP process is currently through the Planning Commission and in her opinion the process should stay that way.

Councilmember Peterson and Director Hess discussed that parking for assembly uses in other zones does require a Conditional Use Permit which starts with a traffic engineer analysis/study and is subject to a public hearing. Director Hess confirmed that currently in the BECSP assembly uses are not permitted on the first floor, but only permitted by right on the second floor or above.

Mayor Hardy asked for straw votes for:

1) Coastal Zone Parking - 2 spaces for studios and one-bedrooms

The motion carried by the following vote:

AYES: Katapodis, Hardy, Sullivan, Delgleize, and Peterson  
NOES: Posey  
RECUSED O'Connell

2) Parking Management Plan includes option for Tandem Parking

The motion carried by the following vote:

AYES: Posey, Katapodis, Hardy, Delgleize, and Peterson  
NOES: Sullivan  
RECUSED O'Connell

3) Allow commercial buildings with single story setbacks on primary streets of 10 feet, and secondary streets with 15 foot setbacks.

The motion carried by the following vote:

AYES: Posey, Katapodis, Hardy, Sullivan, Delgleize, and Peterson  
NOES: None  
RECUSED O'Connell

4) Civic and cultural assembly uses require a Conditional Use Permit (CUP) to the Planning Commission.

The motion failed by the following vote:

AYES: Katapodis, and Delgleize  
NOES: Posey, Hardy, Sullivan, and Peterson  
RECUSED O'Connell

5) Civic and cultural assembly uses require a Conditional Use Permit (CUP) to the Zoning Administrator.

The motion carried by the following vote:

AYES: Posey, Katapodis, Hardy, Sullivan, Delgleize, and Peterson  
NOES: None  
RECUSED O'Connell

6) MAND at 3,100.

The motion failed by the following vote:

AYES: Posey, and Delgleize  
NOES: Katapodis, Hardy, Sullivan, and Peterson  
RECUSED O'Connell

7) MAND at 2,100.

The motion failed by the following vote:

AYES: Katapodis, Hardy, and Peterson  
NOES: Posey, Sullivan, and Delgleize  
RECUSED O'Connell

8) MAND at 1,900.

The motion failed by the following vote:

AYES: Hardy, Sullivan, and Peterson  
NOES: Posey, Katapodis, and Delgleize  
RECUSED O'Connell

9) MAND at 2,100.

The motion carried by the following vote:

AYES: Katapodis, Hardy, Sullivan, and Peterson  
NOES: Posey, and Delgleize  
RECUSED O'Connell

A motion was made by Peterson, second Katapodis to Approve Zoning Text Amendment No. 15-003 with modifications based upon findings, and adopt Resolution No. 2015-20, "A Resolution of the City Council of the City of Huntington Beach Approving an Amendment to the Beach and Edinger Corridors Specific Plan (SP14) (Zoning Text Amendment No. 15-003)".

The motion **as amended to include carried straw vote motions** carried by the following vote:

AYES: Katapodis, Hardy, Sullivan, and Peterson

NOES: Posey, and Delgleize  
RECUSED O'Connell

A motion was made by Katapodis, second Sullivan to continue meeting after 11:00 PM.

The motion carried by the following vote:

AYES: Posey, O'Connell, Katapodis, Hardy, Sullivan, Delgleize, and Peterson  
NOES: None

**11. Approved for introduction Ordinance No. 4058 approving Zoning Text Amendment (ZTA) No. 15-004 amending Chapter 204 of the Huntington Beach Zoning and Subdivision Ordinance (HBZSO) to add a Prohibited Uses section and to expressly prohibit medical marijuana dispensaries within the City**

City Attorney Gates reported on history related to medical marijuana dispensaries being prohibited since 2007 due to the City's concerns for health, safety, and welfare of residents and businesses. Recent legal challenges have been based on the assumption that current Huntington Beach Zoning and Subdivision Ordinance (HBZSO) currently allows medical marijuana dispensaries as a permitted use in the City. In March 2015 the Council directed City staff to prepare an ordinance amending the zoning code by adding express language to make the prohibition of medical marijuana dispensaries more clear to the public as a non-permitted land use.

Mayor Hardy opened the public hearing.

City Clerk Joan Flynn announced a supplemental communication submitted by her office dated May 1, 2015, notating a number change in the Ordinance entitled "*An Ordinance of the City of Huntington Beach Adding Section 204.18 to Chapter 204 of the Zoning and Subdivision Ordinance Titled Use Classifications (Zoning Text Amendment No. 15-004)*" from #4053 to #4058.

Brandt Stebbins discussed the physical and emotional disabilities that he is challenged by and requested that Council deny Ordinance No. 4058.

There being no additional speakers, Mayor Hardy closed the public hearing.

A motion was made by Katapodis, second O'Connell to approve Zoning Text Amendment No. 15-004 with findings for approval; and, after the City Clerk reads by title, approve for introduction Ordinance No. 40538, "An Ordinance of the City of Huntington Beach Adding Section 204.18 to Chapter 204 of the Zoning and Subdivision Ordinance Titled Use Classifications (Zoning Text Amendment No. 15-004)".

The motion **as amended to reflect the correct Ordinance Number** carried by the following vote:

AYES: Posey, O'Connell, Katapodis, and Sullivan  
NOES: Hardy, Delgleize, and Peterson

**ORDINANCES FOR ADOPTION**

**12. Adopted Urgency Measure Interim Ordinance No. 4059 amending Chapter 204 of the Huntington Beach Zoning and Subdivision Ordinance (HBZSO) expressly prohibiting medical marijuana dispensaries within the City.**

A motion was made by Katapodis, second O'Connell to after the City Clerk reads by title, approve urgency measure to adopt Interim Ordinance No. 4059, "Urgency Measure Adopting an Interim Ordinance of the City of Huntington Beach Adding Section 204.18 to Chapter 204 of the Zoning and Subdivision Ordinance Titled Use Classifications" updating the City's Zoning Code to make express the City's current prohibition of medical marijuana dispensaries within the City.

The motion **as amended to reflect the correct Ordinance Number** carried by the following vote:

AYES: Posey, O'Connell, Katapodis, Hardy, Sullivan, Delgleize, and Peterson  
NOES: None

**ORDINANCES FOR INTRODUCTION**

**13. Approved for Introduction Ordinance No. 4057, creating the Citizens' Infrastructure Advisory Board (CIAB); Ordinance No. 4056, creating the Finance Commission; and, Ordinance No. 4055, changing the duties of the Public Works Commission.**

A motion was made by Peterson, second O'Connell to after the City Clerk reads by title, approve for introduction Ordinance No. 4057, "An Ordinance of the City of Huntington Beach Amending the Huntington Beach Municipal Code by Adding New Chapter 2.103 Entitled 'Citizens' Infrastructure Advisory Board';" and, approve for introduction Ordinance No 4056, "An Ordinance of the City of Huntington Beach Amending the Huntington Beach Municipal Code by Adding New Chapter 2.109 Entitled 'Finance Commission';" and, approve for introduction Ordinance No. 4055, "An Ordinance of the City of Huntington Beach Amending Section 2.11.030 of the Huntington Beach Municipal Code Regarding Duties of the Public Works Commission."

The motion carried by the following vote:

AYES: Posey, O'Connell, Katapodis, Hardy, Sullivan, Delgleize, and Peterson  
NOES: None

**COUNCILMEMBER ITEMS**

**14. No motion on item submitted by Councilmember O'Connell - Direct the City Manager to agendize a Study Session to consider establishing a "Buy America" Procurement Policy**

Regarding Councilmember O'Connell Item to direct the City Manager to agendize a Study Session to consider establishing a "Buy America" Procurement Policy, discussion started with Councilmember O'Connell explaining this is a working draft and he welcomes Councilmember support to provide a plan that works for everyone. Councilmember O'Connell would like to see a change in the current system that sends many U. S. jobs overseas and believes that local policies should support local citizens.

Councilmember Delgleize reiterated comments made earlier in the evening by the public such as in reality it is hard to know where all the components for products come from even when they are assembled in the U. S. Also, she shared her concern that the plan includes flexibility so that if U. S.

made product becomes unavailable for some reason it does not bring business to a complete halt.

Councilmember Peterson stated he likes the idea of "assembled in America" and suggested that when looking at bids priority be given to local businesses, i.e., Huntington Beach first, then Orange County second, and California third, etc. He stated we do need to have a plan that gives our local contractors and businesses an advantage while also remaining within the rules for public contracts.

Councilmember Posey stated that the recommended action to agendaize a Study Session is probably agreeable to every councilmember. He further added that he would change the plan from a "Buy America mandate" to a "Buy America endeavor," stating the reality is that we are part of a global economy and it will be very difficult to mandate only made in America or assembled in America products and services. The other reality is that when spending local taxpayer dollars the goal should be to get the best product/service at the best price possible. How much of a premium price is acceptable for a product or service made or assembled in America? Maybe the program could be called "Buy Local" as that should be the starting point when procuring products and services.

Mayor Pro Tem Katapodis agreed that supporting local businesses when possible is a concept he supports.

Councilmember Sullivan completely agrees with the concept and would hope to see a measuring component included to track progress.

Mayor Hardy shared her concern about always finding "made/assembled in America" products, stating that ideals and reality don't always match. As far as quantifying and using the reality of the "going green" effort, there was no quantifying about being more environmentally friendly, or increasing green initiatives. But the reality is that the effort has been good for our economics. The effort at the Study Session level should be talking about goals and benefits, both "feel good" and "economic" of purchasing locally.

City Manager Wilson suggested a study session within the timeline presented by Councilmember O'Connell, and also asked that staff be allowed the time necessary to explore the feasibility of implementing a "Buy America" policy. This could include a survey of local vendors to determine which ones buy and/or assemble in America — then proceeding to develop a plan based on some facts.

Councilmember O'Connell shared his appreciation for all of the comments and thoughts shared. He expressed his opinion that in addition to the "costs" already discussed in implementing such a program, the cost of unemployment, welfare, food stamps and jobs going overseas all need to also be considered. The best form of welfare is a good paying job. Even though we are living in a global economy, this Council was elected by local citizens to advocate for them and to protect them. This is a process that will take some time, and by working together the community as a whole will benefit.

Mayor Hardy summarized, and confirmed with City Clerk Flynn and City Manager Wilson, that no Council action is required for staff to proceed to prepare for a Study Session to occur no later than August 17, 2015, following the recommendations presented.

**COUNCILMEMBER COMMENTS** (Not Agendized)

Councilmember Peterson shared his appreciation for recent public involvement and interaction on the issues being addressed.

Councilmember O'Connell shared that he also greatly appreciates having community involvement. He reported having attended the California Department of Associations reception, Community Action Partner of Orange County's Celebration of 50 Years, Relay for Life event, the Assistance League and Council on Aging meetings.

Councilmember Sullivan reported attending the Relay for Life event, a tremendous tour of the Naval Weapons Station/harbor, Taste of Huntington Beach and Therapeutic Riding events, as well as the 20th Anniversary celebration of the Art Center.

Councilmember Delgleize participated in an inside and outside home water use survey which is very educational and she would recommend for everyone. There is no cost and it is offered by the Municipal Water District of Orange County (MWDOC).

Councilmember Posey reported attending his first meeting of the Association of California Cities, Orange County, as co-chair of the Jobs and Economic Development Committee. He expects this position may assist in helping to locate businesses in Orange County to support the "Buy America" efforts as presented by Councilmember O'Connell.

Mayor Pro Tem Katapodis shared that in addition to attending many of the functions already noted, he just returned from Sacramento where he attended the Peace Officers' Memorial to respect the 13 California police officers killed in the line of duty this past year. The Huntington Beach Police Department representatives at the Sacramento Memorial outshined all other units. Our police officers put their lives on the line every day to protect us. Remember to take a moment the next time you have the opportunity to thank our officers in person for their service.

Mayor Hardy reported attending the National Crime Victims vigil hosted in Huntington Beach by Chief Handy and thanked him and the participating officers for providing this opportunity to remember the victims of crime. Mayor Hardy thanked Councilmembers who attended Youth in Government Day, as well as acknowledging Chris Cole and the Youth Board for the work they do for this successful event. Mayor Hardy attended the kick-off for the Day of Community Service; Relay for Life event; attended with City Manager Wilson a meeting at the Orange County Fair Grounds for an update on the plans for celebrating the 125th year anniversary; made a presentation to Moffett School third graders on City government; spoke at the Huntington Beach High School College Commitment day ceremony; attended the Oakview Renewal Partnership Grand Opening at Goldenwest College, and attended the Assistance League fundraiser, and sent out a happy 100th Birthday on May 11th to the grandmother of Mayor Hardy's husband.

**ADJOURNMENT** — at 12:16 a.m. on Tuesday, May 5, 2015, to the next regularly scheduled meeting of the Huntington Beach City Council/Public Financing Authority on Monday, May 18, 2015, at 4 p.m. 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