

## Minutes

### City Council/Public Financing Authority and Special Meeting of the Successor Agency City of Huntington Beach

Monday, September 21, 2015  
4 00 PM – Council Chambers  
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 are archived at  
[www.surfcity-hb.org/government/agendas/](http://www.surfcity-hb.org/government/agendas/)**

#### 4:00 PM - COUNCIL CHAMBERS

**CALLED TO ORDER – 4 02**

#### ROLL CALL

Present        Posey, O'Connell, Katapodis, Hardy, Sullivan, Delgleize, and Peterson  
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**

**#2.**     PowerPoint presentation dated September 21, 2015, entitled *Streetlight Update*

**#2.**     Email communication from Ron Troxell

#### **Closed Session**

**#5.**     Email communication submitted by Joseph Mastropaolo

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

#### **STUDY SESSION**

**1.    CONTINUED FROM 9-8-15: Staff informed the City Council of plans to upgrade trash receptacles and enclosures at the City Beach and various City Parks**

Janeen Laudenback, Director of Community Services, and Tom Herbel, City Engineer, provided a PowerPoint presentation dated September 8, 2015 entitled *City of Huntington Beach Trash Enclosures* that included the following titled slides Affected Areas, Current City Beaches, Recommended for City

Beaches, Recommendation for Roll-Offs, Current City Parks, Recommended for City Parks, City Sports Complex, Downtown and City Bus Stops, Summary of Estimated Costs, and Questions for Staff

Mayor Hardy and Public Works Director Travis Hopkins discussed trash receptacles in parks with sliding lids being difficult to use, and how they are designed for industrial use. Mayor Hardy wondered if a foot pedal could be considered to help raise the lid. Director Hopkins stated options would be discussed with Rainbow Environmental.

Councilmember Delgleize, Director Laudenback and Engineer Herbel discussed park receptacles remaining as hand-dumped, and that new receptacles will have removable lids.

Mayor Pro Tem Katapodis and Engineer Herbel discussed drum style receptacles with a 55 gallon capacity.

**2. Staff presented Council with an overview of the existing streetlight retrofit program, Southern California Edison (SCE) rates and expenditures, and the acquisition and retrofit of SCE owned streetlights**

Bob Stachelski, Transportation Manager, and Antonia Graham, Energy and Sustainability Projects Manager, presented a PowerPoint dated September 21, 2015 entitled *Streetlight Update* that included the following titled slides: Discussion Topics, LED Streetlights - The Future of Lighting, History of the Streetlight Program, SCE Rate Projections, Investment Grade Audit, SCE Purchase and Sale Agreement Process, Financing Options, Next Steps, and Schedule of Acquisition.

In response to Councilmember Peterson's inquiry, Manager Stachelski described the types of lights preferred for certain areas (residential, fog, traffic intersections), and regulation and changing of LEDs as needed. Discussion ensued on trade-offs related to light color, energy efficient elements and light temperature, industry standard vs. premium costs for different colors, the level of energy efficiency depending on type of light, lights eligible for certain rebates due to color, number of bulb replacements made, and providing light that satisfies needs for pedestrian safety.

In response to Councilmember Peterson's inquiry regarding cost differentials and how chip sets reduce efficiency, a representative from Seimans explained the electronics behind LED chips.

Councilmember Posey and Manager Graham discussed options to locate WiFi on light poles, and how poles can become digital real estate that may generate as much as \$700K annually. Manager Graham discussed revenue opportunities including a meshed network and signal repeaters for smart readers.

Councilmember Posey and Manager Stachelski discussed what annual maintenance costs represent in relation to City employee salaries.

Councilmember Delgleize and Manager Stachelski discussed residents' concerns about bright, glaring light and how the vast majority of complaints received come from residents who live near a busy intersection.

Councilmember Delgleize and Manager Graham discussed receiving bids from utility companies (Phillips, Verizon) for smart poles.

Mayor Hardy and Manager Stachelski discussed options for residents to request that their streets be evaluated for the appropriate number of lights

Councilmember O'Connell and a representative from Seimans discussed costs associated with leasing and maintaining lights from Southern California Edison, referred to a matrix included in the slide presentation

Councilmember Posey and Manager Graham discussed average monthly bulb costs

### **RECESS TO CLOSED SESSION**

A motion was made by Katapodis, second O'Connell to recess to Closed Session Item Nos 3-6

The motion carried by the following vote

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

**Mayor Hardy announced:** Pursuant to Government Code § 54957.6, the City Council takes this opportunity to publicly introduce and identify designated labor negotiator, City Manager Fred Wilson, who will be participating in today's Closed Session discussions regarding labor negotiations with Fire Management Association (FMA), Huntington Beach Firefighters' Association (HBFA), Huntington Beach Municipal Employees' Association (MEA), Management Employees' Organization (MEO), Huntington Beach Police Officers' Association (POA), Police Management Association (PMA), Marine Safety Management Association (MSMA), and/or Surf City Lifeguard Employees' Association (SCLEA)

### **CLOSED SESSION**

- 3. Pursuant to Government Code § 54956.9(d)(1), the City Council recessed into Closed Session to confer with the City Attorney regarding the following lawsuit: Huntington Shorecliff, LP v. City of Huntington Beach, et al. (JS Stadium), Orange County Superior Court Case No. 30-2011-00463995.**
- 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: 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.**
- 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: The Kennedy Commission, et al. v. City of Huntington Beach, Orange County Superior Court Case No. 30-2015-00801675, which concerns a challenge to the City Council action amending the Beach and Edinger Corridors Specific Plan.**

6. 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: Fire Management Association (FMA), Huntington Beach Firefighters' Association (HBFA), Huntington Beach Municipal Employees' Association (MEA), Management Employees' Organization (MEO), Huntington Beach Police Officers' Association (POA), Police Management Association (PMA), Marine Safety Management Association (MSMA), and/or Surf City Lifeguard Employees' Association (SCLEA).

**6:00 PM – COUNCIL CHAMBERS**

**RECONVENE CITY COUNCIL/PUBLIC FINANCING AUTHORITY MEETING – 6 17 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 Delgleize**

**INVOCATION – Led by Maria Khani, representing 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 Hardy called on Pat Bril and Gisela Campagne who presented the Adoptable Pet of the Month

Mayor Hardy called on Golden West College President Wes Bryan who presented State of the College. He announced that next year the College will be celebrating 50 years of service. One of the special activities will be opening the 50-year time capsule that was buried on September 12, 1966. Golden West College is the fourth largest employer in Huntington Beach. Eighty-eight percent (88%) of Golden West College graduates are employed. New state-of-the-art buildings are being added to the campus for a number of their programs. Golden West College improves the quality of life for individuals, businesses, agencies, and service providers in Huntington Beach and beyond. Three examples of partnerships that make a difference for the community are 1) Boys and Girls Club of Huntington Valley, 2) El Viento and 3) CIELO. President Bryan closed by thanking the City Council for being one of their partners.

Mayor Hardy presented commendations to four Ocean View Little League teams for their outstanding accomplishments: Age 8-9 Division Super Stars, Age 9-10 Division All Stars, Age 10-11 All Stars, and Age 11-12 All Stars. Out of 516 teams (age 11-12) in California, this team finished as one of the Top 8.

Mayor Hardy called on City Clerk Joan L. Flynn and Director of Public Works Travis Hopkins to present the Mayor's Award to Facilities Maintenance Technician, Bob Soule. Bob has been employed with the City of Huntington Beach for nine years. He began his career with the City in 2006, as a GIS Intern after graduating from Cal State Long Beach. In 2008, he became a full-time GIS Analyst for the City's Fire Department. In 2010, Bob transferred to Building Maintenance where he is currently a Facilities Technician. Bob's computer, analytical and research skills are valued assets to the Department. He is the Department's "go to" person when research is needed for parts specifications, retrieving schematic drawings and equipment operating manuals. He is relied upon when the City needs attention to detail on projects such as the picture hanging system in the Council Chambers.

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

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

Communication for Consent Calendar Item #7, received from Matt Petteruto, Vice President of Economic Development of the Orange County Business Council, a letter of support for the proposed Recycling Market Development Zone, dated September 17, 2015, and, email communication from Sue Gordon, Community Relations Manager, Rainbow Environmental Services.

For Public Hearing Item #20, a PowerPoint presentation dated September 21, 2015, was received entitled *Amendments to HUD 2010-2015 Consolidated Plan and 2014-2015 Action Plan, Tenant-Based Rental Assistance Program*.

For Councilmember Items #22, email communications were submitted by

Jackie George	Carol Kent	Nicholas Mestanas
Kevin Peck	Kim Sandoval	Michelle Schomburg
Cristi Ulrich	Dee & Kurt Wood	Anonymous
David Bobier	Steve Bogart	Karen Branoff
Dale Faubert	Janet & Larry French	James Hall
Brent Hess	Peggy Huffman	David Johnston
Robert Novak	Herald & Connie Possigian	Lyn Semeta
Pamela Solig	Steven Uldall	Carrol Ann Wolf
Randee Wood	Bill Woodard	

For Councilmember Items #23, email communications were submitted by

bwareh@aol.com	Pat Quintana	Carl Swam
Sylvia Calhoun	Milt Dardis	Shaun Land
Joseph Mastropaolo	Blake Rose	Terry Schomburg
Barbara Shepard	Maria T. Spain	Tom Ugland
Carol Woodworth	Gino J. Bruno	Chris Byrne
Kathryn Carrick	Cathy Haro	Deb Janus
Linda Klick	Jon Koskoff	Nicholas Mestanas
Elizabeth Morris	Norm Nagel	Curt Parham
Jennifer Paulin	Elizabeth Pedley	Rob Pool

Terri Pool  
Sandy Thigpen  
David Cicerone  
Susan Ellison  
Jim Guthrie  
Thomas Laughlin  
Carol Redhead  
Pat Thiel  
Barry L. Williams (2)

Michelle Schomburg  
Bram Van Steenberger  
Cindy Cross  
Thomas Greeley  
Norma Guthrie  
Bill & Kathleen Nutting  
Lyn Semeta  
Kyle Thigpen  
Stanley Wolf

Ann Tarkington  
Elizabeth Clifford  
Cathy Dunn  
John Greenwood  
Ron Higby  
Linda Polkinghorne  
Ron Sterud  
Ron Troxell

**PUBLIC COMMENTS** (3 Minute Time Limit) – 31 speakers

(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/>)

Sue Gordon, Rainbow Environmental, educated Council about improvements made to the Rainbow Environmental property located on Nichols Street in Huntington Beach (00 38 10)

Frank De Gelas spoke in support of Councilmember Item No 22 - Mariner's Fuel Dock at Huntington Harbour (00 41 33)

Clem Dominguez spoke in support of Councilmember Item No 23 - proposed Transparency Ordinance (00 44 16)

Korina Petrozzi voiced concerns related to her unsuccessful experience with the City's bidding process for the recent Water Wise Landscape projects at City Hall and the Fire Stations (00 47 15)

Debbie Killey spoke in support of Consent Item No 7 - Recycling Market Development Zone (RMDZ) (00 50 27)

Greg Cornwell spoke in support of Consent Item No 15 - CSP / Huntington Beach Youth Shelter Lease Agreement (00 53 15)

Ann Anderson provided a short video clip of projects designed to enhance the environment made possible through Huntington Beach Tree Society volunteers (00 55 39)

Jean Nagy, President, Huntington Beach Tree Society, discussed the value of trees, how the California drought has created a critical situation, and requested to meet with City officials about using enough water to keep City trees in a healthy condition (00 59 11)

Jeff Lebow spoke in favor of Consent Item No 15 - CSP/Huntington Beach Youth Shelter Lease Agreement (01 02 17)

Chris Houlemard, CalRecycle, was joined by Jeffrey Taylor to speak in favor of Consent Item No 7 - Recycling Market Development Zone (RMDZ) (01 05 16)

Mary Hiber voiced concerns about how the drought has created issues with coyotes and their food chain in Huntington Beach, resulting in the death of her dog Benjamin (01 08 13)

Devin Dwyer spoke in support of Councilmember Item No 23 - proposed Transparency Ordinance (01 10 40)

Jim Miller spoke in support of Councilmember Item No 22 - Mariner's Fuel Dock at Huntington Harbour (01 12 50)

Cari Swan spoke in support of Councilmember Item No 23 - proposed Transparency Ordinance (01 15 14)

Jerry Wheeler, President/CEO, Huntington Beach Chamber of Commerce, spoke in support of Consent Item No 7 - Recycling Market Development Zone (RMDZ) (01 18 29)

Maureen spoke regarding the value of public safety personnel in Huntington Beach, describing a personal situation involving paramedics She stated support for raising fines to help pay for increased public safety personnel, and voiced concerns about the length of presentations during City Council meetings (01 21 26)

Bill Larkin spoke in support of Councilmember Item No 22 - Mariner's Fuel Dock at Huntington Harbour (01 23 47)

John Briscoe voiced concerns about the site conditions of the Republic Environmental property on Nichols Street in Huntington Beach, the proposed high density project at Rodgers Seniors' Center, and the City hiring process (01 25 52)

Peggy Price spoke regarding the Compassionate Games held this year from September 11 to 21, and thanked the City Council and members of the community for their support and involvement (01 29 00)

Elsa Greenfield, CSP Youth Shelter Director, spoke in support of Consent Item No 15 - CSP/ Huntington Youth Shelter Agreement (01 32 16)

Christy Kindig spoke in support of Consent Item No 7 - Recycling Market Development Zone (RMDZ) (01 35 00)

Diana Coronado, ACC-OC, spoke in support of Consent No 7 - Recycling Market Development Zone (RMDZ) (01 35 57)

Larry Codner spoke in support of Councilmember Item No 22 - Mariner's Fuel Dock at Huntington Harbour (01 36 43)

Jeff Coffman spoke in support of Consent Item No 7 - Recycling Market Development Zone (RMDZ) (01 39 16)

Bruce Wareh spoke in support of Councilmember Item No 23 - proposed Transparency Ordinance (01 41 13)

Jason Hunter spoke in support of Councilmember Item No 23 - proposed Transparency Ordinance (01 45 03)

Vivian Moreno spoke in support of Councilmember Item No 23 - proposed Transparency Ordinance (01 48 03)

Catherine Johnson spoke in support of Councilmember Item No 23 - proposed Transparency Ordinance (01 50 09)

Jerry Barry spoke in support of Councilmember Item No 23 - proposed Transparency Ordinance (01 51 39)

R Allen Baylis spoke in support of Councilmember Item No 23 - proposed Transparency Ordinance (01 54 10)

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

Mayor Pro Tem Katapodis reported attending the Orange County Sanitation District Administration meeting

#### **1. Approved Amendment to City Council Boards and Commissions' Liaison Appointments List 2015**

A motion was made by Katapodis, second Delgleize to approve the appointment of Peterson as the Southern California Association of Governments (SCAG) District 64 Delegate The City Clerk certified that FPPC Form 806 "Agency Report of Public Official Appointments" was posted to the City's website according to law prior to this vote

The motion carried by the following vote

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

**CITY MANAGER'S REPORT – None**

#### **CONSENT CALENDAR**

Councilmember Peterson pulled Consent Calendar Items #7, #8, and #18

Councilmember Sullivan pulled Consent Calendar Item #3

Councilmember O'Connell pulled Consent Calendar Item #5

#### **2. Received and filed the City of Huntington Beach Strategic Plan Update**

A motion was made by Sullivan, second Katapodis to Receive and File the Six-Month Strategic Objectives

The motion carried by the following vote

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

**3. Approved the reappointment of Jerry Person as City Historian for a four-year term commencing September 21, 2015, to September 21, 2019**

Councilmember Sullivan pulled the item to recognize the amazing job that Jerry Person has done as City Historian

A motion was made by Sullivan, second O'Connell to Reappoint Jerry Person as the City Historian for a four-year term commencing September 21, 2015, to September 21, 2019

The motion carried by the following vote

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

**4. Approved appointment and reappointments to the Children's Needs Task Force (CNTF) as recommended by City Council Liaisons Delgleize and Billy O'Connell**

A motion was made by Sullivan, second Katapodis to approve the reappointments of adult representatives Tiffany Johnson and Phyllis Lembke to a second four-year term of September 1, 2015, to August 31, 2019, and, approve the reappointments of student representatives Erika Augenstein, Daryn Nguyen to a second one-year term of September 1, 2015, to June 30, 2016, and, approve the appointment of student representative Dawit Habteab to a first one-year term of September 1, 2015, to June 30, 2016

The motion carried by the following vote

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

**5. Approved and authorized execution of contracts for the purchase of a new Customer Information and Utility Billing System (CIS) from N. Harris Computer Corporation in the amount of \$1,228,000, and authorized the appropriation of funds for the purchase and implementation of the system**

Councilmember O'Connell pulled the item to discuss further with Business Systems Manager Behzad Zamanian questions regarding the vendor, number of municipal clients the vendor currently has, percentage and dollar amount of City utility billing handled by the system, and which City staff member(s) will be managing this project Councilmember O'Connell is interested in ensuring there is proper management to prevent wasting of funds that some other municipalities have recently experienced with similar projects

Business Systems Manager Zamanian responded that many other Southern California municipalities

use this system which will handle approximately 75 percent (75%) of the City's billings (approximately \$50M) (The remaining 25% of cash collections come from room rentals, parking, library, etc ) He further stated that this project is being implemented and managed by partnerships of various departments throughout the process, and will run the program parallel with the existing system and the testing process during implementation Information Services will be the lead on the implementation process

Mayor Pro Tem Katapodis asked if maintenance includes software updates Business Systems Manager Zamanian stated that the plan is to update the software every year, which is included in the annual maintenance cost

Councilmember Posey asked for the staff hours saved per year, and how much the work-arounds cost Finance Director Lori Ann Farrell responded that approximately 7 hours per week are lost in work-arounds, just in the Finance Department Director Farrell further stated that once a vendor stops supporting a software program many issues begin to develop and there is no support to fix the issues Another issue is when older software does not continue to communicate with other software programs that are being kept current Software is needed that provides easy access to billing details for proper and prompt service to the 53,000 accounts, and provides interface with the Water Department as well

A motion was made by Katapodis, second O'Connell to approve and authorize the Mayor and City Clerk to execute the "Software Implementation Services Agreement Between N Harris Computer Corporation and City of Huntington Beach," and, approve and authorize the Mayor and City Clerk to execute the "Software License Agreement Between N Harris Computer Corporation and City of Huntington Beach," and, approve and authorize the Mayor and City Clerk to execute the "Support and Maintenance Agreement Between N Harris Computer Corporation and City of Huntington Beach," and, appropriate \$206,304 from the undesignated Sewer Service Fund balance to account 51185201 84000, and, appropriate \$214,900 to Refuse Fund account 50485103 84000

The motion carried by the following vote

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

**6. Adopted Resolution No. 2015-51 authorizing the City Council of the City of Huntington Beach to apply for an Energy Efficiency Loan from the California Energy Commission (CEC) to implement Energy Efficiency Improvements**

A motion was made by Sullivan, second Katapodis to Adopt Resolution No 2015-51, "A Resolution of the City Council of the City of Huntington Beach to Apply for an Energy Efficiency Loan from the California Energy Commission to Implement Energy Efficiency Improvements " The motion carried by the following vote

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

**7. Adopted Resolution No. 2015-52 authorizing an application for the designation of the City as a Recycling Market Development Zone (RMDZ), authorizing the receipt of payments,**

**designation as the Lead Agency, and exemption from the California Environmental Quality Act (CEQA)**

Councilmember Peterson pulled the item to voice his support of recycling efforts, but not through government subsidies, and therefore he will oppose this item

Mayor Hardy recognized the fact that Huntington Beach has a staff member dedicated to environmental projects, whereas many of the other area cities do not and therefore that makes it much more difficult for them to become a lead city. Many of these cities will be following Huntington Beach as the Lead Agency if this item is approved.

Councilmember Posey explained he will support the item to create jobs in Huntington Beach, and for Huntington Beach to become a leader in recycling and diversion.

Councilmember Delgleize explained she will support this item as it is a best practices program, investing back in to the community, and expanding the leadership position that Huntington Beach already has.

Councilmember O'Connell expressed his support of Councilmembers Delgleize and Posey's views on this item and believes it is a win-win situation for the community.

A motion was made by Katapodis, second Posey to Adopt Resolution No. 2015-52, "A Resolution of the City Council of the City of Huntington Beach Authorizing an Application for the Designation of the City as a Recycling Market Development Zone, Authorizing the Receipt of Payments, Designation as the Lead Agency, and Exemption from the California Environmental Quality Act."

The motion carried by the following vote:

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

**8. Adopted Resolution No. 2015-53 and approved Agreement for declaring the disposition of surplus City-owned property and sale to adjacent property owner, Young Men's Christian Association of Orange County (YMCA), located at the Southeast Corner of Garfield Avenue and Gothard Street**

Councilmember Peterson pulled the item to ask if the property was appraised. City Manager Fred Wilson responded that the parcel is so small that appraisal costs would exceed the purchase price, and this is a reasonable average cost for remnant parcels in the area. Director Kellee Fritzel stated that appraisals average \$6,000 to \$8,000. This item involves two parcels: one that had been designated surplus previously and this alleyway being currently surplus.

Councilmember O'Connell voiced concerns about selling the land for less than it is worth.

Mayor Pro Tem Katapodis and Director Fritzel discussed how the price per square foot is estimated (when property is not actually appraised) by looking at comparative sales of remnant parcels of vacant land.

Councilmember Posey confirmed that the City would have responsibility to maintain and insure the property if it is not sold

Councilmember O'Connell and Director Fritzal discussed the surplus property and what it would cost to clean it up

A motion was made by Delgleize, second Posey to Adopt Resolution No 2015-53, "A Resolution of the City Council of the City of Huntington Beach Declaring the Disposition of Certain Surplus Property," and, authorize the Mayor and City Clerk to execute an "Agreement for Sale of Surplus Real Property and Escrow Instructions By and Between the City of Huntington Beach and Young Men's Christian Association of Orange County" and all other related documents to convey ownership of the surplus properties to the adjoining owner, and, authorize the City Manager to execute any other related escrow documents

The motion carried by the following vote

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

**9. Adopted Successor Agency Resolution Nos. 2015-03 and 2015-04 approving the Recognized Obligation Payment Schedule (ROPS) and Administrative Budget for the Huntington Beach Successor Agency for the period of January 1, 2016, through June 30, 2016, in accordance with Health and Safety Code Section 34177 and related actions**

A motion was made by Sullivan, second Katapodis to adopt Resolution No 2015-03, "A Resolution of the Successor Agency to the Redevelopment Agency of the City of Huntington Beach Approving the Recognized Obligation Payment Schedule for the Period January 1, 2016 - June 30, 2016 ("ROPS 15-16B"), and, adopt Resolution No 2015-04, "A Resolution of the Successor Agency to the Redevelopment Agency of the City of Huntington Beach Approving the Successor Agency Administrative Budget for the Period of January 1, 2016 through June 30, 2016 "

The motion carried by the following vote

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

**10. CONTINUED TO October 5, 2015, Approve Purchase and Sale Agreements for the Hilton/Parcel C Property, 21100 Pacific Coast Highway (APN 024-252-01 and 02) and the Hyatt Property, 21500 Pacific Coast Highway (APN 024-251-01)**

A motion was made by Hardy, second Posey to **continue to October 5, 2015**

The motion carried by the following vote

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

**11. Approved and authorized execution of a Water Conservation Participation Agreement between the Municipal Water District of Orange County (MWDOC) and the City of Huntington Beach**

A motion was made by Sullivan, second Katapodis to Approve and authorize the Mayor and City Clerk to execute the "Water Conservation Participation Agreement between the Municipal Water District of Orange County and the City of Huntington Beach "

The motion carried by the following vote

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

**12. Approved and authorized execution of an agreement with the Municipal Water District of Orange County (MWDOC) for sharing consultant costs for 2015 Urban Water Management Plans (UWMP)**

A motion was made by Sullivan, second Katapodis to Approve and authorize the City Manager to execute the "Agreement For Sharing Consultant Costs For 2015 Urban Water Management Plans" with the Municipal Water District of Orange County

The motion carried by the following vote

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

**13. Approved and authorized execution of Professional Services Contracts with Acclamation Insurance Management Services (AIMS) in an amount not to exceed \$983,146 over a three-year period providing Workers' Compensation, Medical and Disability Claims Administration Management Services; and, Allied Managed Care (AMC) in an amount not to exceed \$825,000 over a three-year period to provide Workers' Compensation Medical and Disability Bill Review Services**

A motion was made by Sullivan, second Katapodis to approve and authorize the Mayor and City Clerk to execute "Professional Services Contract Between the City of Huntington Beach and Acclamation Insurance Management Services (AIMS) to Provide Workers' Compensation, Medical and Disability Claims Management Services" for a three year term, and, approve and authorize the Mayor and City Clerk to execute "Professional Services Contract Between the City of Huntington Beach and Allied Managed Care, Inc (AMC) to Provide Workers' Compensation Medical and Disability Bill Review Services" for a three year term

The motion carried by the following vote

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

**14. Approved and authorized execution of contract Amendment to Professional Services Contract with Civil Source, Inc in the amount of \$200,000 for As-Needed Construction Management and Administrative Support Services**

A motion was made by Sullivan, second Katapodis to approve and authorize the Mayor and City Clerk to execute "Amendment No 1 to Agreement between the City of Huntington Beach and Civil Source, Inc for As-Needed Construction Management and Administrative Support Services" to extend the existing professional services contract for one (1) additional year and to increase compensation limit from \$1,000,000 to \$1,200,000

The motion carried by the following vote

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

**15. Approved and authorized execution of Amendment No. 1 to the Lease and Management Agreement between the City of Huntington Beach and Community Service Programs, Inc. (CSP) for the Operation of the Huntington Beach Youth Shelter located at 7291 Talbert Avenue**

A motion was made by Sullivan, second Katapodis to Authorize the Mayor and City Clerk to execute "Amendment No 1 to the Lease and Management Agreement between the City of Huntington Beach and Community Services Programs, Inc for the Operation of the Huntington Beach Youth Shelter located at 7291 Talbert Avenue "

The motion carried by the following vote

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

**16. Approved and authorized execution of three Amendments that extend the terms for As-Needed Professional Design/Landscape Architectural Services Professional Services Contracts with NUVIS, RJM Design Group, and David Volz Design**

A motion was made by Sullivan, second Katapodis to approve and authorize the Mayor and City Clerk to execute "Amendment No 2 to Agreement Between the City of Huntington Beach and NUVIS for As Needed Professional Design/Landscape Architectural Services," and, approve and authorize the Mayor and City Clerk to execute "Amendment No 2 to Agreement Between the City of Huntington Beach and RJM Design Group Inc for As Needed Professional Design/Landscape Architectural Services," and, Approve and authorize the Mayor and City Clerk to execute "Amendment No 4 to Agreement Between the City of Huntington Beach and David Volz Design for Landscape Architectural Services "

The motion carried by the following vote

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

**17. CONTINUED TO 10-5-2015 - Exclusive Negotiation Agreement (ENA) for redevelopment of the Michael E. Rodgers Seniors' Center Site - Continued from the 9-21-2015 City Council Meeting**

A motion was made by Sullivan, second Katapodis to recommend that the ENA for redevelopment of the Michael E Rodgers Seniors' Center site be **continued to October 5, 2015**

The motion carried by the following vote

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

**18. Approved and authorized execution of a Professional Services Contract with Environmental Science Associates (ESA) for preparation of environmental documentation for the redevelopment of the Michael E. Rodgers Seniors' Center site, and approve an appropriation of \$254,000.**

Councilmembers Peterson and Sullivan voiced support for continuing the item to October 5 for further discussion, as the original intent of the Council was that there would be no cost to the City whatsoever Discussion ensued regarding the time factor involved to meet ballot deadlines

Planning and Building Director Hess and City Manager Wilson explained how complex the item is and how critical the timeline is to have a study done in time to place the item on the November 2016 ballot

Mayor Hardy explained that typically the City pays for the EIR, and that cost is reimbursed by the developer when the Exclusive Negotiation Agreement (ENA) is entered into

Councilmember O'Connell asked to confirm the price of the project and City Manager Wilson stated that the whole situation has changed since the City is now in discussion with the third bidder It is expected there will be a report for the next Council meeting on whether the original accepted bid amount will be met

Councilmember Delgleize stated that the facts need to be determined so that when the Measure C vote is taken people can vote knowing the facts

A motion was made by Delgleize, second Katapodis to approve and authorize the Mayor and City Clerk to execute "Professional Services Contract Between The City of Huntington Beach and Environmental Science Associates for Prepare An Environmental Impact Report For Redevelopment of the Michael E Rodgers Senior Center Site" in the amount of Two Hundred Fifty Four Thousand Dollars (\$254,000) as prepared by the City Attorney, and, appropriate funds in the amount of \$254,000 from the City General Fund to the Planning Department Professional Services Account to account 10060201 69365 for the Professional Services contract between the City and ESA, which will be fully funded by a reimbursement agreement to be considered by the Council in the near term

The motion carried by the following vote

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

- 19. Adopted Ordinance No. 4069 amending Chapter 230 of the Huntington Beach Zoning and Subdivision Ordinance (HBZSO) to add definitions for City property and data collection unit and simplify the process for installation of such infrastructure (Wireless Communication Ordinance Regarding Data Collection Units) Approved for introduction 9-8-15, Vote: 7-0**

A motion was made by Sullivan, second Katapodis to Adopt Ordinance No 4069, "An Ordinance of the City of Huntington Beach Amending Chapter 230 of the Huntington Beach Zoning and Subdivision Ordinance Relating to Wireless Communication Facilities (Zoning Text Amendment No 14-002) " The motion carried by the following vote

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

#### **PUBLIC HEARING**

- 20. Approved and authorized execution of the Implementation of a Tenant-Based Rental Assistance (TBRA) Program and the execution of a HOME Recipient Agreement between the City and Interval House; approve an appropriation of \$74,000; and, approve Substantial Amendment No. 4 to the City of Huntington Beach 2010-2014 Consolidated Plan and Amendment No. 3 to FY 2014-15 Annual Action Plan**

Simone Slifman, Office of Business Development, presented a PowerPoint entitled *Amendments to HUD 2010-2015 Consolidated Plan and 2014-2015 Action Plan Tenant-Based Rental Assistance Program* that included the following title slides *Notice of Funding Availability (NOFA), TBRA Program, Interval House, Amendments to Consolidated Plan and Annual Action Plan, and Summary of Recommended Actions*

Councilmember Posey and Director Fritzal discussed the mechanism in place to verify income qualifications every six months

Mayor Hardy opened the public hearing With no one present to speak, the public hearing was closed

A motion was made by Katapodis, second Delgleize to, after the City Clerk reads by Title, approve and authorize the City Manager and City Clerk to execute a two-year "Home Recipient Agreement Between the City of Huntington Beach and Interval House" for the implementation of a Tenant Based Rental Assistance (TBRA) program and approve appropriation in amount of \$74,000 in business unit 21780101, and, approve Substantial Amendment No 4 to the City of Huntington Beach 2010-2014 Consolidated Plan and Amendment No 3 to the 2014-2015 Annual Action Plan for the Community Development Block Grant and Home Investment Partnership Programs, and, authorize the City Manager to sign all necessary documents to effectuate the Agreement with Interval House, any future minor amendments to contract, and/or US Department of Housing and Urban Development (HUD) documents

The motion carried by the following vote

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

## ORDINANCES FOR INTRODUCTION

**21. Approved for introduction Ordinance No. 4070 and authorized execution of a Pipeline Franchise Agreement with Chevron U.S.A., Inc. for the operation and maintenance of a pipeline system for the transportation of oil, gas, and other hydrocarbon substances**

Councilmember O'Connell recused himself from the item explaining that he is in the process of writing to the Fair Political Practices Commission on some related items

A motion was made by Delgleize, second Katapodis to, after the City Clerk reads by Title, approve for introduction Ordinance No 4070, "An Ordinance of the City of Huntington Beach Granting to Chevron USA, Inc , A Pennsylvania Corporation, A Franchise To Lay, Construct, Maintain, Operate, Renew, Repair, Alter, Remove Or Abandon In Place One Or More Existing Pipes and Pipelines For The Collection, Transportation Or Distribution Of Hydrocarbon Substances In the City Of Huntington Beach," and, approve and authorize the Mayor and City Clerk to execute the "Franchise Agreement Between the City of Huntington Beach and Chevron U S A , Inc Pursuant to City's Pipeline Franchise Ordinance "

The motion carried by the following vote

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

## COUNCILMEMBER ITEMS

**22. Submitted by Councilmembers Delgleize and O'Connell – Directed the City Manager to initiate environmental studies and initiate a Request for Proposal pertaining to Mariner's Fuel Dock at Huntington Harbour**

Councilmember Delgleize acknowledged the community concern, and Council's interest, in keeping the fuel dock open

Councilmember Peterson asked if Councilmembers Delgleize and O'Connell would include an option for the City to purchase, or maybe co-own with the County, if it would keep the fuel dock open  
Councilmembers Delgleize and O'Connell both support the amended motion

Mayor Hardy questioned if demolition permits for the dock had been issued City Manager Wilson stated that this is a process that would have to go through Orange County Health Agency and the City's Fire Department to close everything down, and it will be confirmed whether the process has been started

Councilmember Posey questioned the amount of fuel that is sold to public agencies monthly (Sheriff's Department, Navy) at this dock

Councilmember O'Connell felt the County would notify the City if any demolition permits are filed

Councilmember Delgleize cautioned property owners about taking matters into their own hands to close the dock

An amended motion was made by Delgleize, second Peterson to direct City Manager to initiate appropriate environmental studies on the site, research and obtain proposals for liability insurance, and report back to the City Council with the findings, and, instruct the City Manager to identify potential partners to work with the City on options to keep the fuel dock open in the Huntington Harbour, and, direct the City Manager look into the potential of the City or County purchasing and operating the fuel dock

The motion carried by the following vote

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

**23. Submitted by Councilmembers Peterson and Posey - Move forward on proposed Transparency Ordinance with the text that received consensus by City Council on 8/3/2015**

Councilmember Peterson explained the process of study sessions, straw votes, talking with and listening to the citizens and that he believes it is now time to move forward on this issue

Councilmember Posey stated that he feels the most important part of this Transparency Ordinance is Item 3 Offers and Counteroffers. A policy can be subject to interpretation and be very fluid, so this is why the issue is being addressed as an ordinance

Councilmember O'Connell stated that he, too, believes in transparency for all contracts in the City exceeding \$25,000 or \$50,000. If this ordinance was amended to include this, he would also support it

Councilmember Peterson stated that he too supports one hundred percent (100%) transparency and this ordinance takes care of \$0.72 of every \$1.00 of the General Fund Budget for contracts. He further stated that for some contracts outside negotiators are not used, but a system of request for three bids is used, because all contracts do not fit within the parameters of the current ordinance. The remaining \$0.28 can be addressed as a separate item at a future Council meeting

Councilmember Posey stated that there is already a Citizen's Finance Review Board, with members appointed by Councilmembers, that meets in public and reviews the contracts in question. It is not possible to make transparency in contracts a companion of transparency in labor negotiations

Mayor Pro Tem Katapodis stated that other places are having ordinances legally challenged and he thinks that a policy of transparency might be more viable, and therefore made a substitute motion

A substitute motion was made by Katapodis, second O'Connell to Direct the City Attorney to draft a Transparency **policy** that incorporates the following **six (6)** components: 1 Independent Negotiator - The City will hire an independent negotiator (when desired) who is not impacted by any outcome in the negotiation process. 2 Cost of Contracts - The City will cost contracts and/or changes to contracts. This ensures an equal playing ground for both labor organizations and the City, as both will be given the ability to comment about the analysis. 3 Offers and Counteroffers - This ordinance would require that all offers and counteroffers (after the first submitted offer and counteroffer) be disclosed to the

public within 24 hours after they have been acted on 4 Council Disclosure - Each Member of the City Council will be required to disclose any and all verbal, written, or electronic communications they have had with an official representative of a recognized employee organization, City staff, or members of the public in regards to labor contract negotiations 5 Contract Approval - This ordinance will require that before the final proposed contract is placed on the City Council Agenda, the Memorandum of Understanding will be posted to the City's website by Agenda Review Monday Additionally, the proposed contract will be placed on the City Council Agenda as an administrative item on two (2) consecutive City Council Meetings to insure the City Council, the bargaining units, and the public have ample time and ability to supply comment 6 Policy has to be voted on in public to make a change

The motion failed by the following vote

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

A motion was made by Peterson, second Posey to Direct the City Attorney to draft a Transparency Ordinance that incorporates the following five (5) components 1 Independent Negotiator - The City will hire an independent negotiator (when desired) who is not impacted by any outcome in the negotiation process 2 Cost of Contracts - The City will cost contracts and/or changes to contracts This ensures an equal playing ground for both labor organizations and the City, as both will be given the ability to comment about the analysis 3 Offers and Counteroffers - This ordinance would require that all offers and counteroffers (after the first submitted offer and counteroffer) be disclosed to the public within 24 hours after they have been acted on 4 Council Disclosure - Each Member of the City Council will be required to disclose any and all verbal, written, or electronic communications they have had with an official representative of a recognized employee organization, City staff, or members of the public in regards to labor contract negotiations 5 Contract Approval - This ordinance will require that before the final proposed contract is placed on the City Council Agenda, the Memorandum of Understanding will be posted to the City's website by Agenda Review Monday Additionally, the proposed contract will be placed on the City Council Agenda as an administrative item on two (2) consecutive City Council Meetings to insure the City Council, the bargaining units, and the public have ample time and ability to supply comment

The motion carried by the following vote

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

**24. NO ACTION TAKEN. Submitted by Councilmember O'Connell - Recommendation for City Council to approve the further study and advocacy for inclusion of additional freeway entry and exit access points to the proposed Express Lanes for the I-405 Improvement Project**

Councilmember O'Connell explained he brought this forward because of concerns about the off-ramps and impacts on the community, as well as understanding the business impacts as a result of the planned HOV lanes

Councilmember Peterson voiced his opinion that the letter recently sent properly addresses the concerns and doubts that it is prudent to spend City resources for a report that most likely would be ignored

Councilmember O'Connell replied that his request would be directed for OCTA to further study the issue and report back to City Council on options to improve local access

Mayor Pro Tem Katapodis, who is a member of the OCTA District Committee, believes that there will be a response to the Council's previous letter. He believes OCTA is aware of the issues of concern, and suggests waiting for the reply to the letter before proceeding with any additional action. Additional response may be warranted in the future, but that can't be determined until the OCTA reply is received

Mayor Hardy proposed no action on this item at least until the OCTA response has been received  
Councilmember O'Connell agreed

#### **COUNCILMEMBER COMMENTS (Not Agendized)**

Councilmember Peterson attended Ian Casson's Boy Scout Eagle Court of Honor. Eagle Scout Casson was also acknowledged for receiving the rare Honor Medal with Crossed Palms, an honor that approximately only 300 have qualified for in Boy Scout history. Ian exhibited service, readiness and leadership in rescuing a couple of children from behind a 200 foot waterfall.

Councilmember Delgleize reported attending the Patriot Day Ceremony - A Remembrance to Honor Police, Fire, and Marine Safety at Pier Plaza, the Ribbon Cutting Ceremony for HBPD K9 Training Field Grand Opening at the Boeing Company, and the HB Chamber of Commerce Ribbon Cutting for Bark City.

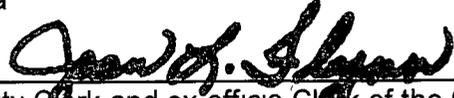
Councilmember Sullivan announced that this week the City of Huntington Beach will be visited by an incredible group of veterans known as the Frozen Chosen sponsored by the 3/1 Marines.

Councilmember O'Connell reported attending the ACC-OC September Dinner featuring Pete Peterson, The 21st Century Public Square Innovative Approaches to Good Government & Public Policy, the Patriot Day Ceremony, Huntington Beach Council on Aging - 27th Annual Senior Saturday, Huntington Beach Chamber of Commerce Ribbon Cutting - Radiant Smiles, the Ribbon Cutting Ceremony for the HBPD K9 Training Field Grand Opening, the Huntington Beach Police Department Open House, and Surf City Days.

Mayor Pro Tem Katapodis reported attending the Sister City Association of HB - Event in Honor of Adult Guests from Anjo, Japan at Capone's Cucina, HB Chamber of Commerce Ribbon Cutting for Thunder Burgrz & Pizza, and the Patriot Day Ceremony.

Mayor Hardy reported attending the Patriot Day Ceremony, the HB Council on Aging 27th Annual Senior Saturday, Ribbon Cutting for Central Library's New Automated Material Handling System, Ribbon Cutting Ceremony for the HBPD K9 Training Field Grand Opening at the Boeing Company, and the Huntington Beach Police Department Open House.

**ADJOURNMENT** – 9 42 PM to the next regularly scheduled meeting of the Huntington Beach City Council/Public Financing Authority on Monday, October 5, 2015, at 4 00 PM in the Civic Center Council Chambers, 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:**



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City Clerk-Clerk



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Mayor-Chair