

**Minutes
City Council/Public Financing Authority Regular Meeting
Housing Authority and Successor Agency Special Meeting
City of Huntington Beach**

Monday, April 2, 2012
4:00 PM - Room B-8
6:00 PM - Council Chambers
Civic Center, 2000 Main Street
Huntington Beach, California 92648

**An audio recording of the 4:00 PM portion of this meeting
and a video recording of the 6:00 PM portion of this meeting
are on file in the Office of the City Clerk and are archived at
www.surfcity-hb.org/government/agendas/**

4:00 PM - ROOM B-8

CALL TO ORDER – 4:05 PM

ROLL CALL

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

ANNOUNCEMENT OF SUPPLEMENTAL COMMUNICATIONS (Received after Agenda Distribution)

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

A PowerPoint communication received by Travis Hopkins, Director of Public Works, dated April 2, 2012, entitled *Huntington Beach City Council Commercial Recycling*.

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

STUDY SESSION

1. Rainbow Environmental Services provided a presentation on the Commercial Recycling Program required by the new State Mandate - AB341

Director of Public Works Travis Hopkins provided a brief description of AB 341, a new state law regarding mandatory commercial recycling, and introduced Rainbow Disposal representatives Ron Shenkman, Jeff Snow, Rochelle Groh and Teresa James. Ms. Groh made a PowerPoint presentation entitled *Huntington Beach City Council Commercial Recycling*, with titled slides Why are we here?, Program Development, Proposed Program, Environmental Benefits, Economic Benefits, and also included New State Law - AB 341 Mandatory Commercial Recycling, Commercial Recycling, Cumulative Results, Commercial Recycling - Research Conclusions, Commercial Recycling Pilot Research, Commercial Source Separation -

Preferred, Commingled Source Separation, Mixed Waste Processing Option, Food Waste Program, Program Outreach, Environmental Sustainability Partnership, California State Leader, Estimated Environmental Benefits to Huntington Beach, Economic Benefits, Summary Benefits to Huntington Beach, Final Thoughts, and Questions.

Councilmember Shaw and Ms. Groh discussed how Rainbow Disposal will save commercial customers approximately \$1.2 million dollars by using the new light blue recycling container.

Councilmember Harper acknowledged Rainbow's efforts to sustain recycling and long term use of landfills.

Councilmember Boardman, Ms. Groh and Mr. Snow discussed incorporating food waste from Albertson's Grocery, the Hyatt Hotel and Bucca de Beppo Restaurant. Discussion ensued on reducing methane and how food waste generates green house gases.

Ron Shenkman provided special thanks to City employees Travis Hopkins and Debra Jubinsky.

Councilmember Shaw suggested that a short version of the presentation be made at a regular City Council meeting to educate citizens.

RECESSED TO CLOSED SESSION

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

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

CLOSED SESSION

2. Pursuant to Government Code § 54956.9, the City Council recessed into Closed Session to confer with the City Attorney regarding T-Mobile West Corporation v. City of Huntington Beach, United State District Court Case No. CV 10-2835 CAS, which involves T-Mobile's project to install antennas at 6666 Heil Avenue belonging to the Community United Methodist Church of Huntington Beach.

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

4. Pursuant to Government Code § 54956.9, the City Council recessed into Closed Session to confer with the City Attorney regarding the following lawsuits [and potential lawsuits]: A recent accident, disaster, incident, or transactional occurrence which may result in litigation against the City. The facts or circumstances are not specified because they are unknown to the potential plaintiffs. [Gov't Code § 54956.9(b)(3)(A).]

5. Pursuant to Government Code § 54956.9, the City Council recessed into Closed Session to confer with the City Attorney regarding the following lawsuit: Calvin Hollingsworth v. City of Huntington Beach, WCAB # ADJ634157, Claim No. COHB-96-0199.

6:00 PM - COUNCIL CHAMBERS

MAYOR HANSEN RECONVENED THE CITY COUNCIL/PUBLIC FINANCE AUTHORITY REGULAR MEETING AND CALLED TO ORDER THE HOUSING AUTHORITY AND SUCCESSOR AGENCY SPECIAL MEETING - 6:00 PM

CLOSED SESSION REPORT BY CITY ATTORNEY - None

ROLL CALL

Present: Shaw, Dwyer, Harper, Hansen, Carchio (arrived at 6:28 PM), and Boardman
Absent: Bohr

PLEDGE OF ALLEGIANCE - Led by Mayor Pro Tem Dwyer

INVOCATION - Led by Reverend Peggy Price, Huntington Beach Interfaith Council

AWARDS AND PRESENTATIONS

Presentation - Mayor Hansen presented a proclamation to Judy Sobel for Donate Life Month.

Presentation - Mayor Hansen presented a Commendation to Dr. Patrick Gordon for being honored with the Jaime Escalante AP Award from the Western Regional Office of the College Board.

ANNOUNCEMENT OF SUPPLEMENTAL COMMUNICATIONS (Received After Agenda Distribution) - None

PUBLIC COMMENTS (3 Minute Time Limit)

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

Ralph Bauer spoke to Council regarding Consent Item No. 5 - Successor Agency Enforceable Obligation Payment Schedule (EOPS) and Recognized Obligation Payment Schedule (ROPs), and its relationship to the proposed Senior Center in Huntington Central Park. (00:18:05)

Mike Glosecki, Huntington Beach Symphony, spoke to Council about Symphony events which have taken place since 2009, and the Symphony's mission to bring affordable, classical, high level music to the area and provide opportunities for local musicians to play with professionals and engage youth in music education. (00:21:00)

Mayor Pro Tem Dwyer asked when the date of the next performance will be. Mr. Glosecki responded: April 15 at 3:00 PM - Huntington Central Library.

Fred Provencher spoke to Council about the Library's *HB Reads One Book* Program and discussed Author Temple Grandin's visit on March 21 to promote her book *Emergence Labeled Autistic* that includes different solutions on how parents and teachers can help children who are autistic. (00:25:07)

Jim Katapodis, President of the Goldenwest Neighborhood Association, thanked the Huntington Beach Fire Department for speaking about fire safety and participating in a chili cook off event in his neighborhood, and also recognized the attendance of Police Lt. Brian Seitz who participated as a cook-off judge and discussed crime prevention in the area. (00:26:23)

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

Councilmember Harper reported attending a meeting on March 21 sponsored by the Southern California Association of Governments (SCAG), and discussed a vacancy on the Huntington Beach High School District Board due to the recent passing of Brian Garland.

Mayor Pro Tem Dwyer announced the Art Center's annual *Student Art Show* on Friday April 20, and his participation as a judge at the *Beach Cruiser Meet* held on Saturday, March 24.

Councilmember Carchio reported attending League of Cities Policy Committees meetings March 29-30 in Ontario, California.

CITY MANAGER'S REPORT

City Manager Fred Wilson reported on the number of fireworks applications received from non-profit organizations.

CONSENT CALENDAR

1. Approved the Implementation of the Independent Medical Examiner (IME) Contract related to Alternative Dispute Resolution (ADR) process for Workers' Compensation Claims and authorized the City Manager to execute a contract and all related documents

A motion was made by Carchio, second Boardman to approve the Standard Contract for the Independent Medical Examiner (IME) to utilize as part of the ADR Process; and, authorize the City Manager to execute the required documents in a form acceptable to the City Attorney. The motion carried by the following roll call vote:

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

2. CONTINUED TO APRIL 16 the Adoption of Resolution No. 2012-17 amending the City's Classification Plan by modifying the Class Specification and Compensation of the position of Assistant City Clerk

A motion was made by Dwyer, second Carchio to CONTINUE TO APRIL 16 the Adoption of Resolution No. 2012-17 amending the City's Classification Plan by modifying the Class

Specification and Compensation of the position of Assistant City Clerk. The motion carried by the following roll call vote:

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

3. Revised the Fiscal Year 2011/12 General Fund and Redevelopment Agency Budgets to remove the State Pay-to-Play appropriations

A motion was made by Carchio, second Boardman to reduce appropriations in the FY 2011/12 Redevelopment Agency Budget by \$6,795,749; and, reduce appropriations in the FY 2011/12 General Fund Budget by \$6,234,136. The motion carried by the following roll call vote:

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

4. Approved appointments to the Oversight Board of the Successor Agency of the City of Huntington Beach's former Redevelopment Agency

A motion was made by Carchio, second Boardman to approve the appointment of the City of Huntington Beach Mayor, Don Hansen, to the Oversight Board; and, approve the appointment of Kellee Fritzal, Deputy Director of Economic Development, to the Oversight Board. The motion carried by the following roll call vote:

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

5. SUCCESSOR AGENCY ACTION: Approved the Third Amended and Restated Enforceable Obligation Payment Schedule (EOPS) and the Recognized Obligation Payment Schedule (ROPS) for the Huntington Beach Successor Agency

A motion was made by Carchio, second Boardman to approve the Third Amended and Restated Enforceable Obligation Payment Schedule (EOPS) for the period covering August 2011 to June 30, 2012; and, approve the amended Recognized Obligation Payment Schedule (ROPS) for the period covering January 1, 2012 to June 30, 2012. The motion carried by the following roll call vote:

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

6. SUCCESSOR AGENCY ACTION: Established an Administrative Budget for the Successor Agency for Fiscal Year 2011/12

A motion was made by Carchio, second Boardman to authorize the City Manager to establish a Successor Agency Administrative Budget for Fiscal Year 2011/12 totaling \$425,000. The motion carried by the following roll call vote:

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

7. HOUSING AUTHORITY ACTION: Established Budget Appropriations for the Huntington Beach Housing Authority for Fiscal Year 2011/12 which reflect the dissolution of the Huntington Beach Redevelopment Agency

A motion was made by Carchio, second Boardman to authorize the City Manager to establish a Housing Authority Budget for Fiscal Year 2011/12 based on the approved Enforceable Obligation Payment Schedule (EOPS), and any other items as deemed necessary. The motion carried by the following roll call vote:

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

PUBLIC HEARING

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

8. Denied Zoning Text Amendment No. 11-003 (Appeal of Planning Commission's Denial - PC Appeals) which would have amended Chapter 248 of the Huntington Beach Zoning and Subdivision Ordinance (HBZSO) by adopting Ordinance No. 3937

Project Planner Jill Arabe provided a PowerPoint entitled *Zoning Text Amendment No. 11-003 (Appeal of Planning Commission's Denial - Amending Chapter 248 PC Appeals Fee)*, with titled slides: Request, Appeal, Analysis, PC Recommendation, and Staff Recommendation.

Mayor Hansen opened the public hearing. City Clerk Flynn announced that no supplemental communications were received on the item.

Barbara Delgleize, speaking on behalf of the Planning Commission, spoke about the Commission's important role in the entitlement process and why the Commission supports denial of the proposed Ordinance No. 2927 to amend Chapter 248 of the Huntington Beach Zoning and Subdivision Ordinance. (00:36:00)

Planning Commissioner Mark Bixby spoke to support the Commission's denial of ZTA 11-003 and described the infrequency of Commission appeals on items heard by the Zoning Administrator. Mr. Bixby discussed Council's frequency of project appeals, applicants who pay to appeal a decision, and the Commission's efforts to streamline the entitlement process. (00:38:55)

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

Councilmember Carchio discussed the importance of a fast-tracked pace through the City's 10-point business plan and why he feels it is more appropriate for a Councilmember to be responsible to appeal items heard by the Zoning Administrator or Planning Director.

Councilmember Shaw voiced support for the Planning Commission's denial of ZTA 11-003, stating his opinion that Councilmember Carchio did not provide any substantial evidence to support his recommendation.

Councilmember Boardman voiced appreciation for her appointed Planning Commissioner, and supports their ability to appeal an item heard by the Zoning Administrator or Planning Director.

Councilmember Harper voiced support for Councilmember Carchio's recommendation.

A motion was made by Carchio, second Harper to approve Zoning Text Amendment No. 11-003 with findings for approval and adopt Ordinance No. 3937, "An Ordinance of the City of Huntington Beach Amending Chapter 248 of the Huntington Beach Zoning and Subdivision Ordinance Code Relating to Appeals." (STAFF RECOMMENDATION) The motion failed by the following roll call vote:

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

ORDINANCES FOR INTRODUCTION

9. Approved for Introduction Ordinance No. 3936 amending Chapter 10.42 of the Huntington Beach Municipal Code relating to Residential Parking Permits

Transportation Manager Bob Stachelski and Mayor Pro Tem Dwyer discussed revising the level of support to establish a parking permit district from 75% to 67%.

Councilmember Boardman and Manager Stachelski discussed obtaining a one-time permit.

A motion was made by Dwyer, second Hansen to adopt Ordinance No. 3936, "An Ordinance of the City of Huntington Beach Amending Chapter 10.42 of the Huntington Beach Municipal Code Relating to Residential Parking Permit" **amending Section 10.42.030(a)(1) to 67% versus 75% of homeowners to establish a residential parking permit.** The motion carried by the following roll call vote:

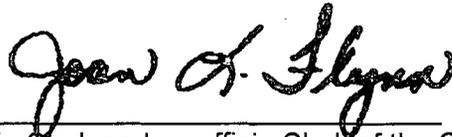
AYES: Shaw, Dwyer, Hansen, Carchio, and Boardman
NOES: Harper
ABSENT/OUT OF ROOM: Bohr

COUNCILMEMBER COMMENTS (Not Agendized)

Comments were provided by Councilmember Shaw, Councilmember Harper, Mayor Pro Tem Dwyer, Councilmember Boardman, and Mayor Hansen.

ADJOURNMENT OF THE CITY COUNCIL AND PUBLIC FINANCING AUTHORITY REGULAR MEETING - At 7:04 PM to the next regularly scheduled City Council/Public Financing Authority meeting of Monday, April 16, 2012, at 4:00 PM in Room B-8, Civic Center, 2000 Main Street, Huntington Beach, California.

ADJOURNMENT OF THE HOUSING AUTHORITY AND SUCCESSOR AGENCY SPECIAL MEETING – At 7:04 PM to a date uncertain.



City Clerk and ex-officio Clerk of the City Council/
Successor Agency of the City of Huntington Beach,
Secretary of the Huntington Beach Public Finance
Authority of the City of Huntington Beach, and Clerk
of the Housing Authority of the City of Huntington
Beach, California

ATTEST:



City Clerk, PFA Secretary, Housing
Authority Clerk



Mayor-Chair