

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

**Monday, August 19, 2013
4:00 PM – Study Session
6:00 PM – Regular Meeting
Civic Center Council Chambers
2000 Main St. Huntington Beach CA 92648**

**A video recording of the 6:00 PM portion of this meeting
is on file in the Office of the City Clerk and is archived at
www.surfcity-hb.org/government/agengas/**

4:00 PM - ROOM B-8

CALL TO ORDER - 4:00 PM

ROLL CALL

Present: Sullivan, Hardy, Harper, Boardman, Carchio, Shaw, and Katapodis
Absent: None

ANNOUNCEMENT OF SUPPLEMENTAL COMMUNICATIONS (Received After Agenda Distribution)

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

Study Session

#1. PowerPoint communication received from Lori Ann Farrell, Director of Finance dated August 19, 2013, entitled *Long-Term Financial Plan*.

#1. Communication received from Dennis Hashin, Huntington Beach Police Officers Association dated August 19, 2013, entitled *HBPOA Police Officer Compensation*.

#2. PowerPoint communication received from Travis Hopkins, Director of Public Works, entitled *Bicycle Master Plan*.

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

Dennis Hashin, Huntington Beach Police Officers Association, distributed a written communication for Council review that provided compensation figures for Police Officers in relation to Consent Item No. 15 - adding newly-created classification of Community Services Officer.

STUDY SESSION

1. Presentation of Long Term Financial Plan made by Director of Finance, Lori Ann Farrell

Finance Director Lori Ann Farrell provided a PowerPoint dated August 19 and entitled *City of Huntington Beach Long Term Financial Plan*, that included the following titled slides: Summary, Benefits of a Five-Year Plan, Basis of Estimates, Five-Year Plan (General Fund Expenditure Baseline, FY 2013/14 Baseline, Revenue Assumptions, Expenditure Assumptions, 7-Year CalPERS - All Funds, Highlights), Unfunded Liabilities (Accomplishments, Plan to Reduce Unfunded Liabilities, "One Equals Five" Plan CalPERS, "25 to 10" Plan Retiree Medical, "16 to 10" Plan Retiree Supplemental, Recommendations by Bartel Associates), General Fund Reserves (Balance), Risk Factors (Redevelopment Dissolution), Strategic Planning Retreat Discussion (Funding for 3 Police Officers, Police Officer Costing, Funding Options for 3 Police Officers), and Questions.

Mayor Boardman and Director Farrell discussed Public Employee Retirement System (PERS) contributions and what percentage the City anticipates will be picked up by employee associations/bargaining units.

Councilmember Carchio inquired, and Director Farrell confirmed that the presentation includes figures that account for a recent monetary judgment handed down by the Department of Finance (DOF) against the City. Mayor Boardman and Director Farrell discussed the City's goals in response to that judgment.

Councilmember Sullivan and Director Farrell discussed the amount of time it will take to exhaust the City's 2-month level of financial reserves.

Mayor Boardman and Director Farrell discussed the City's efforts to respond to State decisions related to housing debt and debt repayment. Councilmember Sullivan questioned if all cities are dealt with equally in relation to debt repayment, and Director Farrell indicated the process can vary, depending on a number of factors.

Mayor Boardman, Councilmembers Hardy and Katapodis, and Director Farrell discussed cost assumptions for new Police Officer hires.

Mayor Pro Tem Harper thanked staff for their long-term thinking.

2. Staff presented the Draft Bicycle Master Plan Summary and Recommendations with an overview of the development process, plan recommendations and summary of current status. Staff sought final comments on the plan from City Council, stakeholders and the public in order to provide direction for the consultant to finalize the plan. The Draft Bicycle Master Plan is available for review on the City website.

Transportation Manager Bob Stachelski provided a PowerPoint entitled *City of Huntington Beach Bicycle Master Plan*, with the following titled slides: Bicycle Master Plan Overview, Facility Types, Example Class 1 Multi-use Path, Example Class 2 Bicycle Lane, Class 3 Bicycle Route, Existing Bikeways, Recommendations, Facility Recommendations, Recommended Class 1 Multi-use Paths, Recommended Class 2 Bicycle Lanes, Recommended Bicycle Boulevards, Recommended Bicycle Boulevards, Bicycle Parking, Bicycle Parking Facility, Program Recommendations, Other Recommendations, PCH: Bikeway Alternatives, Draft BMP Review Process - Steps Completed, Next Steps, and Questions or Comments?

Councilmember Carchio and Manager Stachelski discussed use of parking structure spaces for

bikes, including zoning requirements and Coastal Commission regulations.

Mayor Boardman and Manager Stachelski discussed small lanes, traffic slowing, and standards/challenges associated with CalTrans projects.

Mayor Pro Tem Harper and Manager Stachelski discussed two off-street options on Pacific Coast Highway and the differences for use by beach cruisers, and by high performance bicycles.

Mayor Boardman voiced support for the one-way bikeway alternative on Pacific Coast Highway.

Mayor Pro Tem Harper congratulated staff for bike lane improvements to date, and discussed points he felt were important to consider during the decision process including mobility for young people, exercise and recreation, coastal access, and routes to transit. He also acknowledged the importance of working well with the County, potential railroad/environmental routes, beach trail enhancements, right-of-way for the Seal Beach Naval Base, and County/OCTA regional connector.

Councilmember Shaw recommended keeping all draft plans and cited Belmont Shores as a City that successfully utilized downtown parking spaces for bicycles.

RECESS TO CLOSED SESSION

Mayor Boardman announced, *"Pursuant to Government Code § 54956.8, the City Council takes this opportunity to publicly introduce and identify designated property negotiators; City Manager Fred Wilson and Deputy Director of Economic Development Kellee Fritzel, who will be participating today's Closed Session discussions regarding negotiations with 21002 HB LLC for the disposition of the property located between Pacific Coast Highway and the median high tide line south of Beach Blvd."*

A motion was made by Carchio, second Shaw to recess to Closed Session on items 3-6. The motion carried by the following vote:

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

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: Eric Ramsey v. City of Huntington Beach, WCAB Case No. ADJ7854330; Claim No. COHB-10-0129.

4. Pursuant to Government Code § 54956.9(d)(1), the City Council shall recess into Closed Session to confer with the City Attorney regarding the following lawsuit: Jeffery P. Nelson v. City of Huntington Beach, WCAB Case No. ADJ8278387; Claim No. COHB-12-0065.

5. Pursuant to Government Code § 54956.8, the City Council recessed into Closed Session to give instructions concerning price and terms of payment to the City's negotiators; City Manager Fred Wilson and Deputy Director of Economic Development.

Kellee Fritzal, regarding negotiations with 21002 HB LLC for the disposition of the property located between Pacific Coast Highway and the median high tide line south of Beach Blvd. APN 024-281-16.

6. Pursuant to Government Code § 54956.9(d)(2), the City Council recessed into Closed Session to confer with the City Attorney based on existing facts and circumstances that a significant exposure to potential litigation from two potential plaintiffs against the City exist.

6:00 PM – COUNCIL CHAMBERS

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

CLOSED SESSION REPORT BY CITY ATTORNEY - None

ROLL CALL

Present: Sullivan, Hardy, Harper, Boardman, Carchio, Shaw, Katapodis

Absent: None

PLEDGE OF ALLEGIANCE – Mayor Boardman

INVOCATION - Led by Reverend Dr. Peggy Price

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

Presentation - Mayor Boardman called on the Huntington Beach Girls Softball 12U All Stars to receive commendations for their achievement of going to Nationals.

Mayor Boardman recognized the Huntington Beach Girls Softball 12U All Stars and their Manager, Mark Fulbright and presented commendations for their achievement of going to the Nationals.

Mr. Fulbright expressed his appreciation to the Mayor and Council, listed the team's accomplishments and named the coaches and team members.

Mayor's Award - Mayor Boardman called on Fire Chief Patrick McIntosh to present the Mayor's award to Deputy Fire Marshal Bob Culhane.

Fire Chief Patrick McIntosh presented the Mayor's award to Deputy Fire Marshall Bob Culhane for exemplary performance. He presented a background of Deputy Fire Marshall Culhane's career and achievements to date.

Deputy Fire Marshall Culhane addressed the importance of teamwork recognizing his fellow employees and thanked the City and Council for the honor received.

ANNOUNCEMENT OF SUPPLEMENTAL COMMUNICATIONS (Received After Agenda Distribution)

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

Consent Calendar

- #8. Communication received from Jennifer McGrath, City Attorney dated August 15, 2013, submitting a corrected Exhibit for Resolution No. 2013-23 entitled, "Exhibit A, Ticket Distribution Policy".

PUBLIC COMMENTS (3 Minute Time Limit)

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

Mayor Boardman opened the Public Comments portion of the meeting.

Leslie Gilson, Huntington Beach Tree Society, reported being threatened by a vagrant living in a camper adjacent to Gibbs Park. She reported the incident to the Police Department but was told that a restraining order would not do any good because he is on a public street. She added that he is verbally abusive and suffers from PTSD. Additionally she reported hiring a gardening company to work on the flower beds at Gibbs Park since she is fearful of doing the gardening herself; the costs are being sponsored by the Tree Society. She commented on RV parking on public streets and urged Council to do something about this. (00:22:57)

Mayor Boardman urged Ms. Gilson to submit a speaker card for follow-up by the Police Chief.

Judy Ann Morris, Huntington Beach Council on Aging, Senior Saturday Chair, announced the Senior Saturday event on September 7, 2013, 9:00 AM to 2:00 PM at the Huntington Beach Pier. She reported that vending spaces have sold out and commented positively on cooperation between the City and businesses. She reported that the event has free admission and that sponsor funds will go towards senior programs in the City and urged Council and the public to attend. (00:25:26)

Philip Johnson commented on alcohol consumption and asked Council to consider a 4% tax on alcohol to raise revenue for the City and consider closing all alcohol sales at 9:00 PM. (00:28:43)

Judith Aronson commented about the U.S. Open Surfing Championship and urged Council to consider eliminating the event in the City. She addressed costs to taxpayers in connection with the event and commented on the recent rioting after the event. (00:29:54)

Suzanne Crevellone spoke regarding Item No. 19 - Ad Hoc Committee on Bartlett Park. She reminded Council that Bartlett Park is a community park set aside for residents of the Landmark Tract, and not businesses or residents outside the community. She asked that Council involve homeowners from the Landmark Tract on the Committee. She commented on the amount of trash at the Park and asked the City to address the matter in addition to trimming trees for increased visibility. (00:31:15)

Councilmember Hardy encouraged Ms. Crevellone to fill out a speaker card for future follow-up by the Committee.

Cari Swan urged Council not to impose further restrictions on bee-keeping hobbyists in the City. She listed other issues in the City that should receive priority and addressed the importance of bees to the environment. She noted that people who keep bees are responsible and asked Council to consider the issue of personal responsibility and common sense. She stated that bee-keepers at Landmark are responsible and committed hobbyists. (00:33:00)

Emzy Veazy III commented on the need for more entrepreneurs and creation of businesses in the City. He spoke about business incubators and industry clusters for economic and business development. (00:35:49)

Michael Cohen commented on Bartlett Park related to Item No. 19 - Ad Hoc Committee on Bartlett Park, and the need to have homeowners on the Ad Hoc Committee. He addressed decreased visibility because of existing trees and hoped that tree trimming will be expedited. He offered to help in any way he can. (00:38:36)

Councilmember Hardy encouraged Ms. Crevellone to fill out a speaker card for future follow-up by the Committee.

Matthew "Clint" Orr referenced his previous presentation regarding Block 163, addressed non-profits in the area and provided suggestions for expanding same as well as a park. He urged Council to consider the infrastructure in the area for future generations. (00:40:29)

Michelle Schomburg, speaking for Jenny Bradish, commented positively on the issue of bee-keeping and the honey produced through the Landmark Community. She disputed the susceptibility of seniors to bee stings stating that as one gets older the allergic reaction to bee stings lessens. She opposed further restrictions on bee-keeping and addressed the importance of bees to the environment and a decline in the bee population. She encouraged Council to consider an ordinance prohibiting the extermination of bee hives. (00:44:10)

Reverend Dr. Peggy Price spoke in support of Agenda Item No. 18 - Compassion City, and on behalf of the Interfaith Council and S.A.R.A.H. She noted that Huntington Beach is a City that is expressing compassion through its social programs but that there are still ways that compassion can be applied to the consciousness of the community. (00:47:25)

Sande Hart, the President of S.A.R.A.H., spoke in support of Agenda Item No. 18 - Compassion City, and addressed the benefits of being a City of Compassion and working together to reach its goals. (00:50:36)

Susannah Bair presented a video in support of Agenda Item No. 18 - Compassion City. (00:54:32)

Barbara Hunt, S.A.R.A.H. spoke in support of Agenda Item No. 18 - Compassion City and the Compassionate Cities Initiative. She commented on compassion as an effective public policy and the benefits of compassion as a key component to achieve core objectives in communities. She urged Council to sign the Charter for Compassion. (00:57:43)

Maneck Bhujwala, President of the Huntington Beach Interfaith Council and Member of S.A.R.A.H., spoke in support of Agenda Item No. 18 - Compassion City. He addressed the benefits of compassion and cooperation for communities and referenced upcoming Compassion Games. (01:00:46)

Andrea Jeffrey, Greater Huntington Beach Interfaith Council and S.A.R.A.H., spoke in support of Agenda Item No. 18 - Compassion City, and presented testimony on her recent experience related to the events at the Surf Championship and the community's generosity with affected businesses. She urged Council to make the City of Huntington Beach the first city in Orange County to be a City of Compassion. (01:03:30)

Tom Dern commented on issues related to bee-keeping in the Landmark tract and urged Council to consider the health and safety issues related to bee-keeping in a 55-year and older community. (01:06:10)

Christine Riley spoke in opposition to bee-keeping in the Landmark community and urged Council to address the matter. (01:07:40)

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

Mayor Boardman announced a closing reception for the exhibition, "Custom Culture II" by the Allied Arts Board on August 24, 2013, 6:00 PM to 9:00 PM, at the Arts Center.

CITY MANAGER'S REPORT

City Manager Fred Wilson deferred to Police Chief Kenneth Small for an update of recent arrests made in connection with the events after the surfing championships on July 28, 2013.

Police Chief Small commented on his recent omission of a report by the Fire Department on their involvement in the July 28th events. He apologized for doing so and deferred to Fire Chief Patrick McIntosh for a brief report.

Fire Chief McIntosh commented on the Department's support of Police activities. He addressed cooperation with other Fire Departments in the County to provide coverage to the City. He commended the Police Department on the restraint and tactical plans put in place.

Police Chief Small reported that through the community's assistance, eleven suspects involved in the disturbance have been arrested and additional suspects have been identified.

CONSENT CALENDAR

1. Approved and adopted minutes

A motion was made by Councilmember Carchio, second by Councilmember Hardy to approve and adopt the minutes of the City Council Special Meeting of July 30, 2013, the City Council/Public Financing Authority Special Meeting of August 2, 2013, and the City Council/Public Financing Authority Regular and Successor Agency Special Meeting of August 5, 2013, as written and on file in the office of the City Clerk.

The motion carried with the following roll call vote:

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

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

A motion was made by Councilmember Carchio, second by Councilmember Hardy to receive and file the Six-Month Strategic Objectives.

The motion carried with the following roll call vote:

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

3. Received and filed City Clerk's Quarterly Report listings of Professional Service Contracts filed in the City Clerk's office between January 1, 2013 and June 30, 2013

A motion was made by Councilmember Carchio, second by Councilmember Hardy to receive and file the "List of Professional Service Contracts Approved by Department Heads Pursuant to Huntington Beach Municipal Code Chapter 3.03 and Submitted to the Office of the City Clerk during the period of January 1, 2013, through March 31, 2013;" and, receive and file the "List of Professional Service Contracts Approved by Department Heads Pursuant to Huntington Beach Municipal Code Chapter 3.03 and Submitted to the Office of the City Clerk during the period of April 1, 2013, through June 30, 2013."

The motion carried with the following roll call vote:

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

4. Approved appointments and reappointments to the Children's Needs Task Force (CNTF)

A motion was made by Councilmember Carchio, second by Councilmember Hardy to approve the following students to a one-year term on the Children's Needs Task Force with terms to expire June 30, 2015:

Kristen Snapper	- Reappointment	- Student Representative
Emily Le	- Appointment	- Student Representative
Jeter Mackenzie	- Appointment	- Student Representative
Alexander Newberry	- Appointment	- Student Representative

And, approve the following member reappointments for a four-year term on the Children's Needs Task Force with terms to expire August 30, 2017:

Ian Collins	- Second Term	- At-Large Member
Jim Hayden	- Second Term	- At-Large Member
Marlene McIlroy	- Second Term	- At-Large Member

The motion carried with the following roll call vote:

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

5. Approved the appointments of Hemal Patel and Mark Sheldon to the Environmental Board

A motion was made by Councilmember Carchio, second by Councilmember Hardy to approve Environmental Board appointments of Hemal Patel for a first term to expire on June 30, 2015, and Mark Sheldon for a first term to expire June 30, 2015, as recommended by City Council liaisons Mayor Boardman and Councilmembers Hardy and Shaw.

The motion carried with the following roll call vote:

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

6. Accepted the Sewer Service Charge Performance Audit for Fiscal Year 2012-2013 and suspended the annual Consumer Price Index (CPI) adjustment of the Sewer Service Rates for Fiscal Year 2013-14

A motion was made by Councilmember Carchio, second by Councilmember Hardy to accept the Sewer Service Charge Performance Audit for Fiscal Year 2012-13 as presented; and, suspend the Annual Consumer Price Index (CPI) Adjustment of the Sewer Rates for Fiscal Year 2013-14.

The motion carried with the following roll call vote:

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

7. Received and filed the Infrastructure Fund Annual Report for FY 2012-2013

A motion was made by Councilmember Carchio, second by Councilmember Hardy to receive and file the Infrastructure Fund Annual Report for FY 2012-2013.

The motion carried with the following roll call vote:

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

8. Adopted Resolution No. 2013-23 approving a policy for limiting the distribution of Tickets and Passes to City Officials

A motion was made by Councilmember Carchio, second by Councilmember Hardy to adopt Resolution No. 2013-23, "A Resolution Of The City Council Of The City Of Huntington Beach Approving A Policy For Limiting The Distribution Of Tickets And Passes To City Officials", **as amended by supplemental communication (new Exhibit A to Resolution No. 2013-23).**

The motion carried with the following roll call vote:

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

9. Adopted Resolution No 2013-41 authorizing the City to participate in the California Energy Commission's Energy Partnership Program

A motion was made by Councilmember Carchio, second by Councilmember Hardy to approve and adopt Resolution No. 2013-41, "A Resolution of the City Council of the City of Huntington Beach Pertaining to California Energy Commission, Energy Partnership Program Governing Board Resolution to Utilize California Energy Commission Technical Assistance for Street Light Retrofits."

The motion carried with the following roll call vote:

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

10. Awarded and authorized execution of a contract in the amount of \$153,510 to JFL Electric, Inc. for the Street Light Modification Project on Seventh Street from Pacific Coast Highway to Palm Avenue, CC-1425; and, declared Pro Tech Engineering Corporation and Asplundh Construction as non-responsive

Mayor Boardman pulled the aforementioned item for separate discussion and consideration. She reported receiving many complaints over the years from residents on Seventh Street regarding non-operational street lights. She highlighted the item noting that it will address residents' concerns regarding lighting problems in the area.

A motion was made by Mayor Boardman, second by Councilmember Shaw to declare the apparent low bid from Pro Tech Engineering Corporation, as non-responsive; declare the second apparent low bid from Asplundh Construction Corporation, as non-responsive; accept the lowest responsive and responsible bid submitted by JFL Electric, Inc., in the amount of \$153,510; authorize the Mayor and City Clerk to execute a construction contract in a form approved by the City Attorney; and, authorize the Director of Public Works to execute change orders not to exceed a total of 15 percent of the contract construction costs or \$23,026.

The motion carried with the following roll call vote:

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

11. Awarded and authorized execution of a contract in the amount of \$251,570 to the R.J. Noble Co. for the Slater Pump Station Access Road Rehabilitation Project, CC-1445

A motion was made by Councilmember Carchio, second by Councilmember Hardy to accept the lowest responsive and responsible bid submitted by the R.J. Noble Co. in the amount of \$251,570.00; and, authorize the Mayor and City Clerk to execute a construction contract in a

form approved by the City Attorney.

The motion carried with the following roll call vote:

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

- 12. Awarded and authorized execution of a construction contract in the amount of \$322,000 to GASS Construction Co., Inc., for the Edinger Avenue Bicycle Path Project, CC-1447; approved withdrawal of apparent low bid from Patriot Paving and declared PALP Inc. dba Excel Paving Company and Unique Performance Construction, Inc. as non-responsive**

A motion was made by Councilmember Carchio, second by Councilmember Hardy to approve withdrawal of the apparent low bid from Patriot Paving, Inc.; declare the second apparent low bid from PALP Inc. dba Excel Paving Company, as non-responsive; declare the third apparent low bid from Unique Performance Construction, Inc., as non-responsive; accept the lowest responsive and responsible bid submitted by GASS Construction Co., Inc., in the amount of \$322,000.00; approve an appropriation of \$320,000 from the Measure M (213) Fund Balance to the Edinger Parkway Account No. 21390022.82300; and, authorize the Mayor and City Clerk to execute a construction contract in a form approved by the City Attorney.

The motion carried with the following roll call vote:

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

- 13. Awarded and authorized execution of a construction contract in the amount of \$9,846,863 to Vido Artukovich and Son, Inc. / Vidmar, Inc., A JV, for the Warner Avenue Gravity Sewer (WAGS) and Lift Station C Replacement Project, CC-1370; approved withdraw of Metro Builders and Engineers Ltd; appropriated funds from undesignated Sewer Service Fund; and, approved and authorized execution of agreement with the California Coastal Commission**

A motion was made by Councilmember Carchio, second by Councilmember Hardy to approve the withdraw of the apparent low bid from Metro Builders and Engineers LTD.; appropriate \$7,050,830 from the undesignated Sewer Service Fund (511) balance to account 51189007.82600; accept the lowest responsive and responsible bid submitted by Vido Artukovich & Son, Inc. / Vidmar, Inc., A JV, in the amount of \$9,846,863.00; authorize the Mayor and City Clerk to execute a construction contract in a form approved by the City Attorney; and, approve and authorize the Mayor and City Clerk to execute an agreement with the California Coastal Commission as required to obtain a Coastal Development Permit.

The motion carried with the following roll call vote:

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

- 14. Approved and authorized execution of a License Agreement with BTDJM Phase II Associates, LLC for maintenance of landscaping improvements in the public right-**

of-way along the project frontage at The Village at Bella Terra-Costco Development

A motion was made by Councilmember Carchio, second by Councilmember Hardy to approve and authorize the Mayor and City Clerk to execute and record the "License Agreement Between the City of Huntington Beach and BTDJM Phase II Associates, LLC to Provide Installation and Maintenance of Landscaping Improvements in the Public Right-of-Way" along the project frontage.

The motion carried with the following roll call vote:

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

15. Adopted Resolution No. 2013-42 amending the City's Classification Plan by adding the newly-created classification of Community Services Officer. Continued from August 5, 2013.

Councilmember Katapodis pulled the aforementioned item for separate discussion and consideration. He requested information from Police Chief Small regarding the scope of work to be performed by the Community Services Officers.

Police Chief Small provided a PowerPoint presentation addressing creation of the position, support staffing reductions in the Department since 2009 and the resulting effect on other areas in the Department. He reported that creation of the specific position will allow movement between job categories and potential for growth. He presented the proposed job duties for the Community Services Officer (CSO) noting that all of them have been previously done by non-sworn staff before the implemented staff reductions. He addressed challenges and opportunities and the Department's mission to deliver the most professional services to the community in the most cost-effective way possible. He presented the proposed salary and benefits of the position and stressed that sworn employees should not be tasked with duties that can be performed by non-sworn support staff. He addressed meetings with the Police Officers Association regarding the creation of the position, job specifications, and addition of Police Officers and allowing sworn Officers to do the work they were hired to do.

In response to Councilmember Katapodis's inquiry regarding the salary for an existing classification (Police Services Specialist), Chief Small reported that it is approximately \$85K per year.

Councilmember Katapodis reported his preference to have one Police Officer patrolling neighborhoods than two CSO's. Additionally, he wondered why another Police Services Specialist would not be hired rather than a CSO, which would be less expensive for the City.

Chief Small noted that detectives are spending much of their time doing administrative work that could be done by a CSO. He reported that property crimes have increased significantly, addressed costs related to outsourcing of transcription services and the need to replace the Department's civilian support staff.

Councilmember Katapodis stressed the need for more Police Officers patrolling on the streets.

In response to Councilmember Carchio's inquiry, Police Chief Small reported that the position will be open for internal classification and that many positions pay substantially more than the salary for a CSO. He addressed the prohibition of using 960s or cadets in that capacity and changes in PERS laws that would prohibit same.

In reply to Councilmember Carchio's question, Chief Small addressed training for the position. He noted the need for previous experience and reported that detectives currently performing the duties will train the civilians.

Councilmember Carchio commented on the ability to pull sworn officers from the duties as needed and noted that if non-sworn civilians are hired they could not be pulled for sworn duties if needed. He stressed the need for more Police Officers in the City.

Police Chief Small commented on the administrative work that needs to be done.

Councilmember Carchio felt that the opportunity to hire additional sworn officers takes priority over hiring non-sworn personnel.

Police Chief Small stressed that having sworn officers perform the work of non-sworn personnel is detracting the ability of sworn officers to do their jobs. He noted that per the approved budget a total of nineteen new officers will be added to the force over the next two years. He asked for Council's indulgence in giving the Department the support staff needed so that detectives can perform the duties for which they are paid to do.

Mayor Pro Tem Harper commented positively on the proposal and stated it will achieve its intention of maximizing public safety with the existing resources.

Councilmember Shaw wondered if the CSO position has been budgeted within the 2013/2014 budget and City Manager Wilson responded in the affirmative.

Councilmember Shaw referenced the pay rates for CSO in other cities and noted the need for additional Police Officers in the City. He felt that the proposed salary rate for CSOs is too high and indicated his preference for lowering the salary and hiring four CSOs instead of two and calling them something other than "Officers".

Councilmember Hardy commented on the Police Chief's knowledge and expertise in the matter and agreed that the salary rate may be too high but agreed with the need for a clerical position to ease the burden on the Police Department.

Councilmember Sullivan congratulated Chief Small on his work and efforts to keep the City safe in spite of significant cuts. He stated his support for the matter.

Police Chief Small commented on the salaries with and without benefits and reported that the salary was determined by the City's Human Resources Department based on a survey conducted recently.

Councilmember Katapodis indicated his support for clerical staff and commented on some of the duties to be assigned to the CSO noting that detectives should be performing them.

Chief Small reported that the specific task referenced by Councilmember Katapodis has been

done by civilian personnel in past years in the City before downsizing was implemented.

A motion was made by Mayor Pro Tem Harper, second by Councilmember Sullivan to adopt Resolution No. 2013-42, "A Resolution of the City Council of the City of Huntington Beach Amending the City's Classification Plan by Adding the Job Classification and Establishing the Compensation of Community Services Officer."

A substitute motion was made by Councilmember Shaw, to direct the Police Chief and City Manager to review the budget and return to Council with lower-cost alternatives to the Community Services Officer as well as developing a new title and a providing a clear delineation of job duties and classifications.

Police Chief Small felt that the simplest thing would be to implement the existing classification of Police Service Specialist but noted the negative effects of doing so.

Councilmember Shaw withdrew the substitute motion.

Mayor Boardman reported meeting with the Police Officers Association which is concerned regarding the position. She expressed their concerns that the position will have civilians doing Police work and that it will prevent the hiring of additional Police Officers. She referenced Chief's Small comment that the work has been done by civilians in the past and noted that five additional Officers will be hired this year so that hiring CSOs has not detracted from the City's ability to hire additional Officers.

In response to Mayor Boardman's inquiry, Chief Small reported the potential of CSOs doing work in the field which does not require a sworn Officer, allowing the latter to focus on higher-level duties.

Mayor Boardman commented on Chief Small's intention of providing an opportunity for growth and advancement.

Councilmember Hardy thanked Chief Small for pointing out paths to advancement.

Mayor Pro Tem Harper's original motion to adopt Resolution 2013-42 carried by the following roll call vote:

AYES: Sullivan, Hardy, Harper, Boardman

NOES: Carchio, Shaw, Katapodis

- 16. Adopted Ordinance No. 3984 repealing Huntington Beach Municipal Code Chapters 9.24.090 (Card Games), 9.44.015 (Regulation of Alcohol Consumption on or about Independence Day), and 9.84.070 (c) (i), (ii), (iii), and (iv) (Alcohol Use Permit Requirements)
Approved for Introduction August 5, 2013 (Vote: 7-0)**

A motion was made by Councilmember Carchio, second by Councilmember Hardy to adopt Ordinance No. 3984, "An Ordinance of the City of Huntington Beach Repealing Huntington Beach Municipal Code Chapters 9.24.090 Relating to Card Games, 9.44.015 Relating to Regulation of Alcohol Consumption on or about Independence Day, and 9.84.070 (c) (i), (ii), (iii), & (iv) Relating to Alcohol Use Permit Requirements."

The motion carried with the following roll call vote:

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

PUBLIC HEARING

17. Continued Development Agreement No. 13-002 (Pedigo Apartments to a date certain (September 16, 2013))

A motion was made by Councilmember Hardy, second by Mayor Pro Tem Harper to continue Development Agreement No. 13-002 to the City Council meeting of September 16, 2013, at the applicant's request.

The motion carried with the following roll call vote:

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

COUNCILMEMBER ITEMS

18. Submitted by Mayor Boardman - Approved the Charter for Compassion and began the process for Huntington Beach to become a City of Compassion by appointing the Mayor to work with the Interfaith Council to develop an Action Plan to be returned for Council approval

Mayor Boardman presented a brief background on the matter and referenced a recent meeting with Reverend Dr. Peggy Price noting that the City of Huntington Beach is a compassionate city in many ways through its many non-profit organizations. She requested that Council authorize her to meet with the Interfaith Council to develop an action plan and return to the full Council for approval.

Mayor Pro Tem Harper commented on the movement and agreed with the principles but expressed concerns regarding what he doesn't know about the Charter and the organizations supporting it, or whether they support religious ideology. He commented on the partners involved in the movement but indicated his support for compassion.

Mayor Boardman asked a previous speaker to respond.

Sande Hart reported that the movement does not support any particular religion and noted that the Charter is about not excluding anyone from being recognized as a citizen of the world and noted that compassion is found in all of the great religions and secular societies. She noted that the idea is not to endorse any particular religions and addressed recognition by the Dalai Lama. The idea is simply to create a model in which cities can work together to promote acts of compassion in cities and communities.

A motion was made by Mayor Boardman, second by Councilmember Shaw to begin the process for Huntington Beach to become a City of Compassion by appointing the Mayor to work with the Interfaith Council to develop a plan of action and to then return to the council for approval of the

action plan as well as approval of the Charter for Compassion.

In response to Councilmember Katapodis's inquiry, Ms. Hart presented information regarding the Compassion Games to motivate people to practice compassion and create opportunities for experiences.

Councilmember Carchio commented that Huntington Beach is a very compassionate city. He wondered what makes one city more compassionate than another. He stated that there is no such thing as competition when it comes to compassion, noting that the later comes from the heart, not from competition. He felt that a piece of paper is not needed to indicate that the City cares.

Reverend Dr. Peggy Price reported that the competition galvanizes the community, acknowledged the many wonderful things done by individuals in the community and explained that the games allow individuals to work with each other.

Councilmember Hardy commented positively on compassion and encouraging same. She felt the proposed compassion games are a fun way to compete in doing nice things, does not violate her personal beliefs and indicated she will support the motion.

Councilmember Shaw commented positively on the matter, acknowledged the community's current efforts and felt this will serve to allow people to work together and harness the efforts of compassion for action.

Mayor Pro Tem Harper reiterated some of his concerns related to Council taking sides on religious movements and wondered regarding possible unintended consequences.

Councilmember Carchio commented on existing atheist groups that practice compassion and wondered if they would be included as well.

Mayor Boardman responded in the affirmative.

In response to Mayor Pro Tem Harper's inquiry regarding whether the Interfaith Council voted on this matter, Reverend Dr. Price responded in the affirmative.

The motion carried with the following roll call vote:

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

19. Submitted by Council Members Jill Hardy and Joe Carchio - Created City Council Ad Hoc Committee on Bartlett Park

Councilmember Hardy commented on Bartlett Park and the need to finish it. She noted it is one of two undeveloped parks in the City and addressed challenges with the various jurisdictions over the area. She addressed a prior approval of a passive plan for the park by Council and stated there are a lot of issues with the park including sensitive environmental areas. She addressed the Mitigated Declaration Process and referenced a development plan related to Shipley Nature Center and the support of volunteers in improving the area. She commented on the interest of volunteer groups to work in improving Bartlett Park but noted the need for a

development plan and proposed the creation of an Ad Hoc Committee on Bartlett Park and the goals of same.

Councilmember Carchio commented on a recent incident in the area involving a murder/suicide and commented on the need to remove blight and criminal activity from the area. He acknowledged non-profit groups willing to volunteer to clean up the park.

Councilmember Shaw commented positively on the proposal and noted decreased parkland visibility because of overgrown trees. He encouraged the implementation of a safety plan for the area including increased lighting and enforcement. He indicated support for the item and encouraged an action plan to address public safety.

A motion was made by Councilmember Hardy, second by Mayor Pro Tem Harper create a City Council Ad Hoc Committee on Bartlett Park. This committee will meet quarterly with staff to receive updates on the status of the development plan and help organize volunteer efforts once the plan is approved with Council Members Hardy, Carchio and Shaw as liaisons to the Ad Hoc Committee.

The motion carried with the following roll call vote:

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

Councilmember Hardy announced there will be an update of this issue presented to the Community Services Commission at 6:00 PM on October 9, 2013, in Council Chambers.

COUNCILMEMBER COMMENTS (Not Agendized)

Councilmember Shaw reported attending the Junior Lifeguard graduation and commented positively on the event.

Councilmember Katapodis reported attending the Constable Classic fundraising event for the Epilepsy Foundation and the Huntington Beach Police Officers Association and commented positively on the event.

Councilmember Carchio reported attending Small Business Roundtable, commented positively on the event and briefly addressed items on the agenda. Additionally, he reported attending the Constable Classic and the Junior Lifeguard graduation. He reported attending a dinner for Dave Simcox and congratulated him for his efforts and service. In addition, he attended the Huck Finn Fishing Derby and commented on increased attendance at the event.

Mayor Pro Tem Harper reported attending the Junior Lifeguard graduation, the Eagle Court of Honor for three young men and thanked the residents for avoiding the 405 Freeway during the demolition over the past weekend. He commented positively on the efforts of OCTA staff.

Councilmember Hardy reported attending two Farmers Markets and encouraged residents to visit them. Additionally, she attended the retirement dinner for Dave Simcox and the Junior Lifeguard graduation as well as National Night Out and encouraged residents to attend next year.

Councilmember Sullivan reported chairing the recent meeting of the Orange County Senior Citizens Advisory Council.

Mayor Boardman reported attending the Junior Lifeguard graduation and commented positively on the event and program. Additionally, she attended the retirement dinner for Dave Simcox as well as an Eagle Scout celebration for a resident of the City.

ADJOURNMENT

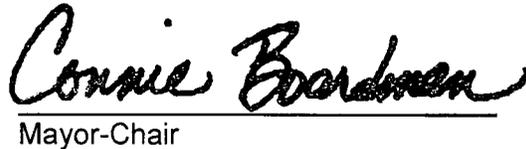
There being no further business to come before Council, Mayor Boardman adjourned the meeting at 9:00 P.M.

The next regularly scheduled meeting of the Huntington Beach City Council/Public Financing Authority is Tuesday, September 3, 2013, at 4:00 PM in Room B-8, Civic Center, 2000 Main Street, Huntington Beach, California.



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

ATTEST:


City Clerk, Clerk, Secretary
Mayor-Chair