

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

**Monday, August 5, 2013
4:00 PM – Study Session
6:00 PM – Regular Meeting
Civic Center Council Chambers
2000 Main Street
Huntington Beach, California 92648**

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

CALLED TO ORDER AT 4:00 PM IN ROOM B-8

ROLL CALL

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

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:

SS#1. PowerPoint communication received from Travis Hopkins, Director of Public Works, entitled *FY 2013/2014 Capital Improvement Program (CIP)*.

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

STUDY SESSION

- 1. The City Manager and Public Works Director provided an overview of the recommended FY 2013/2014 Capital Improvement Program (CIP)**

Public Works Director Travis Hopkins provided a PowerPoint presentation entitled *City of Huntington Beach Public Works Departments – FY 2013/2014 Capital Improvement Program (CIP)* that included the following titled slides: Capital Improvement Program, CIP Projects by Category, Funding Sources, Drainage & Storm Water \$650K, Facilities \$1M, Neighborhood \$3M, Parks and Beaches \$2.7M, Sewer Improvements \$4.5M, Streets & Transportation \$14.5M, Water Improvements \$9.55M, Timeline of Proposed Budget/CIP for FY 2013/2014, and Questions?

- 2. The Planning and Building Department reviewed considerations for updating the City's General Plan. The General Plan provides goals and policies for City services and a framework for land use and development. The General Plan was last comprehensively updated in 1996.**

Planning Manager Mary Beth Broeren provided a PowerPoint presentation entitled *General Plan Update Status* that included the following titled slides: General Plan Update Status, RFP Process and Status, Budget Line Items, Estimated Total Costs, Funding Sources, and Conclusions.

Mayor Boardman announced that Pursuant to Government Code Section 54957.6.a, the Council takes this opportunity to publicly introduce and identify designated labor negotiator Fred Wilson, City Manager who will be participating today in Closed Session discussions regarding labor negotiations with POA and HBFA.

RECESS TO CLOSED SESSION – 4:35 PM

A motion was made by Carchio, seconded by Sullivan, to recess to Closed Session for items 3-6. The motion carried by the following vote:

AYES: Sullivan, Hardy, Harper, Boardman, Carchio, Shaw, 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 Lamb School Neighborhood Save Our Field Committee, et al. v. Huntington Beach City Council, et al., Orange County Superior Court Case No. 30-2012-00619735, challenging the City's adoption of a mitigated negative declaration under CEQA for the residential development of the former Lamb School site.**
- 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: Patrick Schlentz v. City of Huntington Beach, WCAB Case No. ADJ7435056; Claim No. COHB-10-0067.**
- 5. Pursuant to Government Code § 54957.6, the City Council recessed to Closed Session to meet with its designated labor negotiators: Fred Wilson, City Manager; Michele Warren, Director of Human Resources, Lori Ann Farrell, Director of Finance, and Peter Brown, LCW regarding labor negotiations with POA and HBFA.**
- 6. Pursuant to Government Code § 54956.9(d)(2), the City Council recessed into Closed Session to confer with the City Attorney as a point has been reached where, in the opinion of the City Council on the advice of its legal counsel, based on existing facts and circumstances, there is a significant exposure to litigation against the City. Based on statements made in a letter dated July 16, 2013 from Rancho Huntington Mobile Home Estates which is available for review.**

6:00 PM – COUNCIL CHAMBERS

RECONVENED CITY COUNCIL/PUBLIC FINANCING AUTHORITY MEETING

CALLED TO ORDER THE REGULAR MEETING OF THE CITY COUNCIL/PUBLIC FINANCING AUTHORITY AND THE SPECIAL MEETING OF THE SUCCESSOR AGENCY TO THE FORMER REDEVELOPMENT AGENCY OF THE CITY OF HUNTINGTON BEACH – 6:00 PM

CLOSED SESSION REPORT BY CITY ATTORNEY

City Attorney Jennifer McGrath reported that on Monday, August 5, 2013, the City Council convened in closed session to discuss the matter of *The Lamb School Neighborhood Save Our Field Committee, et al. v Huntington Beach City Council, et al., Orange County Superior Court Case No. 30-2012-00619735*.

By a vote of 7-0, the Council voted in closed session to approve and accept a Settlement Agreement with Plaintiff and co-defendant TRI Pointe. The Settlement Agreement is as follows:

1. The Project entitlements will be amended to convert one buildable lot to private, HOA-maintained open space. The lot will connect to the surrounding subdivision via an existing alley to Mauna Lane, just south of Halawa Drive. If the City chooses to vacate the existing alley, the HOA will accept and maintain it for public access to the Park that is part of the project. Attachment 2 to the Settlement Agreement depicts the change from 81 to 80 buildable lots with the open space area connecting walkway.
2. The settlement retains the full discretion of the Planning Director whether to approve, deny or otherwise condition the Project amendment. However, if the amendment is conditioned, denied or appealed to the Planning Commission or City Council, then TRI Point may terminate the Settlement. If the amendment is approved and the time to appeal has expired, the Committee will dismiss its lawsuit with prejudice.
3. TRI Pointe will pay \$30,000 to the Save our Field Committee.
4. As part of the Settlement, the City will release all of its potential claims for damages, attorney fees, or any other claims arising from the suit. Instead, the City will recover its attorney fees and staff time from TRI Pointe pursuant to the conditions of approval of the Project.

ROLL CALL

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

PLEDGE OF ALLEGIANCE – Councilmember Hardy

INVOCATION – Led by Reverend Susannah Bair from the Huntington Beach Interfaith Council

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 presented a commendation and Key to the City to Natalie Kotsch, founder of the Huntington Beach International Surfing Museum.

Mayor Boardman recognized Natalie Kotsch for founding the Huntington Beach International Surfing Museum and her continued support of the museum. She urged the public to visit the museum and presented Ms. Kotsch with a commendation in acknowledgement of her efforts.

Ms. Kotsch expressed her appreciation for the commendation and provided a brief history of the museum noting that the initial work was entirely done by volunteers.

Mayor Boardman awarded Ms. Kotsch with a key to the City.

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 City Council agenda packet:

Ordinances for Introduction

- #25. Communication received from Peggy Dern, dated August 5, 2013 supporting proposed Ordinance No. 3985.

Ordinances for Adoption

- #27. Communication received from Len Herman, President, Orange County Association of Realtors, dated August 2, 2013 entitled, "Proposed Mobile Home Park Senior Age Restriction Overlay Zone".
- #27. Communication received from Vickie Talley, Executive Director, Manufactured Housing Education Trust dated August 4, 2013, entitled, "City Council Item 27, Oppose Adopt Ordinance No. 3986, an Interim Ordinance Establishing a Moratorium Conversion of Senior Mobile Home Parks".

COUNCILMEMBER ITEMS

- #28. PowerPoint communication received from Councilmember Joe Shaw entitled, "Boondoggle".
- #28. Communication received from Michael R. Markus, General Manager of the Orange County Water District, dated August 2, 2013 regarding the confidentiality agreement between the Orange County Water District and Poseidon Resources.

- #28. Communication received from Orange County Water District seeking applicants to serve on the Ocean Desalination Citizens' Advisory Committee.

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/>).

Carole Ann Wall and Pam Alagata spoke regarding the upcoming Miss Huntington Beach contest, noting that it will be held at Bella Terra on October 5, 2013. Ms. Alagata presented information about the event, thanked sponsors and invited the public to attend the free event and identified their webpage address as www.Misshb.org. (00:15:15)

Jim Yogurtian, spoke on behalf of his 91-year old mother Anna Yogurtian, Rancho Huntington Mobile Home Estates resident. He spoke of the importance of honoring our parents, daily, and urged Council to maintain senior park status for senior citizens. (00:18:06)

Richard Chen, President, Huntington Beach Police Officers' Association (HBPOA), spoke in opposition to Consent Item No. 10 (City Classification Plan) and discussed the July 28th civic disturbance downtown. He stated that the HBPOA will continue to promote safety in the community and stressed the need for more police officers in the City. (00:20:16)

Robert Dettloff, Huntington Beach Council on Aging (COA), voiced concerns about scams directed at senior citizens related to the Affordable Care Act. He asked for any information the City may receive regarding the scams to help the COA to inform and protect the senior population in Huntington Beach. (00:23:10)

Philip Johnson spoke regarding next year's U.S. Open of Surfing event. He suggested that it be scaled back to three days and thanked the City for its cleanup efforts. (00:25:11)

Gary Thiessen, Rancho Huntington Mobile Home Park resident, presented statistics regarding mobile home residents and urged Council to maintain senior parks for seniors. (00:26:01)

Raymond Hiemstra, Associate Director of Orange County Coast Keepers, spoke in support of Councilmember Item No. 28 (OCWD Confidentiality Agreement with Poseidon Resources). He stated that bad ideas flourish in the dark and urged a full and complete review of the matter by the public. (00:28:53)

Ann Colville, Rancho Huntington Mobile Estates resident, spoke in support of Item No. 27 (Moratorium on Conversion of Senior Mobile Home Parks). (00:30:41)

Clint Orr spoke regarding bringing back a venue such as the Golden Bear, and in support of a downtown theater and a surf museum. He suggested ways to improve the area for children and visitors and stated that he will send information to Council and staff. (00:32:56)

Adrina (last name unknown) spoke regarding increased rents and smoking near bus stops, and asked Council to consider the issue of rent control and a ban against smoking near public bus stops. (00:36:00)

Suzy Smith reported purchasing a mobile home at in a senior park and expressed concerns that it may be converted to a family park. She addressed the matter of complete disclosure and referenced notices from the new mobile home park owner regarding the change. She spoke in support of Item No. 27 (Moratorium on Conversion of Senior Mobile Home Parks). (00:39:14)

Gloria Alvarez and Barbara Haynes, Historic Resources Board members, spoke in support of Item No. 24 (Main Street Branch Library Sign). They proposed a concept, the same as was proposed at Triangle Park, and addressed funding, location and visibility. They looked forward to the library's role that it will play to residents and the community. They thanked Council and the City for its support. (00:42:56)

Don Neely spoke in support of Item No. 27 (Moratorium on Conversion of Senior Mobile Home Parks). He urged Council to approve the moratorium. (00:45:14)

Betsy Crimi, President of Rancho Huntington Homeowners' Association, spoke in support of Item No. 27 (Moratorium on Conversion of Senior Mobile Home Parks). She addressed increases in the aging population and urged Council to support the property rights of mobile home owners. (00:47:02)

Richard Kushnir, Vice President, Rancho Huntington Homeowners' Association, spoke in support of Item No. 27 (Moratorium on Conversion of Senior Mobile Home Parks). He urged Council to stand up for what it believes. (00:50:25)

Carol Neely read a statement written by Denise Nagila in support of Item No. 27 (Moratorium on Conversion of Senior Mobile Home Parks). (00:51:29)

Bill McCann, Rancho Huntington resident, spoke in support of Item No. 27 (Moratorium on Conversion of Senior Mobile Home Parks). He urged Council to approve the moratorium and continue the overlay process until it comes to a conclusion. (00:53:08)

Sally N. Chiappone, Rancho Huntington resident, spoke in support of Item No. 27 (Moratorium on Conversion of Senior Mobile Home Parks). She noted that residents take care of each other and have a sense of community. She urged Council to approve the overlay ordinance and take care of the City's senior residents. (00:56:21)

Robert Evans, representing Manufactured Housing Educational Trust (MHET) and Vicky Talley, referenced a letter submitted by MHET and listed key objections to Item No. 27 (Moratorium on Conversion of Senior Mobile Home Parks). He urged Council not to adopt the subject ordinance. (00:59:38)

At Councilmember Shaw's request, City Attorney McGrath listed discrepancies within the communication received from MHET.

Merle Moshiri, President of Residents for Responsible Desalination in Huntington Beach, spoke in support of Item No. 28 (OCWD Confidentiality Agreement). She listed concerns with the proposal from Poseidon and urged Council to send the subject letter. (01:02:30)

Amy Cripps, President of the Orange County Beekeepers Association, spoke about Item No. 25 (Keeping of Bees), offered to help the City develop a more comprehensive ordinance that will

allow beekeepers to have backyard hives but also protect residents from related issues. She reported that the Association supports bee-keeping, is an educational resource for its members and supports being a good neighbor. (01:04:43)

Charles Crabtree spoke regarding Central Library hours of operation and encouraged that the City consider resuming Sunday operations at the Central Library. (01:07:56)

Cathy Green, OCWD Board Member, read a letter from the board regarding Item No. 28 (Confidentiality Agreement with Poseidon Resources) explaining the need for a confidentiality agreement. She noted that all of the information Poseidon provides will be available to the public and addressed the formation of a Citizens' Advisory Panel for input throughout the evaluation. She asked that Council deny the matter. (01:09:45)

Mike Markus, General Manager of the OCWD, spoke regarding Item No. 28 (Confidentiality Agreement with Poseidon Resources). He stressed that the item is not a negotiation with Poseidon but rather a direction by the Board to study the project's feasibility and addressed the District's policy to look at all sources of water supply. Mr. Markus reported that the confidentiality agreement is necessary to consider all of the assumptions included within the costs and staff will use the information for the internal evaluation of the project. He assured that the study will be performed in a professional manner and addressed the formation of a Citizens' Advisory Panel and resources available to the public for additional information. He urged Council to vote "no" on the matter. (01:13:19)

In response to Councilmember Shaw's inquiry regarding confidential discussions, City Attorney McGrath addressed confidentiality issues usually discussed in Closed Sessions. Regarding documents, she referenced Government Code sections related to the definition of public records and what the City is required to release as well as exemptions such as proprietary information, information related to corporations that may harm their ability to compete and those related to criminal investigations. She added that decisions regarding what is and is not confidential are determined by the agencies attorneys.

Jerold Johnstone asked for Council's support of his Surf City Pipeline Request No. 15024 to include off-road recreational vehicle trailers into the existing RV and Boat Parking Code. He submitted copies of his statement to Council. (01:16:25)

Julie Paule, Regional Representative with Western Manufactured Community Housing Association, spoke in opposition to Item No. 27 (Moratorium on Conversion of Senior Mobile Home Parks). She requested that Council table the matter and allow park owners, management and residents to continue to work on their differences. (01:20:05)

Robin Hildenbrandt lodged a complaint about a nuisance neighbor. She was advised to fill out a card for follow-up by Code Enforcement. (01:22:28)

Maura Van Strien spoke regarding Item No. 27 (Moratorium on Conversion of Senior Mobile Home Parks). She reported receiving a notice from the Rancho Huntington Mobile Home Park owners that the park was being converted to a family park. She noted that seniors support local businesses, City government and are the backbone for the volunteers who serve the City in many of its programs. She stressed the importance of keeping seniors happy to enhance the future of the City. (01:24:58)

Mary Jo Baretich, President of the Manufactured Homeowners' Association, commended Council for its support of SB 510, spoke in support of Item No. 27 (Moratorium on Conversion of Senior Mobile Home Parks) and urged Council to support the ordinance. (01:27:48)

Maureen Lawson commented on Police Officers congregating at Sharkey's and expressed concerns with the inaction of Police Officers during the U.S. Open of Surfing. She requested increased supervision of Police Officers as well as increasing the number of Police Officers on bicycles and on weekends. (01:31:23)

Mark Hildenbrandt voiced concerns about a nuisance neighbor and reported that the neighbor continually builds fires in open receptacles on his property. (01:34:00)

Glenn Plunkett complained about cars blocking his driveway and smoke damage caused by a neighbor who continually builds fires on his property. He reported speaking at a previous Council meeting and stated receiving no response regarding the matter since then. (01:35:21)

Steve Kendis, Rancho Huntington resident, spoke in support of Item No. 27 (Moratorium on Conversion of Senior Mobile Home Parks). He read an email received from Sierra Management indicating that no major changes will be made to the park in the foreseeable future. He thanked Council for supporting the City's senior population. (01:37:09)

Dave Stefanides, Orange County Association of Realtors, urged Council to table Item No. 27 (Moratorium on Conversion of Senior Mobile Home Parks) to allow for additional discussion and consideration of housing for all groups in the area. He spoke against government interference regarding private property rights. (01:40:32)

Jeffrey Carrel spoke in opposition to Item No. 25 (Keeping of Bees) and felt that the issue is one of public safety. (01:42:41)

Tom Dern spoke in opposition to Item No. 25 (Keeping of Bees) and addressed possible liabilities and health issues related to bee hives in senior communities. He suggested the possibility of banning them within senior communities or within a certain housing densities. (01:44:23)

Christine Riley, Huntington Landmark resident, complained about beekeepers in her neighborhood and spoke in support of Item No. 25 (Keeping of Bees). (01:46:25)

There being no others wishing to address Council, Mayor Boardman closed the Public Comments portion of the meeting.

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

1. Council Report/Appointment of a Voting Delegate and Alternates for the League of California Cities Annual Conference and Business Meeting

A motion was made by Councilmember Carchio, second by Councilmember Sullivan to appoint Mayor Pro Tem Matthew Harper to serve as the voting delegate and Council Members Joe

Carchio and Joe Shaw as alternates 2 and 3, respectively, to represent the City of Huntington Beach at the 2013 League of California Cities Annual Conference and Annual Business Meeting, scheduled for September 18 - 20, 2013.

The motion carried with the following roll call vote:

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

Councilmember Carchio reported attending the California League of Cities General Membership meeting where he was elected to represent the Large Cities for the Orange County League of Cities. Additionally, he reported receiving a letter from Planning Commissioner Connie Mandic, resigning from the Commission and Councilmember Carchio thanked her for her service and announced his appointment of Mike Posey to the Planning Commission.

CITY MANAGER'S REPORT

City Manager Fred Wilson reported having recently been made aware of an event at Huntington State Beach on September 14, 2013 (The Wet Electric Beach Party). He expressed concerns about impacts of this event on the City, in light of recent events, and stated that the City does not endorse or support the event. He urged concerned residents to contact the State Beach Authority (714-377-8657), and noted that staff will continue to gather information about the issue.

Mayor Boardman stressed that Council does not support the event and urged residents to call the State to express their concerns about the event.

CITY TREASURER'S REPORT

2. Received and Filed the City Treasurer's June 2013 Quarterly Investment Summary Report

City Treasurer Alisa Cutchen presented the City Treasurer's June 2013 Quarterly Investment Summary Report. She addressed the City's investment portfolio including their related market values, market values per type and an analysis of the investment composition of surrounding cities. She detailed the portfolio performance, fiscal year-to-date rate of return and commonly State allowed investments.

A motion was made by Councilmember Sullivan, second by Mayor Pro Tem Harper to receive and file the Quarterly Investment Report for June 2013, pursuant to Section 17.0 of the Investment Policy of the City of Huntington Beach.

The motion carried with the following roll call vote:

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

CONSENT CALENDAR

Mayor Pro Tem Harper stated that he would like to be recorded as a "no" vote on Items No. 4, 8 and 9.

Councilmember Hardy stated that she would like to be recorded as an "abstention" on Item No. 3.

Mayor Boardman pulled Items No. 5 and 9 for separate discussion and consideration.

Councilmember Katapodis requested pulling Item No. 10 for separate discussion and consideration. Mayor Boardman indicated that she would like to postpone consideration of the Community Services Officer position under Item No. 10 until the Chief of Police can be in attendance to respond to questions from Council, but would like action on the remaining positions within the item.

Councilmember Shaw pulled Item No. 11 for separate discussion and consideration.

Mayor Pro Tem Harper pulled Item No. 21 for separate discussion and consideration.

3. Approved and adopted minutes of July 15, 2013

A motion was made by Councilmember Sullivan, second by Councilmember Carchio to approve and adopt the minutes of the City Council/Public Financing Authority Regular Meeting of July 15, 2013, as written and on file in the office of the City Clerk and approve and adopt the minutes of the Special Meeting of the Successor Agency to the former Redevelopment Agency of the City of Huntington Beach on July 15, 2013, as written and on file in the office of the City Clerk.

The motion carried with the following roll call vote:

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

4. Approved City Position regarding Senate Bill 510 - Rental Mobile Home Park Conversions and Assembly Bill 1092 - Building Standards for Electric Vehicle Charging Stations as recommended by the Intergovernmental Relations Committee (IRC)

A motion was made by Councilmember Sullivan, second by Councilmember Carchio to authorize the Mayor to sign a letter of Support for SB 510 (Jackson): Land use/Subdivisions – Rental mobile home park conversions; and, authorize the Mayor to sign a letter of Support for AB 1092 (Levine): Building Standards – Electric Vehicle Charging Stations.

The motion carried with the following roll call vote:

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

5. Approved submittal of an application to the State for funding of new playground equipment at Harbour View and Newland Parks

Mayor Boardman pulled the aforementioned item for separate discussion and consideration. She highlighted park improvements by the City including installation of new playground equipment at Newland and Harbour View Parks. She noted that funding was obtained through bonds and other grants and thanked staff for pursuing them.

A motion was made by Mayor Boardman, second by Mayor Pro Tem Harper to approve the submittal of an additional application to the State for use of the \$208,000 in available funds from the 2002 State Park Bond Per Capita and Roberti Z'berg Grant awards for the purchase and installation of new playground equipment at Harbour View Park and Newland Park.

The motion carried with the following roll call vote:

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

6. Adopted Resolution No. 2013-34 for a Capital Improvement Program (CIP) to comply with Renewed Measure M Requirements

A motion was made by Councilmember Sullivan, second by Councilmember Carchio to adopt Resolution No. 2013-34, "A Resolution of the City Council of the City of Huntington Beach Adopting a Capital Improvement Program for the Years 2013/2014 through 2019/2020 for Compliance with Renewed Measure M Eligibility Requirements".

The motion carried with the following roll call vote:

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

7. Adopted Resolution No. 2013-35 Approving the Certification of Special Assessments for Delinquent Civil Fines for Municipal Code Violations

A motion was made by Councilmember Sullivan, second by Councilmember Carchio to adopt Resolution No 2013-35 "A Resolution of the City Council of the City of Huntington Beach Certifying Special Assessments for Collecting Delinquent Civil Fines for Municipal Code Violations," and, direct that all charges listed thereon be certified to the Orange County 2013/14 Property Tax Roll.

The motion carried with the following roll call vote:

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

8. Adopted Resolution No. 2013-36 Authorizing the City to Levy the Annual Retirement Property Tax for Fiscal Year 2013/14 to Pay for Pre-1978 Employee Retirement Benefits

A motion was made by Councilmember Sullivan, second by Councilmember Carchio to adopt Resolution No. 2013-36, "A Resolution of the City Council of the City of Huntington Beach Levying a Retirement Property Tax for Fiscal Year 2013/14 to Pay for Pre-1978 Public Employee Retirement Benefits" of \$0.01500 per \$100 of assessed valuation. The tax rate of \$0.01500 would continue the current tax rate from Fiscal Year 2012/13.

The motion carried with the following roll call vote:

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

9. Adopted Resolution No. 2013-40 Establishing Residential Parking Permit District "O" affecting residents on Sunburst Lane, Chestnut Drive, Moonbeam Drive, Sunflower Lane, and Briarwood Drive in Huntington Beach

Mayor Boardman pulled the aforementioned item for separate discussion and consideration. She thanked Goldenwest College for agreeing to pay costs related to establishing a residential parking district in its area.

Councilmember Katapodis thanked Travis Hopkins for assisting in the matter as well.

A motion was made by Mayor Boardman, second by Councilmember Hardy to adopt Resolution No. 2013-40, "A Resolution of the City Council of the City of Huntington Beach Establishing Residential Parking Permit District "O" within the City of Huntington Beach."

The motion carried with the following roll call vote:

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

10. Adopted Resolution No. 2013-33 as amended approving Amendments to the City's Classification Plan affecting the current position of Administrative Environmental Specialist, and newly-created classifications of Community Services Officer, Community Services & Recreation Specialist, and Facilities Maintenance Supervisor

Mayor Boardman indicated that she would like to postpone consideration of the Community Services Officer position until the Police Chief can be in attendance to respond to questions from Council but would like to act on the remaining positions.

A motion was made by Councilmember Sullivan, second by Councilmember Carchio to adopt Resolution No. 2013-33, "A Resolution of the City Council of the City of Huntington Beach amending the City's Classification Plan by changing the title of Administrative Environmental Specialist to Environmental Specialist and adding the job classifications and establishing the compensation of Community Services & Recreation Specialist, and Facilities Maintenance Supervisor" *as amended to postpone consideration of the Community Services Officer until the Chief of Police can be present.*

The motion carried with the following roll call vote:

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

11. Approved Fiscal Year 2013/2014 OC Animal Care Services Contract

Councilmember Shaw pulled the aforementioned item for separate discussion and consideration.

A motion was made by Councilmember Shaw second by Mayor Pro Tem Harper to adopt approve and authorize the Mayor to execute "Exhibit B to Agreement for Provision of OC Animal Care Services with City of Huntington Beach July 1, 2013 through June 30, 2014;" authorize the Chief of Police to expend up to \$472,515 for animal control services as budgeted; and, authorize the Chief of Police to expend up to \$186,023, if necessary, to cover the entire contract limit.

The motion carried with the following roll call vote:

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

12. Approved Professional Services Contracts between the City of Huntington Beach and Transystems, Inc., CivilSource, Inc., Dudek, Inc., AKM Consulting Engineers, Inc., Harris and Associates, Inc., and Psomas, Inc. for as-needed construction management and administrative support services

A motion was made by Councilmember Sullivan, second by Councilmember Carchio to approve and authorize the Mayor and City Clerk to execute "Professional Services Contract Between the City of Huntington Beach and TranSystems, Inc. for As-Needed Construction Management and Administrative Support Services" for an amount not to exceed \$1 million for a three year term; approve and authorize the Mayor and City Clerk to execute "Professional Services Contract Between the City of Huntington Beach and CivilSource, Incorporated for As-Needed Construction Management and Administrative Support Services" for an amount not to exceed \$1 million, for a three year term; approve and authorize the Mayor and City Clerk to execute "Professional Services Contract Between the City of Huntington Beach and Dudek, Inc. for As-Needed Construction Management and Administrative Support Services" for an amount not to exceed \$1 million for a three year term; approve and authorize the Mayor and City Clerk to execute "Professional Services Contract Between the City of Huntington Beach and AKM Consulting Engineers, Inc. for As-Needed Construction Management and Administrative Support Services" for an amount not to exceed \$1 million for a three year term; approve and authorize the Mayor and City Clerk to execute "Professional Services Contract Between the City of Huntington Beach and Harris & Associates, Inc. for As-Needed Construction Management and Administrative Support Services" for an amount not to exceed \$1 million 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 Psomas, Inc. for As-Needed Construction Management and Administrative Support Services" for an amount not to exceed \$1 million for a three year term.

The motion carried with the following roll call vote:

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

13. Approved Agreement for Acquisition and Escrow Instructions for the Purchase of Two Encyclopedia Parcels (APNs 110-183-19 and 110-152-01) located on the north side of Ellis Avenue between Edwards and Goldenwest Streets

A motion was made by Councilmember Sullivan, second by Councilmember Carchio to approve the Agreement for Acquisition and Escrow Instructions; authorize the Mayor and City Clerk to execute the agreement and other related documents; and, authorize the City Manager to execute any other related escrow documents.

The motion carried with the following roll call vote:

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

14. Approved Agreement for Acquisition and Escrow Instructions for the Purchase of an Encyclopedia Parcel (APN 110-152-22) located on the north side of Ellis Avenue between Edwards and Goldenwest Streets

A motion was made by Councilmember Sullivan, second by Councilmember Carchio to approve the Agreement for Acquisition and Escrow Instructions; authorize the Mayor and City Clerk to execute the agreement and other related documents; and, authorized the City Manager to execute any other related escrow documents.

The motion carried with the following roll call vote:

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

15. Awarded and authorized execution of a construction contract in the amount of \$184,045.00 to Sancon Engineering, Inc. for the FY 2012/13 Sewer Rehabilitation Project, CC-1444.

A motion was made by Councilmember Sullivan, second by Councilmember Carchio to accept the lowest responsive and responsible bid submitted by Sancon Engineering, Inc. in the amount of \$184,045.00; 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

16. Approved and Authorized Execution of the Professional Services Contract with Mayer Hoffman McCann P.C. for Transient Occupancy Tax and Lease Concession Audit Services

A motion was made by Councilmember Sullivan, second by Councilmember Carchio to approve and authorize the Mayor and City Clerk to execute the "Professional Services Contract between the City of Huntington Beach and Mayer Hoffman McCann P.C. for Transient Occupancy Tax and Lease Concession Audit Services" in an amount not to exceed \$112,500 (\$37,500 per year).

The motion carried with the following roll call vote:

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

17. Approved Annual Report and Fiscal Year 2013-2014 Budget and adopted Resolution No. 2013-37 declaring the City's intention to levy an annual assessment for Fiscal Year 2013-2014 within the Huntington Beach Auto Dealers Association Business Improvement District (BID); and scheduled a public hearing for September 3, 2013

A motion was made by Councilmember Sullivan, second by Councilmember Carchio to approve the Annual Report and Fiscal Year 2013-2014 Budget of the Huntington Beach Auto Dealers Association Business Improvement District; adopt City Council Resolution No. 2013-37, "A Resolution of the City Council of the City of Huntington Beach Declaring the City's Intention to Levy an Annual Assessment Within the Huntington Beach Auto Dealers Association Business Improvement District for Fiscal Year 2013-2014;" and, direct the City Clerk to schedule a public hearing to be held on September 3, 2013, and send copies of the Resolution of Intention and assessment formula to each business to be assessed and publish the same in a newspaper of general circulation as required.

The motion carried with the following roll call vote:

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

18. Approved Annual Report and Fiscal Year 2013-2014 Budget and adopt Resolution No. 2013-39 declaring the City's intention to levy an annual assessment for Fiscal Year 2013-2014 within the Downtown Huntington Beach Business Improvement District (BID); and scheduled a public hearing for September 3, 2013

A motion was made by Councilmember Sullivan, second by Councilmember Carchio to approve the Annual Report and Fiscal Year 2013-2014 Budget of the Huntington Beach Downtown Business Improvement District; adopt City Council Resolution No. 2013-39, "A Resolution of the City Council of the City of Huntington Beach Declaring the City's Intention to Levy an Annual Assessment for Fiscal Year 2013-2014 Within the Huntington Beach Downtown Business Improvement District" including Exhibits A-C; and, direct the City Clerk to schedule a public hearing to be held on September 3, 2013, and send copies of the Resolution of Intention, including the BID Boundary Map and assessment formula to each business to be assessed, and

publish the same in a newspaper of general circulation as required.

The motion carried with the following roll call vote:

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

19. Approved Annual Report and Fiscal Year 2013-2014 Budget and adopted Resolution No. 2013-38 declaring the City's intention to levy an annual assessment for Fiscal Year 2013-2014 within the Hotel/Motel Business Improvement District (BID); and, scheduled a public hearing for September 3, 2013

A motion was made by Councilmember Sullivan, second by Councilmember Carchio to approve the Annual Report and Fiscal Year 2013-2014 Budget of the Huntington Beach Hotel/Motel Business Improvement District; adopt City Council Resolution No. 2013-38, "A Resolution of the City Council of the City of Huntington Beach Declaring the City's Intention to Levy an Annual Assessment for Fiscal Year 2013-2014 within the Huntington Beach Hotel/Motel Business Improvement District;" and, direct the City Clerk to schedule a public hearing to be held on September 3, 2013, and send copies of the Resolution of Intention, including the assessment formula to each business to be assessed, and publish the same in a newspaper of general circulation as required.

The motion carried with the following roll call vote:

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

20. Approved and authorized execution of a Professional Services Contract with Moffatt & Nichol to provide engineering services for the Huntington Harbour Waterline Project and Harbour Dredging Analysis.

A motion was made by Councilmember Sullivan, second by Councilmember Carchio to approve and authorize the Mayor and City Clerk to execute "Professional Services Contract Between the City of Huntington Beach and Moffatt & Nichol for engineering services related to the Huntington Harbour Waterline and Maintenance Dredging Projects" in an amount not to exceed \$300,000.

The motion carried with the following roll call vote:

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

**21. Continued to a date uncertain the Adoption of Ordinance No. 3983 amending Chapter 2.64 of the Huntington Beach Municipal Code changing the makeup of the Community Services Commission
Approved for introduction July 15, 2013 - Vote: 6-0-1 (Hardy absent)**

Mayor Pro Tem Harper pulled the aforementioned item for separate discussion and consideration. He reported concerns and asked the City Manager for clarification.

City Manager Wilson addressed two 1985 Joint Use Agreements that were in place that had the old definition of the Commission. He reported that new negotiations are needed and that the matter will take some time to make the ordinance consistent in reference to the makeup of the Commission. He hoped that the matter will be resolved within sixty (60) days to bring it back to Council for final adoption.

A motion was made by Mayor Pro Tem Harper, second by Councilmember Carchio to continue the Adoption of Ordinance No. 3983, "An Ordinance of the City of Huntington Beach Amending Chapter 2.64 of the Huntington Beach Municipal Code Relating to the Community Services Commission" until after the City has successfully renegotiated two 1985 joint use agreements (Coast Community College District; Fountain Valley, Ocean View and Huntington Beach City School Districts).

The motion carried with the following roll call vote:

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

PUBLIC HEARING

22. Approved the 2013-2014 Housing and Urban Development (HUD) Action Plan for the Community Development Block Grant (CDBG)/HOME Investment Partnership Program (HOME); and, authorized the City Manager to sign the Application for Federal Assistance Funds

Economic Development Project Manager Simone Slifman presented the report addressing action items, the consolidated action plan for a five-year period, the CDBG allocation process, CDBG category allocations, additional projects recommended by Public Works and recommendations for public and non-public services. She added that outside organizations also receive funding and that all applicants received recommendations for funding this year. Ms. Slifman also addressed HOME allocations.

Mayor Boardman opened the Public Hearing. There were no speakers and Mayor Boardman closed the Public Hearing.

A motion was made by Mayor Boardman, second by Mayor Pro Tem Harper to approve the 2013-2014 Housing and Urban Development (HUD) Action Plan for the Community Development Block Grant (CDBG)/HOME Investment Partnership Program (HOME); and authorize the City Manager to sign the federal assistance application and all other documents.

The motion carried with the following roll call vote:

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

Mayor Boardman thanked the CDBG Committee for the work they do throughout the year.

23. Continued Development Agreement No. 13-002 (Pedigo Apartments) to a date certain (August 19, 2013)

A motion was made by Mayor Boardman, second by Mayor Pro Tem Harper to continue Development Agreement No. 13-002 to the City Council meeting of August 19, 2013, at the applicant and staff's request.

The motion carried with the following roll call vote:

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

ADMINISTRATIVE ITEMS

24. Approved the concept and wording for a sign at the Main Street Branch Library as recommended by the Historic Resources Board and Library Board of Trustees

A motion was made by Councilmember Carchio, second by Mayor Pro Tem Harper to approve the concept of placing a sign in front of the Main Street Branch Library; and approve the proposed wording for the sign as recommended by the Historic Resources Board and the Library Board of Trustees.

The motion carried with the following roll call vote:

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

ORDINANCES FOR INTRODUCTION

25. Continued Introduction of Ordinance No. 3985 amending Huntington Beach Municipal Code (HBMC) Section 7.12.010 relating to the keeping of bees

City Manager Wilson reported that the current section of the Municipal Code allows for the keeping of bees within 200 feet of any dwelling, except the house of the person who is in control of the bees. He presented the proposal noting it was brought forth because of concerns voiced by residents.

Councilmember Hardy invited previous public speaker, Amy Cripps, President of the Orange County Beekeepers Association, to the podium to respond to questions.

In response to inquiries from Councilmember Hardy, Ms. Cripps stated that the provision related to 200 feet would prohibit beekeepers from keeping hives in their back yards. She addressed safety concerns, acknowledged the existence of Africanized Bees and noted that the organization encourages beekeepers to keep European Honey Bees that are gentle and more appropriate for a back yard. She presented an ordinance from the City of Santa Monica as a sample and suggested using it as a template to make it appropriate for the City of Huntington Beach.

Councilmember Hardy felt that it would be beneficial to postpone this item in order to obtain further information on the issue and develop an appropriate ordinance.

Mayor Pro Tem Harper spoke regarding the ability of residents working with their Homeowners' Association to develop rules that are appropriate within Huntington Landmark for or against the keeping of bees. He reported visiting the Orange County Beekeepers Association booth at the O.C. Fair and commented on the importance of bees in the process of pollination and a declining bee population within the United States. He expressed support for the motion and added a request that staff consider appropriate stakeholders on the issue.

Councilmember Shaw agreed with Councilmember Hardy's and Mayor Pro Tem Harper's comments and indicated that he would not support an ordinance that would govern the entire City on this matter. He addressed the importance of bees in nature and indicated his support of the motion to allow time to develop an appropriate ordinance for the City.

Councilmember Carchio asked previous speakers to the podium to provide additional information.

Christine Riley, Huntington Landmark resident, stated that the problem has been on-going and felt that it is not appropriate to keep bees in a senior community.

Councilmember Carchio stated that the subject bee keeper is operating a business without the appropriate permits.

Tom Dern, Huntington Landmark resident, reported that they have taken the matter to the Board but that it has refused to take action on the matter because they have an interest in keeping the bees. He reported that the bee keeper is not licensed, doesn't know what he's doing and that the bees are aggressive.

Councilmember Carchio commented on the need to address the issue and indicated he would support the motion if it would include banning bees in senior communities. He added that the City of Costa Mesa bans bees.

Councilmember Sullivan noted that bees can be dangerous and wondered regarding regulating irresponsible beekeepers. He felt that if it cannot be done, bees should be banned completely.

Councilmember Hardy stated that bees don't belong in condominium communities or mobile home parks. She stated the need to address the issue appropriately with as much information as possible. She suggested that the County Health Department may be helpful in terms of addressing the issue of the specific bee keeper selling the honey without the appropriate permits.

In response to an inquiry from Mayor Boardman, Ms. Cripps reported that it is impossible to tell the difference between a regular bee and an Africanized bee in the wild but Bee Keepers can ensure they do not have Africanized Queens when purchasing them and explained that regular bees are gentle. She added that there are ways to manage keeping regular bees.

A motion was made by Councilmember Hardy, second by Councilmember Katapodis to postpone the introduction of Ordinance No. 3985, "An Ordinance of the City of Huntington Beach Amending Chapter 7.12 of the Huntington Beach Municipal Code Relating to Miscellaneous Animal Care and Control" and work with O.C. Beekeepers Association to come

up with an ordinance that works for all the City, and protects seniors. The motion carried with the following roll call vote:

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

Mayor Pro Tem Harper thanked Ms. Cripps for attending the meeting at short notice and providing her input.

26. Approved for Introduction 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)

City Manager Wilson reported the matter was brought up by Members of Council and is a cleanup of some of the sections of the Municipal Code.

Mayor Pro Tem Harper thanked City staff and the Police Department for their input on this matter and noted the importance of making the Municipal Code relevant.

A motion was made by Mayor Pro Tem Harper, second by Councilmember Hardy to after the City Clerk reads by title, approve for Introduction 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

ORDINANCES FOR ADOPTION

27. Adopted Ordinance No. 3986, an Interim Ordinance Establishing a Moratorium on Conversion of Senior Mobile Home Parks (REQUIRES 4/5 VOTE TO ADOPT)

City Attorney McGrath reported that the item was in accordance with direction from Council at its last regular meeting and is designed to preserve the status quo to allow staff to develop an appropriate ordinance. She stated that per the Government Code the matter will be presented for Council consideration again within forty-five (45) days with a public hearing notice and for subsequent development of an ordinance which will need an environmental review and consideration by the Planning Commission before final consideration by Council.

Mayor Pro Tem Harper expressed concerns over the impact of the moratorium on private property rights and felt that it is an issue about the taking of property rights and restricting the ability of property owners to rent to whomever they want. He opined that the City should not be involved in the matter and indicated that he will oppose the motion.

Councilmember Carchio stated that he is a strong advocate for property rights but also a strong advocate for seniors. He felt that seniors present fewer problems to mobile park property owners than families. He felt that if owners don't have an intention of changing their parks, then the moratorium will not make much of a difference and stated that the owners of mobile homes also have rights. He voiced his support of the motion.

Mayor Pro Tem Harper commented on steps by property owners to preserve their rights when threatened by government action. He felt that the proposed ordinance is government imposition that will affect the properties in perpetuity. He felt that by supporting the motion, it will indicate support for taking away private property rights.

Mayor Boardman commented on Mayor Pro Tem Harper's statements and stated that the park owner's representative previously stated no objection to the recommended action. She added that it became obvious the very next day that action was needed to protect seniors because the park owners immediately changed their minds. She reported that Council cannot do anything regarding security of rents but that the courts have ruled that cities are justified in protecting senior housing, that these are not "takings" and that mobile home parks are worthy of protecting. She indicated her support of the motion.

Councilmember Carchio commented on the importance of security for seniors, especially since they don't have the ability to earn more money. He felt that the issues can be resolved by working together.

Mayor Pro Tem Harper felt that the fact that property owners and business owners want to be compliant is not indicative that they want added regulations. He reiterated that the City should not dictate on this issue.

A motion was made by Mayor Boardman, second by Councilmember Hardy to after the City Clerk reads by title, adopt Ordinance No. 3986, "An Interim Ordinance of the City Council of the City of Huntington Beach establishing a Temporary Moratorium on the conversion/change of any Mobilehome Park currently existing in the City from a Park occupied primarily or exclusively by residents over the age of 55 years (Senior Residents) to a Mobilehome Park allowing residents of all ages and declaring the urgency thereof, to take effect immediately." The motion carried with the following roll call vote:

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

COUNCILMEMBER ITEMS

28. Submitted by Councilmember Shaw: Confidentiality Agreement Between The Orange County Water District and Poseidon Resources

Councilmember Shaw reported that he is interested in promoting transparency and openness in local government and felt that Council has obligation to make the legislative process as transparent as possible. He stressed the need for a full, complete review that is transparent and open and stated there is no proprietary information related to the Poseidon proposal but that what they want to hide are the costs. He provided a PowerPoint presentation and presented the

desalination plant in Adelaide, Australia as an example of what could happen in the City. He stressed that ratepayers are at risk of having their rates increased and stressed the need for keeping the process public.

Discussion followed regarding previous similar actions by Council in the past.

Mayor Pro Tem Harper expressed concerns with breaking with procedure in terms of the City making a judgment on what independently-elected bodies decide. He felt this is the wrong venue in which to address the matter.

Councilmember Carchio commented on differences of opinion and invited Mike Markus, General Manager of the OCWD to respond to questions.

Mr. Markus explained that the Board has directed OCWD staff to study the issue and the only way that it can effectively be studied is to be able to see all documentation, including costs. He added that they will be able to readily tell whether the costs claimed by Poseidon in their proposal are reasonable or not. A report will be provided to the Board which will then make a determination as to next steps.

Cathy Green, OCWD Board Member, added that the item and related vote were acted on in public at a regular meeting of the Board. She reported that the Board has already executed the agreement and that it, along with the amendment, is available on their website.

Councilmember Carchio stated that the OCWD is not deciding on whether the project is good or bad, but whether it is feasible and Ms. Green affirmed so.

Mr. Markus indicated that the report will be open to anyone and everyone and that OCWD wants to review the assumptions made by Poseidon to assess their validity.

Councilmember Carchio felt that the OCWD is being transparent.

Councilmember Hardy voiced her opposition to the project but also her support of government being transparent and honest and indicated her support of the motion once it's made.

Councilmember Katapodis felt that it's not so much an issue of transparency, but rather that the OCWD is merely looking into the feasibility of the project and should be allowed to do so before making a decision.

Councilmember Sullivan stated that he will not support the item because he doesn't feel there is a transparency problem. However, he expressed strong concerns regarding Poseidon's ability to perform and suggested allowing time to evaluate the system in Carlsbad.

Mayor Boardman stated that Council has the right to express opinions regarding other agencies, especially one from which the City buys water. She indicated her interest in the financial health of Poseidon, especially as it relates to the OCWD and their potential business relationship. She expressed concerns regarding increased water rates and the agency getting information that is not available to the public that will be used later to make decisions.

Councilmember Shaw commented on desalination plants in Manly, Australia.

Mayor Pro Tem Harper stated that the plant was approved twice by previous Council and hoped that this Council will recognized that the OCWD is made up of elected officials, voted for by the public and that this is a prudent action taken by the agency and a decision for their Board of Directors to make. He indicated he will oppose the action.

A motion was made by Councilmember Shaw, second by Councilmember Hardy to transmit to OCWD a letter from the City Council expressing the City's opposition to OCWD entering into a Confidentiality Agreement.

The motion failed with the following roll call vote:

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

COUNCILMEMBER COMMENTS (Not Agendized)

Mayor Pro Tem Harper thanked and commended Mayor Boardman for calling a Special Council meeting on Tuesday, July 30th and her handling of the meeting after the incident that occurred after the U.S. Open of Surfing. He felt that the City was able to learn a lot which will help it to make necessary changes and prepare for the future. He commented on the many opinions heard and felt that the City will move in the right direction while maintaining its surfing heritage.

Councilmember Hardy reported attending the concert for the Children's Summer Reading Program and commented positively on the event and the program. She reported that there is also a Teen and Adult program and encouraged the public to participate next year.

Councilmember Katapodis reported attending the U.S. Open and thanked the Mayor for calling a special meeting as well as all of the residents who attended and emailed and voiced their concerns and ideas. He commended the Police Department for their work. In addition, he reported attending the reception at Pacific City.

Councilmember Shaw thanked Mayor Boardman for leading the Special meeting and expressed his appreciation to the public who participated. He stated that all of the ideas presented will be taken into consideration and the taskforce will do whatever needs to be done to ensure that the incident doesn't happen again.

Councilmember Carchio reported attending the U.S. Open noting that it was a successful event. He commented on the incident after the Open and stressed that the taskforce will work hard to make the appropriate changes to ensure the success of future events. Additionally, he reported attending the grand-opening of the AltaMed Teen Clinic and congratulated them. He reported meeting with the Mayor of Manly, Australia during the U.S. Open and commended staff. He reported visiting the Surfing Walk of Fame and thanked Don McAllister. In addition, he reported visiting Pacific City and commented on it becoming a reality. Councilmember Carchio commented on the Surfer's Hall of Fame and thanked Chris Cole. He reported attending the Premiere Girls Softball Tournament and commented positively on the event. Lastly, he addressed the, "Be a Buddy, Not a Bully" program and reported receiving a letter from Wal-Mart with a check for \$5,000 to continue the program in City schools.

Councilmember Sullivan reported attending the Senior Citizens' Advisory Council Executive Board meeting as well as the Health and Nutrition Committee meeting of the same organization.

Mayor Boardman thanked all of the residents who attended the Special Council meeting and expressed their concerns to Council. She noted that there are five (5) seats for residents on the Downtown Taskforce that is being formed and reported that those interested in participating on the taskforce may obtain an application from the City's Deputy Economic Development Director Kellee Fritzal. Mayor Boardman announced that the Police Department is still accepting information on those involved in the July 28th disturbance and urged the public to email information, videos and pictures to hbpdfiles@gmail.com. She thanked those who have already submitted information to help identify the vandals.

ADJOURNMENT

There being no further business to come before Council, Mayor Boardman adjourned the meeting at 9:36 P.M.

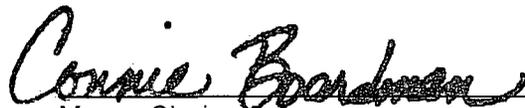
The next regularly scheduled meeting of the Huntington Beach City Council/Public Financing Authority is Monday, August 19, 2013, at 4:00 PM in Room B-8, Civic Center, 2000 Main Street, Huntington Beach, California.



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

ATTEST:



City Clerk-Clerk-Secretary

Mayor-Chair