

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

**Monday, December 3, 2012
4:00 – Room B-8
6:00 PM – Council Chambers
Civic Center, 2000 Main Street
Huntington Beach, California 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/agendas/**

4:00 PM – Room B-8

The City Clerk recessed the 4:00 p.m. portion of the meeting to 6:00 p.m. due to a lack of quorum.

6:00 PM – COUNCIL CHAMBERS

CALL TO ORDER – 6:03 PM

ROLL CALL

Present: Shaw, Harper, Hansen, Carchio, Bohr, Dwyer, and Boardman
Absent: None

PLEDGE OF ALLEGIANCE – Bolsa Chica Land Trust Junior Stewards

INVOCATION – Provided by Father Christian Mondor of Sts. Simon and Jude Church

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.

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 following distribution of the City Council agenda packet:

City Clerk's Report

- #5 Communication was received from Joan L. Flynn, City Clerk, transmitting Neal Kelley's (Registrar of Voters, Orange County) certification of the election results for the November 6, 2012 General Election.
- #5 PowerPoint Communication received from Joan L. Flynn, City Clerk, entitled "November 6, 2012 Election Certification".

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 Hansen opened the Public Comments section of the meeting and invited those interested in addressing Council to do so at this time.

Brian Rechsteiner, President of the Board of Trustees for the Huntington Beach City School District, thanked Council Members for their help and support. In addition, he congratulated new Council Members and stated he looks forward to continuing working together to make the City a better place in which to live and work. (00:04:36)

Jenelle Godges, Southern California Edison, thanked outgoing Council for their time and dedication to the community. She stated that she looks forward to continuing working with the new Council in partnership with Edison. She encouraged the public to be safe in terms of Holiday lighting, and to consider timers and turning off lights when departing their homes. (00:05:32)

Mel Malkoff, Malkoff and Associates representing members of DASH, requested that Council not take action on Consent Item No. 2. He referenced previous notice of the item and reported that the applicant did not reach out to the community that will be most affected by the project. He expressed concerns regarding the waterfront regarding paddle board and kayak use. He reported suggesting going before the Coastal Commission to obtain an informal consideration of alternative visitor-serving uses including land uses. He opined that the application is disingenuous and asked Council to suspend action on this project to clarify zoning and direct the applicant to work with them and the Coastal staff to develop an equitable and safer solution. (00:06:47)

Bob Winchell complimented residents and commented on negative "hit pieces" issued regarding Ms. Hardy. He commended residents for their election of Ms. Hardy to Council. He thanked outgoing Council Members who have worked for the benefit of the City and encouraged new Council Members to work to avoid such practices in the future. (00:09:58)

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

COUNCIL COMMITTEE - APPOINTMENTS - LIAISON REPORTS AND ALL AB 1234 DISCLOSURE REPORTING - None

CONSENT CALENDAR

Councilmember's Shaw and Boardman requested to be recorded as a "No" vote on Consent Calendar Item No. 4.

1. Approved and adopted minutes

A motion was made by Carchio, second Dwyer to approve and adopt the minutes of the City Council/ Public Financing Authority Regular Meeting and the Successor Agency and Housing Authority Special Meeting of October 15, 2012, and the City Council/Public Financing Authority

Regular Meeting of November 5, 2012, as written and on file in the Office of the City Clerk. The motion carried by the following roll call vote:

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

2. Adopted Ordinance No. 3966 amending District Map 35 of the Huntington Beach Zoning and Subdivision Ordinance (HBZSO) to rezone property located on the north side of Warner Avenue and west of Weatherly Lane from Residential Low Density-Coastal Zone-Flood Plain 2 (RL-CZ-FP2) to Open Space-Parks and Recreation-Coastal Zone-Flood Plain 2 (OS-PR-CZ-FP2) – Zoning Map Amendment No. 08-001 (Harmony Cove Marina Development)
Approved for introduction November 19, 2012

A motion was made by Carchio, second Dwyer to adopt Ordinance No. 3966, "An Ordinance of the City of Huntington Beach Amending District Map 35 (Sectional District Map 30-5-11) of the Huntington Beach Zoning and Subdivision Ordinance to Rezone the Real Property Generally Located on the North Side of Warner Avenue and West of Weatherly Lane (Former Percy Dock) From Residential Low Density-Coastal Zone-Flood Plain 2 (RL-CZ-FP2) to Open Space-Parks and Recreation-Coastal Zone-Flood Plain 2 (OS-PR-CZ-FP2) (Zoning Map Amendment No. 08-001)." The motion carried by the following roll call vote:

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

3. Adopted Ordinance No. 3965 amending the Huntington Beach Zoning and Subdivision Ordinance (HBZSO) by changing the zoning designation from PS (Public Semi-Public) to RL (Residential Low Density) on property located on the north side of Pioneer Drive, east of Magnolia Avenue – Zoning Map Amendment No. 08-04 (Wardlow School Site)
Approved for introduction November 19, 2012

A motion was made by Carchio, second Dwyer to adopt City Council Ordinance No. 3965, "An Ordinance of the City of Huntington Beach Amending the Huntington Beach Zoning and Subdivision Ordinance by Changing the Zoning Designation From PS (Public Semi-Public) to RL (Residential Low Density) on Real Property Located on the North Side of Pioneer Drive, East of Magnolia Avenue (Zoning Map Amendment No. 08-04)." The motion carried by the following roll call vote:

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

4. Adopted City Council Ordinance No. 3967 amending the Huntington Beach Zoning and Subdivision Ordinance (HBZSO) by changing the zoning designation from PS (Public-Semipublic) to RL (Residential Low Density) on property located on the north side of Yorktown Avenue, east of Brookhurst Street – Zoning Map Amendment No. 08-05 (Lamb School Residential Subdivision)
Approved for introduction November 19, 2012

A motion was made by Carchio, second Dwyer to adopt City Council Ordinance No. 3967, "An Ordinance of the City of Huntington Beach Amending the Huntington Beach Zoning and Subdivision Ordinance by Changing the Zoning Designation From PS (Public-Semipublic) to RL

(Residential Low Density) on Real Property Located on the North Side of Yorktown Avenue, East of Brookhurst Street (Zoning Map Amendment No. 08-05)." The motion carried by the following roll call vote:

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

AWARDS AND PRESENTATIONS

City 2012 Retrospect by Mayor Hansen

Mayor Hansen reflected on his eight years of service to the City, addressed accomplishments and achievements made, not by one individual, but by the City Management and staff and for entrepreneurs and investors who have taken risks in advancing great ideas within the City. He expressed appreciation for the opportunity to serve, for his wife and children, for those who trusted in him by electing him and the community for their support. He stated that he hopes the new Council will receive the same support, love and encouragement that the outgoing Council has received. He welcomed newly-elected Council Members and offered his continued support.

Comments by outgoing Mayor Pro Tem Devin Dwyer

Mayor Pro Tem Dwyer expressed his appreciation to those who chose him to represent the City for the past four years. He hoped the he is leaving the City a little bit better than when he arrived. He listed accomplishments made by Council and the City during his tenure and hoped that the new Council can continue the good work that has begun. He addressed past and present challenges related to compensation for City Fire and Police Departments and pensions. Mayor Pro Tem Dwyer acknowledged the efforts of City Management and staff and noted the importance of listening to and empathizing with the City's citizens. He acknowledged the importance of volunteers, non-profit organizations and churches and encouraged Council to shoot from the heart, not from the hip. He thanked fellow Council Members, his church, his family and God.

Comments by outgoing Councilmember Keith Bohr

Councilmember Bohr indicated it has been an honor and pleasure serving the community, presented a brief background on his experience and noted that his focus was on generating revenues for the City. He listed some of the accomplishments made during his tenure including new retail businesses in the City, expansion of hotels and challenges faced. He addressed the Senior Center and hoped that the new Council will approve funding for its completion. He thanked the community, his family and staff. He expressed good wishes to incoming Council Members.

Presentations by Mayor Hansen

Mayor Hansen presented a bouquet of flowers to Cathy Fikes for her efforts.

He addressed Memorial Day celebrations held at Pier Plaza and highlighted special moments of those events and related a story of an American Veteran who was travelling across the country with a large American flag to raise awareness regarding Veterans' issues. He presented a photograph by a local photographer who captured the flag at Pier Plaza. He presented framed

photographs to each Council Member for their service as well as to the City Clerk, City Attorney, City Manager, and City Treasurer.

Presentation by Mayor Pro Tem Dwyer to outgoing Mayor Hansen

Mayor Pro Tem Dwyer thanked Mayor Hansen for his tenure and presented him with the "Ultimate Challenge" surfer statue in commemoration of his service.

Councilmember Carchio expressed appreciation to his colleagues for their service to the City and commented on their care of each other in spite of disagreements. He stated the group is like a family and noted that everyone appreciates their service. He thanked outgoing Members for their service.

Councilmember Harper acknowledged and thanked outgoing Council Members for their contributions.

Councilmember Boardman expressed her appreciation to outgoing Council Members for their willingness to serve the community.

Councilmember Shaw thanked outgoing Council Members for their passion and commitment.

City Clerk Flynn expressed her appreciation for the opportunity to work closely with outgoing Council Members and for their help and leadership.

Presentations by community members

Mayor Hansen's children noted being proud of their father and presented him with a gift.

Will Kempton, CEO of the Orange County Transportation Authority, noted the representation of Mayor Hansen on the OCTA Board for the past several years and noted that the City of Huntington Beach is retaining representation on that body with Councilmember Harper.

He and Board Director Harper acknowledged Mayor Hansen's service to the OCTA and noted his accomplishments and his leadership. They presented Mayor Hansen with a proclamation in appreciation of his service.

Tom Livengood, representing the Amigos de Bolsa Chica, presented t-shirts to outgoing Council Members in appreciation of their support of Bolsa Chica.

Dave Sullivan, former Mayor and Councilmember elect for 2012, expressed his appreciation to outgoing Council Members addressed the campaign process.

There were no others wishing to address Council at this time.

Mayor Hansen reported that the meeting will be recessed after the City Clerk's report for a brief reception and invited newly-elected Council Members for form a receiving line.

CITY CLERK'S REPORT

5. The City Clerk presented an oral report regarding the Municipal Election; and, adopted

Resolution No. 2012-83 reciting the facts of the General Municipal Election of November 6, 2012 and declaring results

City Clerk Flynn presented information regarding the recent election noting the opportunity to elect three City Council Members, one City Clerk and one City Treasurer. She noted the number of candidates applying for the City Council positions and presented information regarding two Measures that were included in the ballot. Ms. Flynn addressed the number of registered voters; ballots cast by mail and in person and the number of voters participating in the election process. She presented the number of votes received by the three newly-elected Council Members (Jill Hardy, Jim Katapodis and Dave Sullivan), other unsuccessful candidates, and the uncontested votes for City Clerk Joan Flynn and City Treasurer Alisa Cutchen. She presented election results of the two Measures (Measure Z failed; Measure AA passed), and presented recommendations for Council consideration and action.

A motion was made by Hansen, second Carchio to adopt Resolution No. 2012-83, "A Resolution of the City Council of the City of Huntington Beach Reciting the Facts of the General Municipal Election Held on November 6, 2012 Consolidated With the County of Orange Declaring the Results and Such Other Matters as Provided by Law." The motion carried by the following roll call vote:

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

RECESSED TO MEETING ROOM B-8 ADJACENT TO THE COUNCIL CHAMBERS – The assembly recessed at 7:06 PM to a reception to recognize the service of outgoing elected officials Mayor Hansen, Mayor Pro Tem Dwyer and Councilmember Bohr; and, welcome incoming elected officials Council Members Hardy, Katapodis and Sullivan, Clerk Flynn, and Treasurer Cutchen.

RECONVENE IN THE COUNCIL CHAMBERS – 7:36 PM

City Clerk Presides

ROLL CALL

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

OATH OF OFFICE TO NEWLY ELECTED CITY OFFICIALS

Oath of Office to City Clerk

Assistant City Clerk, Robin Estanislau administered the Oath of Office to re-elected City Clerk, Joan Flynn. She was presented with a Certificate of Election and a copy of her oath of allegiance.

Oath of Office to City Council Members

City Clerk Flynn administered the Oath of Office to the newly elected City Council Members as follows:

Councilmember Jill Hardy
Councilmember Jim Katapodis
Councilmember Dave Sullivan

After administering the Oath of Office and presenting each Member with their Certificate of Election and a copy of their oath of allegiance, each Member took their place on the dais.

Oath of Office to City Treasurer

City Clerk Flynn administered the Oath of Office to re-elected City Treasurer Alisa Cutchen and presented her with a Certificate of Election and a copy of her oath of allegiance.

CONDUCTED ELECTION OF MAYOR FOR ENSUING YEAR

City Clerk Flynn called for motion to elect new Mayor.

A motion was made by Councilmember Shaw, seconded by Councilmember Katapodis to elect Councilmember Boardman as the new Mayor of the City of Huntington Beach. The motion carried by unanimous acclamation.

OATH OF OFFICE TO NEW MAYOR

City Clerk Flynn administered the Oath of Office to new Mayor Boardman and presented her with a ceremonial gavel.

New Mayor Presides

CONDUCT ELECTION OF MAYOR PRO TEMPORE FOR ENSUING YEAR

Mayor Boardman called for motion to elect Mayor Pro Tempore.

A motion was made by Councilmember Shaw, seconded by Councilmember Carchio to elect Councilmember Harper as the new Mayor Pro Tempore of the City of Huntington Beach. The motion carried with the following roll call vote:

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

OATH OF OFFICE TO NEW MAYOR PRO TEMPORE

City Clerk Flynn administered the Oath of Office to new Mayor Pro Tempore Harper.

Mayor Boardman invited members of the public to address Council at this time.

Debbie Cook congratulated new Council Members, addressed the campaign and presented bouquets of flowers to Councilmember Hardy and to Mayor Boardman. (01:55:36)

Mayor Boardman presented a bouquet to Councilmember Hardy.

Mark Bixby commented positively on the results of the recent election and noted existing opportunities for creating a better Huntington Beach. He addressed the importance of political campaign reforms for increased transparency, solving long-standing infrastructure problems, annexing the Bolsa Chica into City stewardship and beginning long-range planning for the threat of sea-level rise. He encouraged Council to lead wisely and with civil discourse rather than personal attack, think long-term, be open to good ideas from any source and do the right thing. He offered his services to help the City in any way that he can. (01:58:35)

Betsy Crimi, representing mobile home parks in the City addressed the group's efforts in voter registration during the recent election. She commended Councilmember Katapodis on his election and presented him with a gift and wished him congratulations. In addition she congratulated Councilmember Hardy on her election and presented her with a gift. She addressed Councilmember Sullivan, indicated the group looks forward to working with him in the future and presented him with a gift. (02:00:06)

Tim Geddes congratulated Mayor Boardman and new Council Members, especially Councilmember Hardy. He discouraged negative campaigns in the future. He wished the new Council well in their leadership of the City. (02:03:12)

Ron Grundy, President of Del Mar Mobile Home Estates, a newly-formed HOA, stated looking forward to working with Council on issues that affect seniors and mobile-home park living. He encouraged other mobile home parks in the City who are interested in forming HOAs to contact him. (02:04:18)

Anna Warner congratulated all new Council Members as well as the Mayor and the Mayor Pro Tem. She requested that Council consider the issue of the compensation and benefits of City employees to make sure that the system is sustainable. She asked for assignment of leadership of the issue to establish transition to 401K types of plans. She provided personal testimony and stressed the importance of the issue. (02:05:50)

Comments by newly elected Mayor, Mayor Pro Tempore, Council Members, City Clerk and City Treasurer

City Clerk Flynn thanked residents, businesses, staff and her family for the opportunity to continue to serve the City. She noted that the accomplishments don't occur by one person, but by everyone working together and commented positively on her staff and all City employees. She thanked residents who support her in her efforts. She stated a commitment to innovation, integrity and impartiality from the City Clerk's office.

City Treasurer Cutchen thanked Council, City staff, residents and her family for their support.

Councilmember Sullivan thanked those who voted for him and helped with his campaign and noted that he looks forward to serving.

Councilmember Katapodis thanked Rancho Huntington and those who helped with his campaign. He enjoyed meeting residents and stated that while his mom recently had a heart attack, she is in attendance at the meeting thanks to the Huntington Beach Fire Department who responded to her medical aid call. He thanked his wife and family for their support and expressed excitement at serving.

Councilmember Hardy thanked her husband and family and everyone that supported her. She wished everyone the joy she has found in conducting herself with honesty and integrity and living by the Golden Rule.

Mayor Pro Tem Harper thanked his family, girlfriend and colleagues for their support.

Mayor Boardman thanked her family and voters who worked and voted against Measure Z addressing the various challenges, had the measure passed. She added that City Manager Fred Wilson has asserted that if the current trends continue for the current fiscal year, there will be no need for additional cuts during the next fiscal year to the General Fund. She addressed increases in revenues and noted that a key part in making it through the recession has been the City's partnership with employee groups and noted concessions made in negotiations that have served to save the City \$3M in PERS costs alone with additional concessions having saved the City \$1.3M. She addressed low staffing levels and expressed her appreciation to current staff who has taken new responsibilities to ensure the City's work gets done. She addressed staffing levels in the Police Department and the need for additional Officers. She expressed confidence in the continuing cooperation between employee groups and the City going forward. She expressed looking forward to working with her colleagues and the public in the spirit of civility and cooperation as the issues facing the City are addressed.

Mayor Boardman noted that one of the first issues that she would like Council to address is the Senior Center and has asked the City Manager to place the matter on the agenda of Council's strategic planning session in January, 2013. She reported the need to update the City's General Plan and stated she would like the City to include a climate change action plan to address the City's adaptation to rising sea levels. She addressed a reduction in the City's carbon footprint through the use of solar panels as well as other steps to save money and resources. She addressed the AES re-certification and the ASCON project and the City's active role in representing the residents' interest during the process and presented an update on the ASCON project. In addition she presented information on plans for the Van's Skate Park and thanked the company for its partnership and welcomed the residents of Sunset Beach into the City.

Mayor Boardman addressed negative attacks on Councilmember Hardy during the recent election and hoped her election would send a message to those who want to manipulate Huntington Beach voters with negative campaigning. She reported that Councilmember Shaw has announced that he will bring forward campaign finance reform and campaigning disclosure reform measures in the New Year. She promised that this Council will act according to what is best for the City and its residents.

City Manager Wilson reported that Deputy City Manager Paul Emery has accepted a new position to the City of Anaheim, presented a brief background of his accomplishments and thanked him for his service to the City.

COUNCILMEMBER COMMENTS (Not Agendized)

Councilmember Hardy congratulated Edison High School for winning the CIF Championships.

Mayor Pro Tem Harper congratulated Mayor Boardman for her election.

Councilmember Carchio reported attending the "Turning Red Tape into Red Carpet" event and noted that the City of Huntington Beach's achievement. He reported attending the Huntington Beach Youth Shelter's Light a Light of Love Parade and thanked Elsa Greenfield for her hard work. He reported a recent family member's medical incident that required the Huntington Beach Fire Department to respond and asked that the Chief convey his appreciation to the staff for their quick response.

Councilmember Katapodis encouraged the public to shop Huntington Beach.

Mayor Boardman referenced a recent decision by the California Supreme Court on a case regarding mobile home sub-divisions in the coastal zone. She presented a brief update on the Court's ruling and felt that the case is similar to the Pacific Mobile Home Park in Huntington Beach.

A motion was made by Mayor Boardman, seconded by Councilmember Shaw to reconsider the November 19, 2012 Pacific Mobile Home Park decision.

Note: Passage of this motion nullified any action taken on the item at the 11/19/12 City Council meeting. The Reconsideration of the Approval of Tentative Tract Map No. 17397 and Coastal Development Permit No. 10-017 (Pacific Mobile Home Park Subdivision Conversion from Resident Rental to Ownership) will return to Council at the 1/22/13 Regular City Council meeting. reconsider Council's prior approval of its decision of November 19, 2012 regarding the matter to a date uncertain in the near future in light of the Supreme's Court recent decision. The motion carried with the following roll call vote:

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

ADJOURNMENT

At 8:36 PM, Mayor Boardman adjourned the meeting to the next regularly scheduled meeting on Monday, December 17, 2012, at 4:00 PM in Room B-8, Civic Center, 2000 Main Street, Huntington Beach, California.

The City Council/Public Financing Authority regular meeting of January 7, 2013 has been cancelled by Resolution No. 2012-68.


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