

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

Tuesday, February 17, 2015  
4:00 PM - Room B-8  
6:00 PM - Council Chambers  
Civic Center, 2000 Main Street  
Huntington Beach, California 92648

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

**4:00 PM - ROOM B-8**

**CALL TO ORDER – 4:04 PM**

**ROLL CALL**

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

Study Session #1

PowerPoint communication received from Robert Handy, Huntington Beach Police Chief dated February 17, 2015, entitled *Staff Recommendations Massage Establishments 5.24 HBMC and Zoning Changes*.

Study Session #2

A color graphic submitted by Janeen Laudenback, Director of Community Services that included information on the *Parks and Recreation Master Plan*.

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

Katherine Kulka spoke in support of Study Session #1 - code requirements related to massage establishments, and discussed her experience as a volunteer with an organization that provides professional employment opportunities for survivors of human trafficking in Orange County. (00:01:14)

Mark Dixon, American Massage Therapy Association, spoke in support of Study Session #1 - code requirements related to massage establishments, and distributed information prepared by the League of California Cities regarding Assembly Bill 1147. He also suggested a sliding fee scale based on

professional certification status. (00:03:33)

Cindy Martina voiced concerns related to human trafficking, and provided support for Study Session #1 - code requirements related to massage establishments. (00:06:50)

John Etheridge, Special Olympics Kiwanis Club of Huntington Beach, spoke in support of Study Session #1 - code requirements related to massage establishments. He voiced concerns with what he described as "walk-in" centers for human trafficking, and encouraged Council to protect those who do not have a voice in the community. (00:07:56)

## **STUDY SESSION**

**1. Staff from the Police Department and the Planning and Building Department provided a joint presentation to Council regarding options and staff recommendations for amending Chapter 5.24 of the Huntington Beach Municipal Code as well as zoning requirements related to massage establishments. The recommended changes are the result of the adoption of AB 1147 and the subsequent changes in state law.**

Police Chief Robert Handy discussed a change in State law in 2008 that has resulted in an increased level of illegal activity in some massage establishments.

Police Captain Bill Stuart presented a PowerPoint dated February 17, 2015 entitled *Staff Recommendations Massage Establishments 5.24 HBMC and Zoning Changes* that included the following titled slides: Background, What's Changed?, What is an "Illicit Massage Establishment," The Problem, Public Safety Resources, Proposed New Application Requirements, Huntington Beach Illicit Massage Advertisements, Known Illicit Websites, Proposed New Conditions on Massage Establishments, and Proposed New Revocation Conditions.

Planning Manager Jennifer Villasenor continued the presentation with Existing Zoning Requirements, Proposed Zoning Requirements, HB Municipal Code/HBZSO, Recommended Action Steps, and Questions.

Councilmember Posey, Councilmember Delgleize and Manager Villasenor discussed the proposed 1,000 foot separation requirement between like establishments, and new versus existing establishments subject to the proposed 5-year amortization period.

Councilmember Posey and Manager Villasenor discussed exemptions in the current ordinance that allow ancillary uses such as a spa located inside a hotel to operate within a 1,000 feet of another massage establishment.

Councilmember O'Connell voiced concerns about law abiding businesses residing within 1,000 feet of each other being penalized, and Manager Villasenor discussed Council's ability to reduce the 5-year

amortization period. Chief Handy discussed problems determining whether or not a business is reputable without evidence and/or a hearing procedure.

Councilmember Peterson and Chief Handy discussed business evaluation during the ERC process.

Councilmember Sullivan voiced support for unlimited police enforcement, and Councilmember O'Connell asked that massage establishments' proximity to schools be considered.

Mayor Pro Tem Katapodis and Chief Handy discussed limited resources to conduct a timely investigation of all businesses, and the new Community Services Officer position recently added to assist.

Mayor Hardy provided support for reducing the 5-year amortization period to 2 years.

City Clerk Flynn and Chief Handy discussed public notification of future Council action, including notification to current business owners and public hearing notification on zoning code changes.

**2. Staff and the RJM Design Group Inc. provided an overview and current status of the Citywide Parks and Recreation Master Plan.**

Zachary Mueeting, RJM Design Group provided a PowerPoint presentation entitled *Community Inspired Spaces* that included the following titled slides: Parks and Recreation Master Plan, Background Research and Existing Facilities (City Parks), Public Involvement (Community Workshops, Executive Interviews / Community Phone Survey, Sports Org. Questionnaire, Sports Groups Workshops, Prioritization Workshop), and Demand Needs / Recommendations (Defensible Needs Assessment).

Councilmember Posey and staff discussed the total number of parks/acreage in the City.

**RECESS TO CLOSED SESSION – 5:07 PM**

A motion was made by Katapodis, second O'Connell to recess to Closed Session for Items 3-8. The motion carried by the following vote:

AYES: Posey, O'Connell, Katapodis, Hardy, Sullivan, Delgleize and Peterson  
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: Dean Dicarlo vs. City of Huntington Beach, Orange County Superior Court Case No. 30-2014-00754221.**

**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: Sunny Shin vs. City of Huntington Beach, WCAB Case Nos. ADJ784772, Claim No. COHB-11-0150.**

5. Pursuant to Government Code § 54956.9(d)(1) the City Council recessed into Closed Session to confer with the City Attorney regarding the following lawsuit: Lenore Albert v. State Bar of California; City of Huntington Beach, et al., U.S. Central District Court Case No. SACV 14-1905 DOC (ANx).
6. 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: Bolsa Chica Land Trust v. City of Huntington Beach, et al., Orange County Superior Court Case No. 30-2010-00398306.
7. 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: Ocean View School District v. City of Huntington Beach (Rainbow Disposal), Orange County Superior Court Case No. 30-2013-00692076.
8. 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: City of Huntington Beach v. Richmond, Huntington Beach Care Givers, Orange County Superior Court Case No. 30-2014-00745511.

**6:00 PM - COUNCIL CHAMBERS**

**RECONVENED CITY COUNCIL/PUBLIC FINANCING AUTHORITY MEETING, AND CALLED TO ORDER A 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 Gates reported on Closed Session Item No. 4, Sunny Shin vs. City of Huntington Beach WCAB Case Nos. ADJ784772, Claim No. COHB-11-0150, it was determined by all medical experts that Mr. Shin was injured on the job while working for the Huntington Beach Police Department. Through the effective negotiations of the City Attorney's Office, a settlement was reached for \$141,000 (\$125,000 to Mr. Shin and \$16,000 to pay the lien held by the Employment Development Department).

City Attorney Gates also reported that in the case of Randall vs. City of Huntington Beach (not discussed during Closed Session), the City Attorney's Office won a jury trial on behalf of the City of Huntington Beach and the City Police Department. A unanimous defense verdict was obtained thanks to the efforts of the City Attorney's Office.

**ROLL CALL**

Present: Posey, O'Connell, Katapodis, Hardy, Sullivan, Delgleize, and Peterson  
Absent: None

**PLEDGE OF ALLEGIANCE** - Led by Mayor Hardy

**INVOCATION** - Led by Father Christian Mondor of Saints Simon and Jude Parish and a member of 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**

Mayor Hardy proclaimed February as National African American History month. This year's theme is "A Century of Black Life, History and Culture." The goal of African American History month is to use history for equality, opportunity and racial democracy.

Mayor Hardy called on Victoria Alberty, Pat Brill and Gisela Campagne to present the Adoptable Pet of the Month. Pat was happy to announce that last month's Pet of the Month, Molly, was adopted by a city employee! This month Erik, a 3 1/2 year old stray Chihuahua mix, was introduced. Additional information can be found at [www.ochumanesociety.com](http://www.ochumanesociety.com).

Mayor Hardy announced that Arbor Day is March 7, 2015 and presented a proclamation to Jean Nagy, President of the Huntington Beach Tree Society. Ms. Nagy shared that Huntington Beach will celebrate Arbor Day with a free event which includes the ceremonial planting of trees and an easy walk from Kathy May's Restaurant up to the Urban Forest in Huntington Central Park. Ann Anderson, Secretary of the Huntington Beach Tree Society, presented Mayor Hardy with the City of Huntington Beach tree, a Redbud.

Mayor Hardy called on Ken Inouye to present the Orange County Human Relations Commission (OCHRC) Annual Report. Minzah Malik, member of the City of Huntington Beach Human Relations Taskforce (HRT), also spoke about the Commission's services provided to Huntington Beach. Mr. Inouye thanked Huntington Beach Police Chief Handy for providing model leadership, and discussed the OCHRC working proactively to build understanding and positive relations among diverse residents, bringing police and diverse residents together to build safe and respectful neighborhoods, addressing tragic conflicts, overcoming the divides that erode a sense of community and sustaining the infrastructure to assist in crisis situations when they occur. Mayor Hardy was presented with a certificate of recognition for the City's support of good human relations.

Mayor Hardy encouraged public participation in one of the Huntington Beach Human Relations Taskforce projects, *HB Reads*. This year's book *Until Tuesday* is authored by a disabled veteran and his service dog, Tuesday. She noted that Barnes and Noble carries the book and is very supportive of the program, and announced that on March 26<sup>th</sup> at 7:00 p.m., the author will be at Huntington Beach High School. Check out [www.hbread.org](http://www.hbread.org) for all the details.

Mayor Hardy called on Darrin Witt, President of the Huntington Beach Firefighters' Association (HBFA), to present a donation check in the amount of \$30,000 to the El Viento Foundation from the HBFA's Annual *Great Balls of Fire* Golf Tournament. Colleen Mensel, CEO of El Viento, shared that 100% of their program students graduate high school and go on to college. She thanked HBFA for their tremendous support and announced that part of these proceeds will be invested in their endowment fund and used to start an annual Huntington Beach Firefighters' Scholarship.

Mayor Hardy called on Councilmember Dave Sullivan who announced the upcoming Marine 3/1 5K Run to be held Saturday, March 7. City employee Judy Demers shared some of the ways that the weapons company attached to the 3/1 recently gave back to our community, including 150 services

members who donated two hours cleaning up four City parks on January 9<sup>th</sup> saving the City approximately \$8,000 of paid time. Councilmember Sullivan thanked City employees for their strong participation in the past and encouraged their participation in this year's event.

Mayor Hardy called on Director of Library Services, Stephanie Beverage, to present this month's Mayor's Award to Barbara Richardson, Senior Librarian for Youth Services. Director Beverage described Barbara starting as a part-time story teller and becoming a full-time librarian, her energetic, enthusiastic and positive presence at the library, and her exemplary management skills.

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

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

For Item #11, communications were received from four individuals regarding Safe & Sane Fireworks.

For Item #13, communications were received from 174 individuals regarding the potential review of the Beach and Edinger Corridor Specific Plan.

Copies of these communications are available on the City's website and in the City Clerk's office.

**PUBLIC COMMENTS** (3 Minute Time Limit)

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

Stephanie Deagle spoke regarding the Huntington Beach Relay For Life fundraising event scheduled for Saturday, April 25, 2015 at 9:00 AM, Huntington Beach Central Park. (00:28:23)

Cari Swan spoke in support of Agenda Item No. 13 - Proposed Review of the Beach and Edinger Corridor Specific Plan (BECSP). (00:30:37)

Carol Woodworth spoke in support of Agenda Item No. 13 - Proposed Review of the Beach and Edinger Corridor Specific Plan (BECSP). (00:34:23)

John Etheridge, Kiwanis Club Special Olympics, spoke regarding two events: Easter Hunt at the Central Park Sports Complex on April 4, and the Special Olympics event on July 21 - 24, 2015, of which Huntington Beach is a host. (00:36:26)

Ron Sterud spoke in support of Agenda Item No. 13 - Proposed Review of the Beach and Edinger Corridor Specific Plan (BECSP). (00:38:54)

Dianne Thompson, Chairman of the Board, Chamber of Commerce, spoke in opposition to Agenda Item No. 13 - Proposed Review of the Beach and Edinger Corridor Specific Plan (BECSP). (00:40:44)

Blake Hopkins, Amcal Multi-Housing, Inc., spoke in opposition to Agenda Item No. 13 - Proposed Review of the Beach and Edinger Corridor Specific Plan (BECSP). (00:44:01)

Maria T. Spain spoke in support of Agenda Item No. 13 - Proposed Review of the Beach and Edinger Corridor Specific Plan (BECSP). (00:45:30)

Tom Schiff, Decron Properties, spoke in opposition to Agenda Item No. 13 - Proposed Review of the Beach and Edinger Corridor Specific Plan (BECSP). (00:47:36)

Mike Balsamo, Orange County Building Industry Association, spoke in opposition to Agenda Item No. 13 - Proposed Review of the Beach and Edinger Corridor Specific Plan (BECSP). (00:50:35)

Ron Higby spoke in support of Agenda Item No. 13 - Proposed Review of the Beach and Edinger Corridor Specific Plan (BECSP). (00:53:18)

Clem Dominguez spoke in support of Agenda Item No. 13 - Proposed Review of the Beach and Edinger Corridor Specific Plan (BECSP). (00:56:50)

Jerry Wheeler, President/CEO, Huntington Chamber of Commerce, spoke in opposition to Agenda Item No. 13 - Proposed Review of the Beach and Edinger Corridor Specific Plan (BECSP). (00:59:49)

Shari Engel spoke regarding the declining population of the Monarch Butterfly, and voiced concerns about problem areas in Central Park that need attention and rehabilitation to support this habitat. (01:03:00)

Juana Mueller voiced concerns about problematic vegetation in Central Park, and encouraged the City to apply financial resources and/or apply for grant funding to help improve conditions in the park. (01:06:10)

Leslie Gilson discussed the 8th Eagle [Scout] Project in Norma Gibbs Butterfly Park, and encouraged Council to provide greater funding for park maintenance citywide. (01:07:50)

Jean Nagy spoke in support of open space in the City for improved quality of life for the City's older population, and advertised the Park Walk Around event scheduled for February 21 in Overland Park. (01:10:54)

Ann Anderson voiced concerns about ailing trees from lack of water, and encouraged Council to allocate budget funds to keep existing trees strong and healthy. (01:13:15)

Vern Nelson, Huntington Beach Styrofoam Challenge, spoke in support of Agenda Item No. 13 - Proposed Review of the Beach and Edinger Corridor Specific Plan (BECSP). (01:16:13)

Mike Hoskinson, Planning Commissioner, spoke in support of Agenda Item No. 13 - Proposed Review of the Beach and Edinger Corridor Specific Plan (BECSP). (01:18:20)

Dennis Davenport spoke in support of Agenda Item No. 13 - Proposed Review of the Beach and Edinger Corridor Specific Plan (BECSP). (01:19:00)

Lyn Semeta spoke in support of Agenda Item No. 13 - Proposed Review of the Beach and Edinger Corridor Specific Plan (BECSP). (01:20:47)

Maureen L spoke in support of Agenda Item No. 13 - Proposed Review of the Beach and Edinger Corridor Specific Plan (BECSP). (01:24:10)

Eileen Jewett spoke in opposition to Agenda Item No. 13 - Proposed Review of the Beach and Edinger Corridor Specific Plan (BECSP), and distributed color graphic material related to the Huntington Beach Apartments project at 18651 and 18665 Beach Blvd. (01:26:44)

David Hetos spoke in support of Agenda Item No. 13 - Proposed Review of the Beach and Edinger Corridor Specific Plan (BECSP). (01:29:55)

Steve Engel voiced concerns about problematic vegetation compromising sections of Central Park, and encouraged Council to devote funding to improve park conditions. (01:32:30)

Rita Barry spoke in support of Agenda Item No. 13 - Proposed Review of the Beach and Edinger Corridor Specific Plan (BECSP). (01:35:02)

Shawn Land spoke in support of Agenda Item No. 13 - Proposed Review of the Beach and Edinger Corridor Specific Plan (BECSP). (01:38:16)

Joseph Mastropaulo spoke in support of Agenda Item No. 13 - Proposed Review of the Beach and Edinger Corridor Specific Plan (BECSP). (01:41:00)

Jerry Barry spoke in support of Agenda Item No. 13 - Proposed Review of the Beach and Edinger Corridor Specific Plan (BECSP). (01:43:36)

Bruce Warem spoke in support of Agenda Item No. 13 - Proposed Review of the Beach and Edinger Corridor Specific Plan (BECSP). (01:45:33)

Steve Dodge, Huntington Executive Park, spoke in opposition to Agenda Item No. 13 - Proposed Review of the Beach and Edinger Corridor Specific Plan (BECSP). (01:48:50)

Frank LoGrasso spoke in support of Agenda Item No. 13 - Proposed Review of the Beach and Edinger Corridor Specific Plan (BECSP). (01:50:15)

Morrie Golchech spoke in opposition to Agenda Item No. 13 - Proposed Review of the Beach and Edinger Corridor Specific Plan (BECSP). (01:52:54)

Peter Blied, North County Consulting, also representing his two clients: Coast to Coast Commercial and Western Bay, the new land owner of the property at 17811 Beach Blvd., spoke in opposition to Agenda Item No. 13 - Proposed Review of the Beach and Edinger Corridor Specific Plan (BECSP). (01:54:15)

Gabriel Mauser spoke in support of Agenda Item No. 13 - Proposed Review of the Beach and Edinger Corridor Specific Plan (BECSP). (01:57:40)

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

Mayor Pro Tem Katapodis reported attending OCTA Transit Committee and OCTA Security Assessment Committee meetings as well as the Orange County Sanitation District Administrative

Committee meeting; and Councilmember Sullivan reported attending the ACCOC initial meeting of the Water Committee and the General Meeting of the Orange County Senior Citizens' Advisory Council.

#### **CITY MANAGER'S REPORT - None**

A motion was made by Sullivan, second O'Connell to Move Item No. 13 Forward on the Agenda.

The motion carried by the following vote:

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

The minutes will reflect items in their original, agendized order.

#### **CONSENT CALENDAR**

##### **1. Approved and adopted minutes**

A motion was made by Sullivan, second O'Connell to review and approve the City Council/Public Financing Authority regular meeting and the special meeting of the Huntington Beach Housing Authority dated January 20, 2015; and the City Council/Public Financing Authority regular meeting and the special meeting of the Huntington Beach Civic Improvement Corporation dated February 2, 2015, as written and on file in the office of the City Clerk.

The motion carried by the following vote:

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

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

Councilmember Peterson pulled the item to voice concerns about the inconvenience to the public when scheduling early morning meetings. City Manager Wilson responded that a six-hour meeting is a challenge to expect the public to be available through to the end. Part of the purpose for putting this topic on the agenda for every Council meeting gives the public the opportunity to be aware and respond to what staff is recommending. Mayor Hardy recommends the results be reported under the City Manager's Report rather than a consent Agenda item.

A motion was made by Peterson, second Katapodis to receive and file the Six-Month Strategic Updates.

The motion carried by the following vote:

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

##### **3. Approved appointments to the Design Review Board (DRB) as recommended by City Council liaisons, Mayor Hardy, Mayor Pro Tem Katapodis and Councilmember Sullivan**

A motion was made by Sullivan, second Delgleize to approve the reappointment of Michael Spaulding to a second DRB term expiring December 31, 2016, and the reappointments of Kathleen O'Connor-Phelps and Renato Haug to a second DRB term expiring December 31, 2017.

The motion carried by the following vote:

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

**4. Approved Fiscal Year 2013/14 Year-End Budget Adjustments and Preliminary Unaudited General Fund Balance Designations**

A motion was made by Sullivan, second Delgleize to approve the assignment of preliminary FY 2013/14 year-end General Fund Balances in the amounts and for the purposes indicated in Attachment 1; and, approve FY 2013/14 year-end inter-fund transfers and FY 2014/15 appropriations as indicated in Attachment 2 to payoff and/or reduce the City's Workers' Compensation, Pension and Retiree Medical unfunded liabilities.

The motion carried by the following vote:

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

**5. Approved Sole Source purchase of new Automated Materials Handling (AMH) Solution for the Huntington Beach Central Library from SirsiDynix, in partnership with Bibliotheca**

A motion was made by Sullivan, second Delgleize to approve the sole source justification and authorize the Library to purchase a new Bibliotheca 9 bin sorter Automated Materials Handling System from SirsiDynix for \$176,414.76.

The motion carried by the following vote:

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

**6. Approved a grant of easement to Southern California Edison (SCE) on City owned lots (APN 178-651-30 and APN 178-651-06) occupied by the Warner Fire Station and the adjacent parking lot due to the construction of Warner Avenue Gravity Sewer and Lift Station C, Project CC-1370**

A motion was made by Sullivan, second Delgleize to approve and authorize the Mayor to execute a grant of easement to Southern California Edison, located on the City owned lots APN 178-651-30 and APN 178-651-06.

The motion carried by the following vote:

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

**7. Awarded construction contract in the amount of \$2,185,985 to Vido Artukovich and Son, Inc./Vidmar, Inc. a Joint Venture, for the Trinidad Lift Station and Force Main Replacement Project, CC-1401**

A motion was made by Sullivan, second Delgleize to appropriate \$1,300,000 from the undesignated Sewer Fund (511) balance to Business unit 51189009, accept the lowest responsive and responsible bid submitted by Vido Artukovich and Son, Inc./Vidmar, Inc. a JV, in the amount of \$2,185,985; and, authorize the Mayor and City Clerk to execute a construction contract in a form approved by the City Attorney.

The motion carried by the following vote:

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

**8. Adopted Resolution No. 2015-05 eliminating Residential Permit Parking District "S" affecting residents on 7th Street, 8th Street, 9th Street, Olive Avenue, Orange Avenue, Pecan Avenue, Acacia Avenue, and Palm Avenue within the City of Huntington Beach**

A motion was made by Sullivan, second Delgleize to Adopt Resolution No. 2015-05, "A Resolution of the City Council of the City of Huntington Beach Eliminating Permit Parking District "S" Within the City of Huntington Beach."

The motion carried by the following vote:

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

**9. Adopted Successor Agency Resolution Nos. 2015-01 and 2015-02 approving the Recognized Obligation Payment Schedule (ROPS) and Administrative Budget for the Huntington Beach Successor Agency for the period of July 1, 2015 through December 31, 2015, in accordance with Health and Safety Code Section 34177 and related actions**

A motion was made by Sullivan, second Delgleize to adopt Resolution No. 2015-01, " A Resolution of the Successor Agency to the Redevelopment Agency of the City of Huntington Beach Approving the Recognized Obligation Payment Schedule for the Period July 1, 2015 through December 31, 2015 ('ROPS 15-16A)"; and, adopt Resolution No. 2015-02, " A Resolution of the Successor Agency to the Redevelopment Agency of the City of Huntington Beach Approving the Successor Agency Administrative Budget for the Period July 1, 2015 through December 31, 2015."

The motion carried by the following vote:

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

**10. Adopted City Council Resolution No. 2015-06 approving the application for Housing-Related Parks (HRP) Program Grant**

A motion was made by Sullivan, second Delgleize to adopt Resolution No. 2015-06, "A Resolution of the City Council of the City of Huntington Beach Authorizing Application for Housing-Related Parks Grant."

The motion carried by the following vote:

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

**11. Adopted Ordinance No. 4045 adding Chapter 5.90 to the Municipal Code relating to Fireworks regarding Safe and Sane Fireworks Approved for introduction February 2, 2015, Vote: 7-0**

A motion was made by Sullivan, second Delgleize to adopt Ordinance No. 4045, "An Ordinance of the City of Huntington Beach Adding Chapter 5.90 and Repealing Chapter 9.70 of the Huntington Beach Municipal Code Relating to Fireworks."

The motion carried by the following vote:

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

**ADMINISTRATIVE ITEMS**

**12. Approved and authorized execution of Amendment No. 1 to the Professional Services Contract between the City and Townsend Public Affairs for State Lobbyist Services; and, approved and authorized execution of a Professional Services Contract between the City and Townsend Public Affairs for Federal Lobbyist Services**

A motion was made by Sullivan, second Katapodis to approve and authorize the Mayor and City Clerk to execute "Amendment No. 1 to Professional Services Contract Between the City of Huntington Beach and Townsend Public Affairs for State Lobbyist Services" in an amount not to exceed \$96,000 for two years; and, approve and authorize the Mayor and City Clerk to execute "Professional Services Contract Between the City of Huntington Beach and Townsend Public Affairs for Federal Lobbyist Services" in an amount not to exceed \$24,000 for one year.

The motion carried by the following vote:

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

**COUNCILMEMBER ITEMS**

**13. Approved Item Submitted by Councilmember Peterson - Potential review of the Beach and Edinger Corridor Specific Plan (BECSP)**

Councilmember Peterson discussed staff's efforts to address developmental and community concerns about traffic, setbacks and parking that impact the quality of life for residents. He described Huntington

Beach development being referred to as urban sprawl, and explained that tonight's discussion only proposes the possibility of a moratorium.

A motion was made by Peterson, second Hardy to direct staff to take the necessary steps to prepare and present an Ordinance by the March 16 City Council meeting that will place a moratorium on new residential development in the BECSP, but not to include those developments already permitted or entitled.

Councilmember Posey discussed historical facts that supported establishment of the BECSP. From 2000 to 2010 Huntington Beach's population growth was two tenths of a percent – or essentially no growth. In addition, during that time over 40% of the City's population was in the 65 years of age or older category. Sales taxes declined (seniors do not make the purchases that younger individuals do), property taxes were stagnant, and there had to be an incentive for redevelopment of the "tired" strip centers around Beach Boulevard. In 2010 the City Council acted to increase City density, but our economy was in a big depression and nothing happened. Huntington Beach is 97% built out. There is no opportunity for sprawl. Our only options are to recycle the land that is available and revitalizing dying strip malls. He showed two slides: *Short Term Measures* (staff implemented and processing Code Amendment), and, *Timeline for Processing BECSP Code Amendment (2015)*. He described specific items like setbacks, roof lines and parking as well as timelines for implementation.

Councilmember Sullivan, Councilmember Peterson and City Attorney Gates confirmed that the item will return before Council no later than March 16, 2015. Councilmember Sullivan voiced concerns with form-based codes and Specific Plan data suggesting that residents in high-density developments use bicycles as their primary form of transportation.

Councilmember O'Connell questioned costs associated with development (proforma) and transit-oriented development, and stated support for 35 units per square acre. He also stated he will not support forming another review committee. Councilmember Peterson was agreeable to not adding another layer to the process, and will not recommend establishing an additional review board.

Councilmember Delgleize discussed her participation and attendance of many meetings held over the past several years on the Beach Edinger Corridor Specific Plan, and her support for smart development. She agreed with concerns relating to residential parking at the Bella Terra, and voiced opposition to a moratorium. She asked if staff could incorporate the public's concerns and suggestions to current projects in process.

Councilmember Posey clarified his comments about revitalizing the City with a younger generation.

Councilmember Peterson recognized concerns voiced by Parks Master Plan and General Plan Action Commission (GPAC) consultants about high density in Huntington Beach.

Councilmember Sullivan stated support for a moratorium to stop additional changes that may be approved before being heard by Council.

Councilmember O'Connell asked the City Manager for a timeline to present information to the public. City Manager Fred Wilson asked that the topic be presented at the March 2 Study Session. Councilmember Delgleize asked if staff has enough information to formulate a report.

Councilmember Posey and City Attorney Gates discussed the legal implications of a moratorium and how it would impact residential projects currently entitled or in the permitting process.

City Manager Wilson and Director of Planning and Building Hess discussed the BECSP Code Amendment Timeline, how additional CEQA review would not be required because the MAND is being lowered, and how the May 18 deadline can be met.

Councilman Sullivan questioned if the high density projects would be affected by the moratorium, i.e., delayed and fall under any changed guidelines. Director Hess confirmed that two current projects under review – Urban Lofts and Amcal Delaware – would not be impacted by a moratorium. The remaining projects on the list shown have no formal applications on file.

Mayor Hardy questioned whether Amcal Delaware is currently included in the BECSP and Director Hess confirmed they have requested to be included in the BECSP for which a decision will be made.

City Manager Wilson discussed the need for clarification to reduce the MAND to 2,800. Mayor Hardy confirmed the affirmative vote was in October.

Councilmember Sullivan voiced his understanding that any high density projects in process for consideration in the BECSP are still awaiting the Planning Commission and City Council approval. City residents do not want more high density projects and the 45-day moratorium will allow proper time for adequate evaluation.

Councilmember Posey confirmed that the motion is specifically for residential projects only. It will have no effect on business projects such as restaurants or a medical center.

Councilmember Katapodis questioned if Urban Lofts would be exempt if the moratorium is passed. City Manager Wilson said these specific details would be shared at the next meeting and that Urban Lofts is one of the projects that has been entitled and is already in process. City Attorney Gates clarified that the motion was stated to specifically NOT include projects currently entitled or permitted by the City.

Mayor Hardy described her lifetime opposition to over-development, and made reference to points in time where she made her position known during the establishment of the BECSP.

Councilmember Peterson's motion, second Mayor Hardy, to direct staff to take the necessary steps to draft and present an Ordinance by the March 16 City Council meeting that will place a moratorium on new residential development in the BECSP, but not to include those developments already permitted or entitled.

The motion carried by the following vote:

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

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

Councilmember Peterson announced that the Newland House has a re-enactment each Presidents' Day which is well done and worth attending, adding that the historical facility staff will offer tours after the event.

Councilmember Delgleize visited the Colorado River Aqueduct and found this to be an engineering miracle that everyone should go see at least once.

Councilmember Sullivan participated in the Black Pride Parade in Anaheim representing the Orange County Senior Citizens Advisory Council.

Councilmember O'Connell reported attending an AccessOC event to benefit immigrant communities that come to Orange County.

Mayor Pro Tem Katapodis, on behalf of OCTA, (as well as Councilmember Delgleize representing Huntington Beach) participated in the celebration of the completion of the new 605/405/22 freeways interchange.

Mayor Hardy participated in the Black Pride Parade in Anaheim. She also attended the Boys and Girls Club Annual Youth of the Year Dinner where Ryan Wong was honored. Mayor Hardy closed her comments by wishing the City of Huntington Beach a Happy 106th Birthday.

**ADJOURNMENT** – At 9:14 PM of the special meeting of the Successor Agency and regular meeting of the City Council/Public Financing Authority to the next regularly scheduled meeting of the Huntington Beach City Council/Public Financing Authority on Monday, March 2, 2015, 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 of the City of Huntington Beach, Secretary of the Public Financing Authority and of the Successor Agency of the City of Huntington Beach, California

**ATTEST:**



City Clerk-Secretary



Mayor-Chair