

**Minutes
City Council/Public Financing Authority and
Special Meeting of the Civic Improvement Corporation
City of Huntington Beach**

Monday, February 2, 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/**

4:00 PM - ROOM B-8

CALL TO ORDER - 4:02 PM

ROLL CALL

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

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:

Study Session Item No. 1

A PowerPoint communication submitted by City Treasurer Alisa Cutchen entitled *Joint Study Session - Investment Advisory Board/Huntington Beach City Council*.

A PowerPoint communication submitted by Mischler Financial Group Broker Jason Klinghofer, CFA, entitled *City of Huntington Beach Portfolio Update*.

Study Session Item No. 2

A PowerPoint communication submitted by Planning and Building Director Scott Hess entitled *BECSA Short and Long Term Amendment Options*.

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

Dan Kalmick, speaking on behalf of himself and not as Planning Commission Chair, discussed viable housing stock, suburban sprawl, transportation options, and rail transit in relation to Study Session Item No. 2 - Beach/Edinger Corridor Specific Plan.

STUDY SESSION

- 1. Joint Study Session held between the City Council of Huntington Beach and the Investment Advisory Board (IAB). The Investment Advisory Board and City Treasurer made a presentation of the annual report and current year's activities, as they relate to the City of Huntington Beach's investment management. As well, approved broker Jason Klinghoffer, CFA, Director of Debt Capital Markets at Mischler Financial Group, presented the Strategic Investment Plan process utilized by the City Treasurer.**

ROLL CALL – INVESTMENT ADVISORY BOARD

Present: Rob Sternberg, Jennifer Handy, Alan Ray, Scott Dowds, Lydia DuPont, John Piekarski
Absent: Ron Sterud

City Treasurer Alisa Cutchen asked members of the IAB to introduce themselves, identify which Councilmember they were appointed by, and discuss their experience and professional affiliations.

City Treasurer Cutchen provided a PowerPoint presentation entitled *Joint Study Session - Investment Advisory Board/Huntington Beach City Council*, that included the following titled slides: Investment Advisory Board, Meetings, Members, Annual Report 10/1/13 to 9/30/14, and Conclusions.

Mischler Financial Group Broker Jason Klinghofer, CFA, provided a PowerPoint presentation entitled *City of Huntington Beach Portfolio Update* that included the following titled slides: Institutional Fiduciary Benchmark, Evaluating Performance, and Questions.

Councilmember O'Connell and Consultant Klinghofer discussed interest rate risk (effective duration).

Councilmember Sullivan discussed fiscal actions at the County level that led to formation of the IAB.

- 2. Discussion held regarding Beach and Edinger Corridors Specific Plan (BECSP) - options for short- and long-term amendments, and overview of traffic impacts**

Planning Manager Jennifer Villasenor provided a PowerPoint presentation entitled *BECSP Short and Long Term Amendment Options* that included the following titled slides: BESCP Project Area, Background, Residential Development, Current Projects, Short Term Options (already implemented by staff), Long Term Options,

Mayor Hardy and Manager Villasenor discussed reducing the maximum amount of net new development (MAND) from 4,500 to 3,100 dwelling units.

Councilmember Peterson and Manager Villasenor discussed retail space, building setbacks from public streets, square footage of retail space, and parking.

Councilmember Delgleize and Manager Villasenor discussed conducting an analysis of residential units and reducing the MAND.

Councilmember Sullivan and Manager Villasenor discussed residents concerns about the development located at the southeast corner of Beach Boulevard and Ellis Avenue, and Bella Terra residential.

Councilmember Posey and Manager Villasenor discussed how the Beach/Edinger Corridor Specific Plan makes no reference to parking in-lieu fees for mixed-use.

Councilmember O'Connell and Manager Villasenor discussed the number of units/cap per acre in other developments (HB Lofts, Boardwalk, Élan), and staff's plans to mitigate traffic if 4,500 new units are built. Discussion ensued regarding direct costs for public services (commercial versus residential), and economic impact. Mayor Hardy voiced concerns that form-based code developments may be too restrictive to attract certain businesses, stating support for more flexibility for auto dealerships and shopping centers.

Transportation Manager Bob Stachelski presented slides entitled: Traffic Impact Review, Program EIR Trip Generation, ADT Traffic Example, Level of Service (LOS) Standards, Average Daily Traffic, Level of Service, Current / Planned Improvements, Potential Projects, Traffic Projects Outside BECSP, Traffic Impact Fees, Next Steps, and Questions/Discussion.

Councilmember O'Connell and Manager Villasenor discussed projects coming forth before the BECSP Update is finalized.

Councilmember Posey and Planning and Building Director Scott Hess discussed implementation of Development Impact Fees approved in 2011, and what is onerous to developers.

Councilmember Peterson and Manager Stachelski discussed the number of trips when residents are being added, previous zoning versus build-out (commercial versus residential), peak trip general times in the A.M., comparing former use prior to implementation of the BECSP, and average daily traffic. An inquiry was made as to whether or not Beach/Edinger traffic was spilling over into ancillary corridors.

Councilmember Sullivan voiced concerns about non-paid traffic impact fees, and stated his opinion that the BECSP is based on false premises. He also voiced concerns about form-based architecture, and the lack of parking standards.

Councilmember Katapodis and Manager Stachelski discussed doing a traffic impact study on Goldenwest Street, and the status of left turn lane placement at Gothard and Center.

Councilmember Delgleize and Manager Stachelski discussed alternate forms of transit provided by OCTA as demand develops, and where the \$3.1 million collected from impact fees are being spent citywide.

Councilmember Posey, Mayor Hardy, and Manager Stachelski discussed traffic conditions at the Beach/Ellis/Main intersection and how the island along Main Street would prohibit access to the Denny's Restaurant.

Mayor Hardy acknowledged citizen's frustrations about traffic in the BECSP area, and concluded comments by recommending that Council consider progression over time when making future development decisions.

RECESS TO CLOSED SESSION - 5:23 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

Mayor Hardy announced: *Pursuant to Government Code § 54956.8, the City Council takes this opportunity to publicly introduce and identify designated property negotiator, Assistant City Manager Ken Domer, who will be participating today's in Closed Session discussions regarding negotiations concerning price and terms of payment for the purchase of real property in the form of a permanent street easement and a temporary construction easement over a portion of the Pacific Mobile Home Park (APN 024-291-16) located at 80 Huntington Street in Huntington Beach, California.*

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: Houalla Enterprises, LTD, dba Metro Builders & Engineers Group, LTD. vs. City of Huntington Beach, Orange County Superior Court Case No. 30-2015-00764266-CU-BC-CJC.**
- 4. Pursuant to Government Code § 554956.9(d)(1), the City Council recessed into Closed Session to confer with the City Attorney regarding the following lawsuits and potential lawsuits: City of Huntington Beach v. Lee, et al., Orange County Superior Court Case No. 30-2009-00329477.**
- 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: Christina Marie Zinn v. City of Huntington Beach, et al., Orange County Superior Court Case No. 30-2014-00725823.**
- 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: George Pickett and Kathleen Pickett v. City of Huntington Beach and Steven Tilton, Orange County Superior Court Case No. 30-2014-00754342.**
- 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: Jill Randall v. City of Huntington Beach, et al. United States District Court Case No. SACV11-01740 CJC (MLGx).**
- 8. Pursuant to Government Code § 54956.8, the City Council recessed to Closed Session to give instructions to the City's Negotiator, Ken Domer, Assistant City Manager, concerning price and terms of payment for the purchase of real property in the form of a permanent street easement and a temporary construction easement over a portion of the Pacific Mobile Home Park (APN 024-291-16) located at 80 Huntington Street in Huntington Beach, CA. The property owner of the Park is 80 Huntington I, LLC and 80 Huntington II, LLC. The easement for street purposes is generally described as a 630 ft. long strip along the northern boundary of the Park adjacent to Atlanta Avenue between Huntington Street and Delaware Street, and varying in width from 52 ft. on the west end to 20 ft. at the east end (approx. 15,000 sq. ft.). The temporary construction easement extends south of the street easement to a varying**

width not exceeding 150 ft. from the centerline of Atlanta Avenue, covering an area of approx. 32,000 sq. ft.

6:00 PM - COUNCIL CHAMBERS

RECONVENED CITY COUNCIL/PUBLIC FINANCING AUTHORITY MEETING, AND CALLED TO ORDER A SPECIAL MEETING OF THE HUNTINGTON BEACH CIVIC IMPROVEMENT CORPORATION - 6:08 PM

CLOSED SESSION REPORT BY CITY ATTORNEY - None

ROLL CALL

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

PLEDGE OF ALLEGIANCE - Led by Mayor Pro Tem Katapodis

INVOCATION - Led by Jynene Johnson of the Church of Jesus Christ and Latter Day Saints and member of the Greater 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 called on Marissa Presley from Laura's House and Senior Girl Scout Nicole Rodriguez with Troop 701 to present a proclamation announcing February as Teen Dating Violence Awareness and Prevention Month.

Ms. Rodriguez described a project that focused on teen dating and domestic violence. Ms. Presley discussed how Laura's House is openly addressing these issues through educating middle school, high school and college kids. The questions addressed include: What does this violence look like? Who is it happening to? How can it be prevented? How can you escape if you are caught in this situation?

Mayor Hardy called on Mayor Pro Tem Jim Katapodis who recognized sponsors of the 9/11 Memorial.

Mayor Pro Tem Katapodis called on Dennis Hashin, Treasurer of the Huntington Beach Police Officers' Association, and recognized the efforts of the Huntington Beach Fire Fighters' Association as well. Mr. Hashin described the 9/11 memorial project that will include two pieces of steel that remain from the New York City Twin Towers. Mayor Pro Tem Katapodis introduced Julie Jackson and Melissa Pierson Urban from G & M Oil to thank them for a \$5,000 donation to the 9/11 Memorial fund. He then called on Jeanne and Marissa from Pacific Premier Bank to thank them for a \$10,000 donation to the 9/11 Memorial fund.

Mayor Hardy called on members of the Greater Huntington Beach Interfaith Council to announce Annual Day of Service set for April 2015.

Dave Garofalo, representing the Huntington Beach Interfaith Council, described approximately 1,100 residents donating in excess of 5,000 hours to 40 community projects provided by Community Services, Public Works, and Police and Fire Departments. He announced that this year's service event will be held on April 25 & 26, and that volunteers wishing to sign up for a specific project should visit the event webpage at www.justserve.org.

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.

Ordinances for Introduction

#8. PowerPoint communication submitted by Teri Baker, Assistant to the City Manager, dated February 2, 2015, entitled Overview of the Proposed Fireworks Ordinance 4045 and Resolution 2015-04.

#8. Communications received from eight individuals regarding Ordinance 4045 and Resolution No. 2015-04 implementing Charter Section 805 and Municipal Code Section 5.90 regarding Safe and Sane Fireworks.

Councilmember Items

#9. Communications received from three individuals regarding the consideration of repealing Resolution No. 2014-77 which would eliminate Permit Parking District "S".

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/>).

Reverend Dr. Peggy Price spoke regarding the Cities of Compassion project, and distributed to Council informational material including a copy of the City's proclamation declaring Huntington Beach a compassionate city. (00:24:31)

Fred Crim spoke in opposition to Agenda Item No. 9 - Repeal Resolution No. 2014-77 eliminating Permit Parking District "S" and preparing an ordinance to improve the implementation and effectiveness of the current parking district process. (00:27:52)

Maureen L. voiced concerns about past and present members of Council not supporting the citizens' right to vote on banning plastic bags in Huntington Beach. (00:30:30)

Andrissa Dominguez spoke in opposition to Agenda Item No. 9 - Repeal Resolution No. 2014-77 eliminating Permit Parking District "S" and preparing an ordinance to improve the implementation and effectiveness of the current parking district process. (00:32:04)

Amory Hanson spoke in opposition to Agenda Item No. 9 - Repeal Resolution No. 2014-77 eliminating Permit Parking District "S" and preparing an ordinance to improve the implementation and effectiveness of the current parking district process; had concerns about the Library lifting the non-resident fee, and

was disappointed in Mayor Hardy's handling of those who spoke in support of medical marijuana dispensaries at the January 20 City Council meeting. (00:35:22)

Sharon Benter voiced concerns about the City's ordinance governing temporary parking of recreational vehicles and disconnected recreational trailers on residential streets.

Mayor Pro Tem Katapodis requested that the speaker fill out a blue follow-up card. (00:38:27)

Gina Clayton-Tarvin, President, Ocean View School District Board of Education, voiced concerns about fees and education program requirements identified in Agenda Item No. 8 - Ordinance No. 4045 regarding Safe and Sane Fireworks. (00:42:47)

Gino J. Bruno voiced concerns about fees identified Agenda Item No. 8 - Ordinance No. 4045 regarding Safe and Sane Fireworks. (00:45:40)

James Torres encouraged Council to use common sense, consider best practices from other cities, and the momentum of the Downtown Task Force before making a decision on Agenda Item No. 9 - Repeal Resolution No. 2014-77 eliminating Permit Parking District "S" and preparing an ordinance to improve the implementation and effectiveness of the current parking district process. (00:49:40)

Stephanie Green spoke in opposition to Agenda Item No. 8 - Ordinance No. 4045 regarding Safe and Sane Fireworks, and encouraged Council to direct staff to examine the issue further. (00:52:47)

Robert Johnson voiced concerns about the City's affordable housing program. (00:55:33)

Ian Clare, Huntington Beach Community Forum, spoke in support of Agenda Item No. 9 - Repeal Resolution No. 2014-77 eliminating Permit Parking District "S" and preparing an ordinance to improve the implementation and effectiveness of the current parking district process. (00:58:31)

Alan Gandall, AYSO Commissioner and AYSO Area K Assistant Director, spoke in support of Agenda Item No. 8 - Ordinance No. 4045 regarding Safe and Sane Fireworks. (00:59:49)

Lori Robeson, Huntington Beach No Styrofoam Challenge, explained the group's mission for education, awareness, and community involvement. She also recognized City restaurants that support the use of non-Styrofoam products. (01:01:08)

Vern Nelson, Huntington Beach No-Styrofoam Challenge, spoke regarding the group's goals to reduce the presence of Styrofoam in Huntington Beach. He recognized Sandy's on the Pier, The Olive Pit and Brewbaker's as restaurants within the City that have discontinued the use of Styrofoam products. (01:04:06)

Samantha Lam, The Olive Pit, discussed their business decision to ban the use of Styrofoam products in their restaurant. (01:07:20)

Manuel Florence, Owner, Brewbakers, voiced support for the Huntington Beach No-Styrofoam Challenge and Brewbaker's commitment to support the community. (01:09:02)

Joseph Mastropaulo voiced concerns about the web location of the City's traffic report for the General Plan Update, and the content of the report. (01:11:42)

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

Mayor Pro Tem Katapodis reported attending the meeting of the Orange Council Transportation Authority (OCTA) where he was selected as a Director; Councilmember Sullivan reported attending the Executive Committee meeting of the Orange County Senior Citizens Advisory Council.

CITY MANAGER'S REPORT

City Manager Fred Wilson provided a review of the 19th Annual Pacific City Marathon, held February 1, 2015, and shared brief highlights from the successful event.

CITY TREASURER'S REPORT

1. Received and filed the City Treasurer's December 2014 Quarterly Investment Summary Report

Alisa Cutchen, City Treasurer, gave a PowerPoint presentation.

A motion was made by Sullivan, second Katapodis to receive and file the Quarterly Investment Report for December 2014, pursuant to Section 17.0 of the Investment Policy of the City of Huntington Beach.

The motion carried by the following vote:

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

CONSENT CALENDAR

Councilmember Sullivan pulled Item No. 6.

2. Approved and adopted minutes

A motion was made by Katapodis, second O'Connell to review and approve the City Council special meeting minutes dated January 23, 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

3. Approved and authorized execution of the Second Amendment to the Agreement to Jointly Deliver the 2010-2012 Orange County Energy Leader Partnership Program with Southern California Edison (SCE) and Southern California Gas (SCG)

A motion was made by Katapodis, second O'Connell to approve and authorize the Mayor and City Manager to execute the "Second Amendment" to the Agreement to Jointly Deliver the 2010-2012 Orange County Energy Leader Partnership Program with Southern California Edison Company;

and, approve and authorize the Mayor and City Manager to execute the "Second Amendment" to the Agreement to Jointly Deliver the 2010-2012 Orange County Energy Leader Partnership Program with Southern California Gas Company and adjacent Orange County cities; and, authorize the City Manager to execute any subsequent documents approved as to form by the City Attorney necessary to advance, manage or complete Energy Leader Partnership activities.

The motion carried by the following vote:

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

4. Adopted Resolution No. 2015-03 (Supplemental Fee Resolution No. 6) removing the Non-Resident Library Card fee from the City's Fee Schedule; and, authorized the Library Director to notify the California State Library

A motion was made by Katapodis, second O'Connell to adopt Resolution No. 2015-03, "A Resolution of the City Council of the City Huntington Beach Amending Resolution No. 2009-33 (Supplemental Fee Resolution No. 6)" authorizing the removal of the Non-Resident Library Card fee from the City's Fee Schedule; and, authorize the Library Director to notify the California State Library of the Huntington Beach Public Library System's intent to participate under CLSA and to join the Santiago Library System as a full member.

The motion carried by the following vote:

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

**5. Civic Improvement Corporation:
Adopted Civic Improvement Corporation Resolution No. 2015-01 authorizing the dissolution of the Huntington Beach Civic Improvement Corporation**

A motion was made by Katapodis, second O'Connell to adopt Resolution No. 2015-01, "A Resolution of the Board of Directors of the City of Huntington Beach Civic Center Improvement Corporation Dissolving the Civic Improvement Corporation."

The motion carried by the following vote:

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

6. Adopted City Council Resolution No. 2015-02 Approving Two Proposed Assignments and an Amendment Related to The Strand Project Disposition and Development Agreement with CIM/Huntington, LLC

Councilmember Sullivan asked if the Council could refuse permission for CIM to sell the project. Kelly Fritzal, Deputy Director, Business Development, explained the previously adopted implementation agreement giving the right to sell the property, and now City Council is approving who the project is being sold to - a group with experience in mixed use projects. Director Fritzal described the buyer's clients, experience, and other data to demonstrate their qualifications.

A motion was made by Sullivan, second Katapodis to adopt Resolution No. 2015-02, "A Resolution of the City of Huntington Beach, California Approving Two Proposed Assignments and an Amendment Related Thereto Pertaining to the Strand Project Disposition and Development Agreement with CIM/Huntington, LLC; and authorize the Mayor, City Manager and City Clerk to execute all related documents.

The motion carried by the following vote:

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

ADMINISTRATIVE ITEMS

7. Adopted Ordinance No. 4044 amending Chapter 2.28 of the Huntington Beach Municipal Code (HBMC) relating to City Council Compensation Approved for introduction January 20, 2015, Vote: 4-0-3 (Recused: Hardy, Katapodis, Sullivan)

Mayor Hardy, Mayor Pro Tem Katapodis and Councilmember Sullivan announced that they would recuse themselves from action on the item due to a conflict of interest, and left the room.

A motion was made by O'Connell, second Posey to adopt Ordinance No. 4044, "An Ordinance of the City of Huntington Beach Amending Chapter 2.28 of the Huntington Beach Municipal Code Relating to City Council" relating to City Council Compensation by providing salary/benefits at the same level for all City Council Members.

The motion carried by the following vote:

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

ORDINANCES FOR INTRODUCTION

8. Approved for introduction Ordinance No. 4045, adding Chapter 5.90 of the Municipal Code relating to Fireworks; and, adopted Resolution No. 2015-04 implementing Charter Section 805 and Municipal Code Section 5.90 regarding Safe and Sane Fireworks

City Manager Fred Wilson provided an overview of the ordinance details. Councilmember's questions and discussion followed.

Councilmember O'Connell, Councilmember Posey, and Manager Wilson discussed qualifications and the mix of groups that fall under the category of Civic Organizations.

Councilmember Peterson inquired, and Fire Chief McIntosh responded that Section 5.90.080 is a State Health & Safety Code requirement.

City Clerk Joan Flynn provided an informational slide showing the type and number of applicants by category during the pilot program years (2012 and 2013).

Mayor Pro Tem Katapodis and Chief McIntosh discussed reasons for the hours recommended for the sale of fireworks.

Mayor Hardy and Manager Wilson discussed 4th of July Board contributions to offset their payment of the cost for extra Police and Fire services, and the hope that fireworks companies will make a voluntary contribution to also support these services.

Councilmember O'Connell recommended waiving the 10% regulatory fee, suggesting that only a permit/inspection fee be charged as the monies raised benefit the local community. City Attorney Gates identified Section 5.90.090 as the location where the regulatory fee is described.

Councilmember Peterson inquired, and City Attorney Gates responded that Section 5.90.130 – Supervision of Minors is a policy recommendation, not a State Health and Safety Code requirement, indicating that the City Council would not be liable should they elect to remove it. Councilmember Peterson stated support for removing it.

Councilmember Sullivan inquired, and City Attorney Gates clarified fees normally charged for booth operation (electrical permit, temporary event permit and fire code permit at a total cost of approximately \$500.) As originally written, these fees are in addition to any other percentage fee stipulated.

When asked by Council, Mr. John Kelly, fireworks provider representative from Fullerton, California, shared that Costa Mesa currently waives fees, but that most other neighboring Orange County cities do have inspection/electrical permit fees to the best of his knowledge.

Councilmember Posey stated that Costa Mesa currently collects a flat \$1,000 fee with no percentage regulatory fees.

Councilmember Delgleize voiced concerns about coming back in the future to change the fee structure if required to cover actual costs. She stated support for removing the 10% regulatory fee, but at the same time doesn't want to see the City lose money in the process. City Manager Wilson responded that the Police and Fire Departments will provide a report to Council after the event, and if changes need to be made, the Ordinance can be brought back for further action.

A motion was made by O'Connell, second Delgleize to approve for introduction Ordinance No. 4045, "An Ordinance of the City of Huntington Beach Adding Chapter 5.90 of the Huntington Beach Municipal Code Relating to Fireworks" as amended to strike Section 5.90.130 - Supervision of Minors and strike all language in Section 5.90.090 - Permits, with the exception of the following sentences: "Permittees shall apply for and obtain all City permits including but not limited to temporary event, electrical, and fire permits;" and, adopt Resolution No. 2015-04, "A Resolution of the City Council of the City of Huntington Beach Implementing Charter Section 805 and Municipal Code Section 5.90 Regarding Safe and Sane Fireworks," as amended to strike language in Section B, "A deposit in an amount equal to the Permit fee shall be submitted with the application. The deposit shall be refunded in the event that the nonprofit organization or affiliate is not granted a Permit." The motion carried by the following vote:

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

COUNCILMEMBER ITEMS

9. Approved Item Submitted by Councilmember Sullivan - Direct City Manager and City Attorney to take necessary steps to repeal Resolution No. 2014-77 eliminating Permit Parking District "S" and prepare an ordinance to improve the implementation and effectiveness of the current parking district process

Councilmember Posey recused himself from action on the item due to living within 100 ft. of District S, and left the room.

Councilmember Sullivan stated his understanding of the issues and permitting process and he expects an update to proceed as soon as possible.

A motion was made by Sullivan, second Peterson to direct the City Manager and City Attorney to take the necessary steps to repeal Resolution No. 2014-77 and eliminate District-S, which consists of portions of 7th Street, 8th Street, 9th Street, Orange Avenue, Pecan Avenue, Acacia Avenue and Palm Avenue; and, direct the City Manager and City Attorney to review Huntington Beach Municipal Code (HBMC) Chapter 10.42 and prepare an ordinance that is unambiguous to improve the implementation and effectiveness of the current parking district process; and, direct the City Manager to suspend consideration of any future parking districts pending the City Council's review of an ordinance to revise Chapter 10.42.

Mayor Pro Tem Katapodis and City Attorney Gates discussed the timeline should Council decide to repeal Resolution No. 2014-77 (approximately 60 days). Mayor Pro Tem Katapodis inquired, and City Attorney Gates confirmed that the community in the affected district would have the option to reapply if they so chose.

A substitute motion was made by Hardy, second Katapodis to direct the City Manager and City Attorney to take the necessary steps to repeal Resolution No. 2014-77 and eliminate District-S, which consists of portions of 7th Street, 8th Street, 9th Street, Orange Avenue, Pecan Avenue, Acacia Avenue and Palm Avenue.

The substitute motion carried by the following vote:

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

A motion was made by Hardy, second Katapodis to direct the City Manager and City Attorney to review Huntington Beach Municipal Code (HBMC) Chapter 10.42 and prepare an ordinance that is unambiguous to improve the implementation and effectiveness of the current parking district process; and, direct the City Manager to suspend consideration of any future parking districts pending the City Council's review of an ordinance to revise Chapter 10.42.

The motion carried by the following vote:

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

COUNCILMEMBER COMMENTS (Not Agendized)

Councilmembers Delgleize, Sullivan and Peterson recommended that the City obtain a portable amplification system for public meetings held in venues that do not offer good sound.

Councilmember Delgleize discussed attending the Surf City Marathon.

Councilmember Sullivan discussed attending a General Plan Advisory Committee (GPAC) meeting, and voiced concerns about people not being able to hear at the selected venue.

Councilmember Posey discussed attending the Surf City Marathon and encouraged participation in the upcoming Special Olympics golf tournament.

Councilmember O'Connell discussed attending the Surf City Marathon and congratulated Jim Katapodis for being elected to the OCTA Board.

Councilmember Katapodis discussed attending the Surf City Marathon, and reminded everyone of the buildingtoremember.com site to make donations for the 9/11 Memorial.

Mayor Hardy discussed attending the Huntington Beach Fire Department Awards and Recognition ceremony, the Author's Festival event which acknowledged children from pre-school through 8th grade for their illustrations or written stories, and the Surf City Marathon.

ADJOURNMENT – At 8:43 PM of the regular meeting of the City Council/Public Financing Authority and the special meeting of the Huntington Beach Civic Improvement Corporation.

The next regularly scheduled meeting of the Huntington Beach City Council/Public Financing Authority is Tuesday, February 17, 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 and Secretary of the Public Financing Authority and Civic Improvement Corporation of the City of Huntington Beach, California

ATTEST:



City Clerk-Secretary



Mayor Chair