

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

Monday, March 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 - 4:04 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 Flynn announced supplemental communications that were received by her office following distribution of the Council agenda packet:

Study Session #1

A PowerPoint communication received from Scott Hess, Director of Planning and Building dated March 2, 2015, entitled *BECSP Amendment*.

Communications received from various individuals regarding the review of the Beach and Edinger Corridor Specific Plan (BECSP): Steven & Stephanie Stichka, Geri Von Freymann, Bob Miller, President, HB Auto Dealers, Donna Allison, Rita Barry, Silvia Berry, Preston Campbell, Mike & Jeri Chiavetta, David Cicerone, Debbie Coultas, Pat Garcia, Gina Geisbauer, JP Geisbauer, Stephanie Green, Eleanor E. Jeppesen, La Dean, Ellen LaMotte, Phillis Lane, Yolanda Sabedina, Donna Little, Nanette Lund, Jackie Maleck, Ashley Meier, Jeanie M. Miller, Ronald Minear, Stefani Moore, Carol Morris, Jane Morris, Ross Nash, Carlee Okerman, Ann Palmer, Pamela Polcyn, Rob Pool, T. Pool, Katie Slavin, Ana Smith, Donna Supernaw, Ann Tarkington, Heather Terranove, Ron Troxell, Janice Ugland, Bruce Wareh, and Carol Woodworth.

Mayor Hardy announced that due to time constraints, Study Session Item No. 2 (Review and Update of the Bolsa Chica Lowlands Annexation) would be continued to a date uncertain.

Councilmember O'Connell recused himself from participation in Study Session Item No. 1

(Beach and Edinger Corridors Specific Plan) and left the room after announcing that he owned property near the area.

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

Tommy Thompson, Executive Director, California Apartment Association, Orange County Division, spoke regarding Study Session Item No. 1 - Discuss potential amendments to the Beach and Edinger Corridors Specific Plan (BECSP). He discussed the number of apartments/units in Huntington Beach, and his opinion on why the community is reacting negatively to the pace of current apartment development, given that the last significant apartment project in Huntington Beach was built in 1974. (00:01:56)

Mike Balsamo, Building Industry Association (BIA), spoke regarding Study Session Item No. 1 - Discuss potential amendments to the Beach and Edinger Corridors Specific Plan (BECSP). Referring to the issues matrix, he stated that the BIA would support a MAND of 2800, requiring a conditional use permit (CUP), parking as required by the Huntington Beach Zoning Code (Coastal requirements too excessive), flexibility on setbacks through the CUP process (site-specific), retail encouraged, but not required, and a 50-60 units per acre density formula. (00:05:16)

Andrea Raynal, spoke on behalf of a stakeholder regarding Study Session Item No. 1 - Discuss potential amendments to the Beach and Edinger Corridors Specific Plan (BECSP). She voiced concerns about how changes will affect their project, and requested something in writing that would clearly define how potential changes will affect their project. (00:07:45)

Justin Jarjour, Owner of Hilltop Liquor at Beach and Indianapolis, spoke regarding Study Session Item No. 1 - Discuss potential amendments to the Beach and Edinger Corridors Specific Plan (BECSP). He explained reasons that support his request to include the Hilltop Liquor property within the BECSP, and discussed how approval of his request will benefit the surrounding area and businesses. (00:08:30)

Blake Hopkins, Project Manager, AMCAL, spoke regarding Study Session Item No. 1 - Discuss potential amendments to the Beach and Edinger Corridors Specific Plan (BECSP). He discussed a proposal designed to meet current BECSP standards, and expressed excitement and willingness to meet new conditions for a successful project. (00:10:59)

Cari Swan spoke regarding Study Session Item No. 1 - Discuss potential amendments to the Beach and Edinger Corridors Specific Plan (BECSP). She presented a form board that listed ideas, and specifically addressed the BECSP -- reduce MAND to 1700, voiced concerns about the BECSP EIR using a statement of overriding considerations in relation to traffic, and encouraged Council to listen to the community, not developers. (00:12:30)

Dick Thiel spoke regarding Study Session Item No. 1 - Discuss potential amendments to the Beach and Edinger Corridors Specific Plan (BECSP). He voiced concerns about the amount of traffic experienced due to the number of new apartment buildings/units being constructed/occupied, and how the parking shortage in the Bella Terra Shopping Center is due to a flawed formula. He also provided statistics related to other apartment developments. (00:15:07)

STUDY SESSION

1. Discussed potential amendments to the Beach and Edinger Corridors Specific Plan

Planning Manager Jennifer Villasenor provided a PowerPoint presentation dated March 2, 2015 and entitled *BECSP Amendment* that included the following titled slides: BECSP, Issue #1: Maximum Amount of Net New Development (MAND), Current Projects (Approved and Building Permits Issued), Potential Residential Projects, Issue #2: Entitlement Processing, Issue #3: Residential Parking, Issue #4: Building Setbacks, Issue #5: Retail/Commercial Uses, Issue #6: Auto Dealer Standards, Issue #7: Existing Commercial Uses, Issue #8: Residential Density, Issues Matrix, and Next Steps.

Mayor Hardy suggested that discussion be directed to one issue at a time.

Issue #1: MAND

Option 1 – 2,100 units: Supported by straw votes by Mayor Hardy, Mayor Pro Tem Katapodis, and Councilmembers Peterson and Sullivan.

Councilmember Posey and Manager Villasenor discussed conceptual phases related to the Potential Residential Projects list, and Councilmember Delgleize and Manager Villasenor discussed projects for sale, versus for rent.

Mayor Pro Tem Katapodis and Manager Villasenor discussed if amending the MAND would affect parties on the Potential Residential Projects list.

Councilmember Delgleize and Manager Villasenor discussed current projects moving forward in the process in light of the proposed BECSP amendments.

Councilmember Posey addressed traffic concerns and presented data that suggests amending the MAND would not resolve traffic issues.

Councilmember Peterson described changing the MAND as a pause, and adopting options identified in the remaining issues as a beginning to bring resolution to current concerns, and as a preventive measure for future development.

Planning and Building Director Scott Hess discussed a possible timeline to implement amendments, describing them as guidance to developers and how development standards are affected by the MAND.

Councilmember Delgleize discussed how the intent of the BECSP was to beautify and bring vitality to areas within the BECSP that needed rehabilitation.

Manager Villasenor reminded Council that the amendments being discussed do not require CEQA review, but that building above the current MAND would. Discussion ensued regarding costs to the City and/or developer for environmental review for individual projects built above the MAND.

Issue #2: Entitlement Processing

By straw vote, Council reached consensus on Option 1 to send conditional use permits to the Planning Commission for approval.

Issue #3: Parking

By straw vote, Councilmember Posey supported Option 1 (HBZSO); Councilmember Sullivan supported Options 1 (HBZSO) and 2 (Coastal); Councilmember Delgleize supported Option 2 (Coastal); Councilmember Peterson supported setting Option 2 as the minimum standard, amending the guest value to 5 per 10 units – Mayor Hardy concurred; and Mayor Pro Tem supported Option 2 (Coastal).

Discussion ensued on projects that would benefit from Option 3 (Other) that calls for a higher ratio (2br: 3 min; ≥ 3br: 3 min).

Issue #4: Front Setback / Upper-Story Setback

By straw vote, Councilmember Sullivan supported Option 1; Councilmember Delgleize supported Option 1, understanding that certain buildings could benefit from a 30' setback (Option) 2; Councilmember Peterson supported Option 2; Councilmember Posey supports Options 1 or 2; Mayor Pro Tem supported Option 2; Mayor Hardy supported Option 2. Discussion ensued about commercial versus residential frontage, and requiring a conditional use permit for development along Beach Blvd. to from Ellis to Edinger.

Issue #5: Retail/Commercial

Option 1 was supported, but amended to allow a deviation from building commercial at street level through the conditional use permit process.

Issue #6: Auto Dealers

By straw vote, Council reached consensus on Option 1 – Modify requirements to allow deviation to BECSP requirements for auto dealers.

Issue #7: Existing Commercial

Councilmember Peterson and staff discussed projects that have met the current requirement of new construction and additions at >20%. He voiced support for increasing the number to >50%, and Mayor Hardy, and Councilmembers Delgleize and Sullivan concurred. Discussion ensued regarding when new square footage triggers responsibility to improve streets and sidewalks. Planning Manager Villasenor discussed an exception for "Classic Boulevard" improvements.

Issue #8: Density

Mayor Hardy and other Councilmembers mutually agreed to delay discussion on density. Discussion ensued on how changes to density can affect State Regional Housing Needs Allocation (RHNA) requirements. Councilmember Sullivan voiced opposition to use of form-based architecture.

2. CONTINUED TO A DATE UNCERTAIN: Review and Update of the Bolsa Chica Lowlands Annexation

RECESS TO CLOSED SESSION

A motion was made by Sullivan, seconded by Katapodis to recess to Closed Session Item Nos. 3 and 4. The motion carried by the following vote:

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

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: Charlotte Gittleman v. City of Huntington Beach, Orange County Superior Court Case No. 30-2014-00723226.

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: Christina Marie Zinn v. City of Huntington Beach, Orange County Superior Court Case No. 30-2014-00725823.

6:00 PM - COUNCIL CHAMBERS

RECONVENE CITY COUNCIL/PUBLIC FINANCING AUTHORITY MEETING - 6:15 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 Councilmember Posey

INVOCATION - Led by former Mayor Ralph Bauer

AWARDS AND PRESENTATIONS

Mayor Hardy called on Kendra Rosales from Edison High School, and Danny Cash from Ocean View High School, both members of the Huntington Beach Union High School District, to announce the district-wide Pi Day event scheduled for Saturday, March 14, 2015.

Kendra and Danny discussed specifics of the event that will raise awareness and funds to support STEM (Science Technology Engineer and Mathematics) in the classroom, including a free community fair with hands-on booths, collegiate guest speakers, and live entertainment and food trucks.

Mayor Hardy called on Huntington Beach Elks Exalted Ruler Gregory Neneman to present a certificate and letter to Huntington Beach Police Department's Sgt. Oscar Garcia, recipient of the 2014-2015 Enrique Camarena Award from the California Hawaii Elks State Association.

Gregory Neneman described moments in time that led to the creation of the Enrique Camarena Award, and Venus Collins described Huntington Beach Police Sgt. Oscar Garcia's efforts to target heroine distributors. Sgt. Oscar Garcia was presented with a plaque.

Mayor Hardy called on members of the Huntington Beach High School's Friday Night Live Chapter (FNL), PTSA, and CSP-Project PATH to recognize the Huntington Beach Police Department for its outstanding commitment to keeping the community safe through their DUI enforcement operations, education and awareness.

Representatives from CSP and the Huntington Beach High School PTSA presented a large thank you note mounted on presentation foam board to the Huntington Beach Police Department for their efforts to protect citizens and raise awareness on driving under the influence.

ANNOUNCEMENT OF SUPPLEMENTAL COMMUNICATIONS (Received After Agenda Distribution)

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

Council Committee – Appointments – Liaison Reports

#1. Communication received from Joan L. Flynn, City Clerk, dated March 2, 2015 submitting revised exhibit pages for the Amendment to the 2015 City Council Boards and Commissions' Liaison Appointments List.

Ordinances for Adoption

#10. PowerPoint Communication received from Robert Handy, Chief of Police, entitled *Proposed Massage Business Moratorium Interim Ordinance 4046*.

Councilmember Items

#11. Communications received from various individuals regarding the preparation of an amendment Ordinance to make express the City's prohibition of Medical Marijuana Dispensaries within the City: Bobbi Ashurst, Steve Farnsworth, Anonymous and Janice Ugland

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/>).

Ralph Bauer distributed a report entitled *Huntington Beach Collaborative* dated January 20, 2015, and spoke regarding a year-long study addressing the homeless in Huntington Beach, highlighting intake and counseling, lack of housing (temporary and permanent), health issues

(mental and substance abuse), and returning to self-sufficiency. He encouraged Council to form a Homeless Needs Task Force. (00:21:00)

Dave Shenkman announced the 13th Annual Kite Party hosted by the Kite Connection at the Huntington Beach Pier on Saturday, March 20, and Sunday, March 21. (00:23:37)

Christopher Bennett, Navy Pilot Veteran and speaking on behalf of the owner of Med Alert, spoke regarding Councilmember Items Item No. 11 - preparation of an amendment Ordinance to make express the City's prohibition of Medical Marijuana Dispensaries within the City. He described the life-threatening issues he has faced, and proposed a one-year stay to study and formulate a program that would allow them to continue conducting business. (00:25:23)

Kathy Tillotson, Executive Director of Build Futures that supports homeless youth to become employed and self-sufficient, discussed the number of homeless high school students in the City, and how Build Futures would like the community and City Council to address this problem and come up with a solution. (00:28:20)

Tony Swanson spoke neutrally regarding Ordinances for Adoption Item No. 10 - Adopt Interim Ordinance No. 4046 regarding Massage Business Moratorium. He voiced concerns about defining what is legal and illicit in relation to massage establishments. (00:30:55)

Jean Nagy spoke regarding the *Tree Walk Around* event on Saturday, March 7 at 10:00 A.M. at the Urban Forest in Huntington Central Park. (00:33:03)

Jorggi Delaney spoke in opposition to Councilmember Items Item No. 11 - preparation of an amendment Ordinance to make express the City's prohibition of Medical Marijuana Dispensaries within the City. (00:35:40)

Clem Dominguez spoke in opposition to Councilmember Items Item No. 11 - preparation of an amendment Ordinance to make express the City's prohibition of Medical Marijuana Dispensaries within the City. (00:38:25)

Richard O'Leary spoke in opposition to Councilmember Items Item No. 11 - preparation of an amendment Ordinance to make express the City's prohibition of Medical Marijuana Dispensaries within the City. (00:41:37)

Maureen L. spoke in opposition to high density apartments being built on Beach Blvd. because of the traffic and parking problems they cause. (00:44:48)

Joseph Dagley, Chair, Huntington Beach Human Relations Task Force, encouraged Council to form a "Homeless Task Force." (00:47:10)

Teri Lynn, Licensed Massage Therapist, spoke in opposition to Ordinances for Adoption Item No. 10 - Adopt Interim Ordinance No. 4046 regarding Massage Business Moratorium. (00:49:44)

Stephanie Sigaty, Licensed Massage Therapist, spoke in opposition to Ordinances for Adoption Item No. 10 - Adopt Interim Ordinance No. 4046 regarding Massage Business Moratorium. (00:52:50)

Cari Swan discussed issues identified during the Study Session on Item No. 1 - Potential Amendments to the Beach and Edinger Corridors Specific Plan (BECSP). (00:53:30)

Dick Thiel spoke in opposition to high density development discussed during the Study Session on Item No. 1 - Potential Amendments to the Beach and Edinger Corridors Specific Plan (BECSP). (00:56:33)

Denise Easterby, Caregivers of Huntington Beach, spoke in opposition to Councilmember Items Item No. 11 - preparation of an amendment Ordinance to make express the City's prohibition of Medical Marijuana Dispensaries within the City. (01:00:05)

Robert Johnson voiced concerns regarding the City's Affordable Housing Program. (01:03:17)

Vern Nelson spoke in opposition to Councilmember Items Item No. 11 - preparation of an amendment Ordinance to make express the City's prohibition of Medical Marijuana Dispensaries within the City. (01:06:28)

Stefan Borst-Censullo, Law Office of Stefan Borst-Censullo, spoke in opposition to Councilmember Items Item No. 11 - preparation of an amendment Ordinance to make express the City's prohibition of Medical Marijuana Dispensaries within the City. (01:09:44)

Cassandra Ferragamo, God's Army, voiced concerns about homelessness and drug abuse in Huntington Beach. (01:12:52)

Robert spoke in opposition to Councilmember Items Item No. 11 - preparation of an amendment Ordinance to make express the City's prohibition of Medical Marijuana Dispensaries within the City. (01:16:15)

Lori Ann Robeson, No-Styrofoam Challenge, honored local business owner Mike Ali, Zack's Surf Shop, for discontinuing the use of Styrofoam products, and presented him with a certificate. (01:20:05)

Mike Ali, Zack's Surf Shop, thanked the City, and Ms. Robeson. (01:20:50)

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

1. Approved Amendment to City Council Boards and Commissions' Liaison Appointments List 2015

A motion was made by Hardy, second Sullivan to approve the appointment of Barbara Delgleize as the Southern California Association of Governments (SCAG) District 64 Delegate, and Billy O'Connell as Alternate Delegate. The City Clerk certifies that FPPC Form 806 "Agency Report of Public Official Appointments" was posted to the City's website according to law prior to this vote.

The motion carried by the following vote:

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

Councilmember Delgleize reported that March 26 has been selected by the Allied Arts Board as the date for leaders in the community to participate in the *Arts and Cultural Summit* to support the arts, encouraged organizations to publish information on Channel 3 by contacting Community Relations Officer Julie Toledo at (714) 536-5577, discussed the upcoming *American Youth Character Awards* sponsored by the Children's Needs Task Force, and announced that the Council on Aging will host a shredding event held on March 21, 2015 from 9:00 AM to 1:00 PM at the Rodgers Senior Center downtown.

Councilmember Peterson reported attending a meeting of the Orange County Sanitation District (OCSD).

Mayor Pro Tem Katapodis reported attending a meeting of the Orange County Transportation Authority (OCTA) Boards of Directors.

Councilmember Sullivan reported attending meetings of the Orange County Senior Citizens Advisory Council (Executive Committee and Health and Nutrition Committees).

Mayor Hardy and Councilmember O'Connell reported attending the Chamber of Commerce 111th Annual Gala on February 20.

CITY MANAGER'S REPORT

City Manager Fred Wilson reported that the Special Olympics Delegation Announcement event co-hosted by the cities of Huntington Beach and Fountain Valley will take place at Pier Plaza on Wednesday, March 4 at 10:00 AM.

CONSENT CALENDAR

- 2. Approved the Release of Securities for Tract 16733 (located west of Newland Street, north of Hamilton Avenue, south of Lomond Drive) and accepted the Public Improvements and notify RP Blue Canvas, LLC the subdivider**

A motion was made by Katapodis, second Sullivan to accept the improvements constructed and dedicated for public use with Tract 16733; and, accept Guarantee and Warranty Bond No. 5040672; the security furnished for guarantee and warranty of improvements, and instruct the City Clerk to file the bond with the City Treasurer; and, release the Faithful Performance Bond No. 5037460, Labor and Material Bond No. 5037460 and Monument Bond No. 5037495 pursuant to the California Government Code Section No. 66499.7(a); and, instruct the City Clerk to notify RP Blue Canvas, LLC., the subdivider of Tract No. 16733, of this action and the City Treasurer to notify Bond Safeguard Insurance Company, of this action; and, instruct the City Clerk to record the "Notice of Acceptance of Public Improvements" with the Orange County Recorder.

The motion carried by the following vote:

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

NOES: None

3. Adopted Resolution No. 2015-09 Reauthorizing Establishment of a Used Oil and Used Oil Filter Collection Program

A motion was made by Katapodis, second Sullivan to adopt Resolution No. 2015-09, "A Resolution of the City Council of the City of Huntington Beach Authorizing Submittal of a Used Oil Payment Program Application and Related Authorizations."

The motion carried by the following vote:

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

4. CONTINUED TO MARCH 16 - Adopt Resolution Nos. 2015-07 and 2015-08 Approving Associate Membership in the California Enterprise Development Authority (CEDA) and Consenting to the Inclusion of Properties within the City's Jurisdiction in the Figtree and CaliforniaFIRST Property Assessed Clean Energy (PACE) Financing Programs

The item was pulled by Councilmember Delgleize to request that staff consider continuing it for further study.

A motion was made by Delgleize, second Peterson to direct staff to conduct further study and return at the March 16th meeting with more information.

The motion carried by the following vote:

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

5. Adopted Resolution No. 2015-10 Declaring Weeds and Rubbish on Specific Properties a Nuisance and Fixing May 4, 2015 at 6:00 PM for Hearing Protests and Objections to the Abatement thereof

A motion was made by Katapodis, second Sullivan to adopt Resolution No. 2015-10, "A Resolution of the City Council of the City of Huntington Beach Finding and Declaring that Certain Weeds Growing in the City, and Rubbish and Refuse Deposited on Public Ways and Private Property are a Public Nuisance; and Fixing the Time for Hearing Protests and Objections to the Abatement Thereof."

The motion carried by the following vote:

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

6. Adopted Resolution No. 2015-11 adopting the Measure M2 Expenditure Report for the City of Huntington Beach

A motion was made by Katapodis, second Sullivan to adopt Resolution No. 2015-11, "A Resolution of the City Council of Huntington Beach Adopting the Measure M2 Expenditure Report for the City of Huntington Beach."

The motion carried by the following vote:

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

7. Adopted Resolution No. 2015-12 for the Summary Vacation of a Portion of an Existing Public Street Easement for Pacific View Avenue at the Pacific City Commercial/Retail Development

Councilmember O'Connell pulled the item to receive an overview of the item. Public Works Director Travis Hopkins discussed the item's history, and why the summary vacation is being requested. Discussion ensued regarding diagonal parking that has now been moved to onsite parking.

A motion was made by O'Connell, second Delgleize to adopt Resolution No. 2015-12, "A Resolution of the City Council of the City of Huntington Beach Ordering the Summary Vacation of a Street Easement on Property Located at Pacific City (Tract Map Number 16338)" including Exhibits A and B; and, instruct the City Clerk to record said Resolution (and attachments) with the Orange County Recorder.

The motion carried by the following vote:

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

8. Approved and authorized execution of a License Agreement with Visit Huntington Beach (VHB) for use of the Visitors' Kiosk located at Pier Plaza

A motion was made by Katapodis, second Sullivan to approve and authorize the Mayor and City Clerk to execute the "Non-Exclusive License Agreement Between the City of Huntington Beach and Visit Huntington Beach" (formerly Huntington Beach Conference and Visitors Bureau) for the use of the Visitors' Kiosk located at Pier Plaza.

The motion carried by the following vote:

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

9. Approved and authorized execution of an Amendment to Joint Agreement for the Operation, Maintenance, and Financial Management of the Orange County 800 Megahertz Countywide Coordinated Communications System

A motion was made by Katapodis, second Sullivan to approve and authorize the Mayor and City Clerk to execute the "Amendment to Joint Agreement for the Operation, Maintenance, and

Financial Management of the Orange County 800 Megahertz Countywide Coordinated Communications System."

The motion carried by the following vote:

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

ORDINANCES FOR ADOPTION

10. **Adopted Urgency Ordinance No. 4046 regarding Massage Business Moratorium (Requires 4/5 Vote to Adopt)**

Police Chief Robert Handy provided a PowerPoint presentation entitled *Proposed Massage Business Moratorium Interim Ordinance No. 4046*, that included the following titled slides: Background, Problem, and Moratorium Considerations.

Mayor Pro Tem Katapodis and City Attorney Gates discussed businesses that would be exempt if approved, in particular, one in the process of relocating.

Councilmember Delgleize and Chief Handy discussed costs associated with obtaining an Establishment Registration Certificate (ERC).

Councilmembers Sullivan, Posey and O'Connell voiced support for the proposed moratorium.

A motion was made by Delgleize, second Katapodis to after the City Clerk reads by title, adopt Ordinance No. 4046, "An Interim Ordinance of the City Council of the City of Huntington Beach Establishing a Temporary Moratorium on New Massage Establishments" while City staff complete the development of the new massage establishment regulatory scheme (HBMC and HBZSO).

The motion carried by the following vote:

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

COUNCILMEMBER ITEMS

11. **Approved item submitted by Mayor Pro Tem Katapodis - Directing the City Attorney to prepare an amendment Ordinance to make express the City's prohibition of Medical Marijuana Dispensaries within the City**

Mayor Pro Tem Katapodis read aloud the published memorandum.

Councilmember Peterson questioned the definition of "Mobile" dispensary, and expressed his view that it might be appropriate for voters to make a decision on the matter in 2016. He explained that while he does not support the use of marijuana for non-medical purposes, he believes that a greater authority will move forward on the matter in the near future, and voiced his opinion that the issue be studied and well-regulated.

Councilmember Posey and Attorney Gates discussed three businesses operating after the City banned dispensaries in 2006, how federally chartered banks are prohibited from collecting deposits from the resale of marijuana, and the problems dispensaries cause for the Police Department by handling large amounts of cash. He closed by indicating his support for the motion.

Councilmember Delgleize described her reasons for supporting the recommended action.

Councilmember Sullivan voiced support for the recommended action, and reminded Council that home delivery options are available to those who need medication.

Mayor Hardy voiced concerns as to why it was necessary to strengthen the language in the Ordinance, and discussed her opinion that new rules should be considered.

A motion was made by O'Connell, second Katapodis to direct the City Attorney to prepare an Ordinance amendment that adds expressly articulated language to the City's Code that medical marijuana dispensaries are a prohibited non-profit, for profit, retail, commercial, or otherwise, establishment in the City. The Ordinance amendment should include that mobile medical marijuana dispensaries fall under the same prohibition. This amendment is not to change the City's longstanding prohibition against medical marijuana dispensaries; the amendment is only to enhance the Code to make the prohibition more express and clearer to the public.

The motion carried by the following vote:

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

COUNCILMEMBER COMMENTS (Not Agendized)

Councilmember Delgleize requested further details on the process being taken to address Dr. Bauer's concerns about the Huntington Beach homeless situation. City Manager Wilson responded that staff is working on an item for an upcoming Council meeting that will address the concerns and options. Councilmember Delgleize also asked if in the upcoming budget review there would be an opportunity to discuss an option of hiring a park ranger. After reading the article about the serious issue of people feeding the wild animals in the City's parks, she thinks having a park ranger could help address this issue. City Manager Wilson responded that Council will be addressing this issue in the future as well.

Mayor Pro Tem Katapodis reported attending the Monkey House Toast of 2015 to recognize the Chinese New Year. This event was well attended and raised a lot of money.

Councilmember O'Connell stated there is a Council interest in establishing a Homeless Taskforce in the City. City Manager Wilson stated that staff is also addressing the issue.

ADJOURNMENT - At 8:18 PM Mayor Hardy adjourned the meeting in memory of Robert Kakuk.

The next regularly scheduled meeting of the Huntington Beach City Council/Public Financing Authority is Monday, March 16, 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 and Secretary of the Public Financing Authority of the City of Huntington Beach, California

ATTEST:



City Clerk-Secretary



Mayor Chair