

## Minutes

### City Council/Public Financing Authority City of Huntington Beach

Monday, October 17, 2016  
4:00 PM - Council Chambers  
6:00 PM - Council Chambers  
Civic Center, 2000 Main Street  
Huntington Beach, California 92648

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

#### 4:00 PM - COUNCIL CHAMBERS

**CALLED TO ORDER 4:04 PM**

#### ROLL CALL

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

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

Pursuant to the Brown "Open Meetings" Act, City Clerk Robin Estanislau announced supplemental communications that were received by her office following distribution of the Council agenda packet for Study Session Item No. 1:

- 1) Public Works submitted a PowerPoint communication dated October 17, 2016, entitled *2016 Water Master Plan Update*.
- 2) *2) City of Huntington Beach Water Master Plan Update Executive Summary* published by Psomas, provided by Public Works.

#### **PUBLIC COMMENTS PERTAINING TO STUDY SESSION / CLOSED SESSION ITEMS**

(3 Minute Time Limit) — None

#### **STUDY SESSION**

##### **1. The Public Works Department provided an update for the 2016 Water Master Plan**

Director of Public Works Travis Hopkins introduced City Engineer Tom Herbel who gave a PowerPoint presentation entitled *2016 Water Master Plan Update* with slides titled: *Importance of Water System, Cost to Replace Our Water Infrastructure?, Water Master Plan Need and Purpose, Examples of Aging Infrastructure, What Topics are Covered in the Water Master Plan?, Highlight of Completed WMP Projects Since 1995, WMP Project Categories & Costs, Immediate Needs, Water Master Plan Fund Balance, Next Steps, Future Water Master Plan Fund Needs, If Water Master Plan is Adopted, Questions? Regional Bill Comparison, Summary of Projects from 2012 WMP, Staff Recommendation to Council, 2016 WMP Projects - Production, 2016 WMP Projects - Main Replacement, 2016 WMP Projects*

- *Distribution, 2016 WMP Projects - Corrosion Control, 2016 WMP Projects - Securities, and 2016 WMP Projects - Engineering Study*. Also included was the Executive Summary (as referenced in Supplemental Communication).

Councilmember Delgleize, Director Hopkins and Engineer Herbel discussed the pay-as-you-go option that adds a monthly capital surcharge to water bills to avoid accumulating debt.

Councilmember Peterson and Engineer Herbel discussed plans and costs associated with aging infrastructure and rebuilding two lost wells.

Mayor Pro Tem Sullivan and Engineer Herbel discussed the details (corroded casings and sand clogging) related to the two lost wells.

Mayor Katapodis, Director Hopkins and Engineer Herbel discussed the plan to ensure that the older wells are repaired and/or replaced as necessary. It was noted that most wells are expected to provide 50 years of service, but after 50 years it is not uncommon for failure without any notice.

Councilmember Posey and Director Hopkins discussed that there are cast iron and asbestos pipes in the current system (which are currently perfectly safe), and that steel is being used as replacement becomes necessary.

#### **RECESSED TO CLOSED SESSION — 4:29 PM**

A motion was made by Posey, second Sullivan to recess to Closed Session for items 2 through 4. With no objections the vote carried.

#### **CLOSED SESSION**

2. Pursuant to Government Code §54956.9(d)(2) the City Council recessed into Closed Session to confer with the City Attorney regarding potential litigation. Number of cases, one (1).
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: Huntington Shorecliff, LP v. City of Huntington Beach, et al. (JS Stadium), Orange County Superior Court Case No. 30-2011-00463995.
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: ComUNIDAD v. City of Huntington Beach; Orange County Superior Court Case No. 30-2016-00869173-CU-WM-CXC.

#### **6:00 PM – COUNCIL CHAMBERS**

**RECONVENED CITY COUNCIL/PUBLIC FINANCING AUTHORITY MEETING AND CALLED TO ORDER THE SPECIAL MEETING OF THE HUNTINGTON BEACH HOUSING AUTHORITY — 6:02 PM**

#### **ROLL CALL**

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

**PLEDGE OF ALLEGIANCE** — Led by Councilmember Posey

**INVOCATION** - Led by Rev. Dr. Peggy Price of the Center for Spiritual Living in Seal Beach 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 Katapodis called on Senator Janet Nguyen who provided a legislative update on the laws and bills for the 2015/2016 session.

Mayor Katapodis called on Fire Chief David Segura who presented the Mayor's Award to Division Fire Chief Eric G. Engberg. Chief Segura described how Division Chief Engberg consistently demonstrates an allegiance to the Fire Department, its employees and the community. He provided a timeline of Division Chief Engberg's thirty-one year career with the City, and discussed how he continually demonstrates professionalism and dedication to the highest standards of the HBFD, and is a role model not only in the HBFD, but also across the region. He stated that Division Chief Engberg is described by his peers and subordinates as a competent and dependable individual who leads with wisdom, selflessness, fairness and integrity.

Division Chief Engberg thanked Chief Segura, Mayor Katapodis and the Council for the acknowledgement and stated that his success is due to being part of a great team of co-workers.

**CLOSED SESSION REPORT BY CITY ATTORNEY** — None

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

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

For Ordinances for Introduction Item No. 12

- 1) Communication received from Fire Chief Segura submitting corrections and a revised Ordinance No. 4123.
- 2) PowerPoint presentation dated October 17, 2016, entitled *Proposed Adoption of the 2016 California Fire Code (CFC) with Local Amendments*.

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

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

Peggy Price was called to speak and shared that there were hundreds of thousands of people around the planet this year that participated in the Compassion Games — eleven days to focus on acts of

kindness and service. She shared that the Greater Huntington Beach Interfaith Council (GHBC) celebrates twenty years of service this year and invited people to come celebrate at a banquet on Sunday, November 20, 2016, 5 - 8 p.m., Temple Beth David, 6100 Hefley Street, Westminster. (00:57:05)

Cynthia Garcia, granddaughter of Andres R. Arevalos, was called to speak and stated her support for Consent Calendar Item No. 3, recommendations for new and existing parks made by the Community Services Commission, specifically retaining the name Arevalos Park. (00:59:19)

Crystal Bracey, great granddaughter of Andres R. Arevalos, was called to speak and read her mother's (Donna Sianez, granddaughter of Andres R. Arevalos) support for Consent Calendar Item No. 3, recommendations for new and existing parks made by the Community Services Commission, specifically retaining the name Arevalos Park. (01:00:55)

Mercedes Bracey, great great granddaughter of Andres R. Arevalos, was called to speak and stated her support for Consent Calendar Item No. 3, recommendations for new and existing parks made by the Community Services Commission, specifically retaining the name Arevalos Park. (01:02:28)

Debbie Tinoco, great granddaughter of Andres R. Arevalos, was called to speak and stated her support for Consent Calendar Item No. 3, recommendations for new and existing parks made by the Community Services Commission, specifically retaining the name Arevalos Park. (01:03:36)

Jerry Konkolewski was called to speak and shared his recent experience of having his auto towed, without any notice. Within hours of vandals slicing the tires the City considered the auto "inoperable" and towed it. He shared his frustration at the cost and amount of time it took to retrieve his vehicle. He was handed a blue card to complete so City staff could follow-up. (01:06:52)

Kim Holliday was called to speak and stated her support for Consent Calendar Item No. 3, recommendations for new and existing parks made by the Community Services Commission, specifically retaining the name Arevalos Park. (01:10:30)

Clem Dominguez was called to speak, shared that he is a candidate for an elected board member position with the Orange County Water District, and provided an update on the Poseidon Desalination project approval process. (01:11:20)

Tony Nobles, Vice President of the Sunset Beach Community Association, was called to speak and invited everyone to the October 31st Halloween event with a Star Wars theme, 6:30 - 9:30 p.m., at the Sunset Beach Community Center, 16861 12th Street (@ Pacific Coast Highway). (01:14:44)

Carter Lewis was called to speak and shared his support for Consent Calendar Item No. 3, recommendations for new and existing parks made by the Community Services Commission, specifically to acknowledge Frank L. Ciarelli. (01:17:12)

Paul D'Alessandro was called to speak and shared his support for Consent Calendar Item No. 3, recommendations for new and existing parks made by the Community Services Commission, specifically to acknowledge Frank L. Ciarelli. (01:20:15)

Mark Whitfield was called to speak and shared his support for Consent Calendar Item No. 3, recommendations for new and existing parks made by the Community Services Commission, specifically to acknowledge Frank L. Ciarelli. (01:22:46)

Mike Fazio, nephew of Frank L. Ciarelli, was called to speak and shared his support for Consent Calendar Item No. 3, recommendations for new and existing parks made by the Community Services Commission, specifically to acknowledge Frank L. Ciarelli. (01:24:35)

Tony Gonzales was called to speak and shared his support for Consent Calendar Item No. 3, recommendations for new and existing parks made by the Community Services Commission, specifically to acknowledge Frank L. Ciarelli. (01:26:36)

Tony Ciarelli, son of Frank Ciarelli, was called to speak and shared his support for Consent Calendar Item No. 3, recommendations for new and existing parks made by the Community Services Commission, specifically to acknowledge Frank L. Ciarelli. (01:28:27)

Dann Gibb was called to speak and shared his opposition for Consent Calendar Item No. 3, recommendations for new and existing parks made by the Community Services Commission. In his opinion there are a number of existing parks currently named after their location which could be re-named to acknowledge additional historical families. (01:31:22)

Patricia Goodman, Residents 4 Responsible Desalination (R4RD), was called to speak and spoke in support of the comments made by Clem Dominguez, and described the R4RD mission of educating the community about the facts related to the Poseidon Desalination project. (01:34:57)

Rocky Ciarelli, son of Frank L. Ciarelli, was called to speak and shared his support for Consent Calendar Item No. 3, recommendations for new and existing parks made by the Community Services Commission, specifically to acknowledge Frank L. Ciarelli. (01:38:12)

Barbara Junious, Director, Learning Black History class, was called to speak and thanked Mayor Katapodis and the City for the new Senior Center in Central Park where the Learning Black History class is held. (01:41:26)

Bea Jones, Instructor, Learning Black History class, was called to speak and thanked the City for their support by providing meeting facilities for their class and support for a local *Juneteenth*, a holiday that commemorates the abolition of slavery which is setting an example for all of Orange County. (01:42:37)

Penny Patino was called to speak, and shared her concerns about the continuing night noise and twenty-four hour odors from the Transfer Station at Pacific Coast Highway (PCH) and 11th Street, and requested that the Transfer Station be removed from the beach. (01:46:14)

Robert Johnson was called to speak and shared his opinion that the City's Affordable Housing Program is not fair, and the City needs to eliminate the Moderate Income Family Housing program. (01:49:24)

Gina Bond, great granddaughter of Andres R. Arevalos, was called to speak and shared her support for Consent Calendar Item No. 3, recommendations for new and existing parks made by the Community Services Commission, specifically retaining the name Arevalos Park. (01:52:37)

Mary Urashima, Chair, Historic Wintersberg, Huntington Beach Historical Society Member, National Trust for Historic Preservation Member and Community Preservation Advocate Committee Member for the California Preservation Foundation, was called to speak, distributed a communication, and shared her opposition to Consent Calendar Item No. 3, recommendations for new and existing parks made by the Community Services Commission, specifically that no park that recognizes a historic family should ever be renamed. (01:55:18)

Dori Solis, Comunidad, was called to speak and shared her opinion that the City Council does not appear to be concerned about clean air or an unpolluted environment for the residents and students that live in the Rainbow Disposal neighborhood. Comunidad is using their resources to fight the continued expansion and is hopeful that the City Council will rescind Ordinance 4079 and begin to hold Rainbow accountable. (01:58:31)

Oscar Rodriguez was called to speak and shared a presentation from Comunidad which was originally presented to the Air Quality Management District (AQMD) Hearing Board entitled *Problem!!* that documented some of the neighborhood issues created by the Rainbow facility. Mr. Rodriguez asked that the City Council and Rainbow meet with Comunidad to discuss possible solutions. (02:00:21)

Tanya Pham, Association of the U. S. Army, Local Chapter, was called to speak and announced the 2nd Annual Veterans Honor Ride, on Sunday, November 6, Huntington Beach Pier Plaza, to raise funds for the Veterans Resource Center in Los Alamitos. Details and registration to ride can be found at [www.veteranshonorride.org](http://www.veteranshonorride.org). (02:03:44)

#### **COUNCIL COMMITTEE – APPOINTMENTS – LIAISON REPORTS, AB 1234 REPORTING, AND OPENNESS IN NEGOTIATIONS DISCLOSURES**

Councilmember Peterson reported attending a meeting of the Orange County Sanitation District (OCSD) which included a report on their digester process that collects, treats, recycles and disposes of millions of gallons of wastewater, daily.

Councilmember Hardy reported attending the Girls and Boys Clubs of Huntington Valley 38th Annual Benefit Dinner and Auction.

Councilmember O'Connell reported meeting with some members of the Huntington Beach Police Officers' Association (HBPOA) and attending the Girls and Boys Clubs of Huntington Valley 38th Annual Benefit Dinner and Auction.

Mayor Pro Tem Sullivan reported attending the monthly meeting of the Orange County Senior Citizens Advisory Committee.

Councilmember Delgleize reported attending the Sustain OC - 7th Annual Conference and Expo at UCI, the Girls and Boys Clubs of Huntington Valley 38th Annual Benefit Dinner and Auction as well as the Southern California Association of Government (SCAG) California Housing Summit — "The Cost of Not Housing."

Mayor Katapodis reported attending Orange County Transportation Authority (OCTA) Board of Directors and Finance Committee meetings as well as the Sustain OC - 7th Annual Conference and Expo at UCI.

## **CITY MANAGER'S REPORT**

City Manager Fred Wilson reminded everyone of the Breitling Air Show scheduled for October 21 – 23, explaining that it will be the City's first air show in about twenty-five years and is expected to attract large crowds and create traffic issues. Media Day will be Thursday, October 20, and the Air Force Thunderbirds are expected to be flying from about 12 noon to 1:30 p.m. All the details can be found through the City's website, [www.huntingtonbeachca.gov](http://www.huntingtonbeachca.gov).

## **CONSENT CALENDAR**

Councilmember O'Connell and Mayor Pro Tem Sullivan pulled Item #3, and Councilmember Peterson pulled Item #5 for further discussion.

### **1. Reviewed and adopted Minutes**

A motion was made by O'Connell, second Posey to review and adopt the City Council/Public Financing Authority regular meeting minutes dated October 3, 2016, as written and on file in the office of the City Clerk.

The motion carried by the following vote:

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

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

A motion was made by O'Connell, second Posey to receive and file the Six-Month Strategic Objectives.

The motion carried by the following vote:

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

### **3. Approved, as amended, naming recommendations for new and existing parks made by the Community Services Commission (CSC)**

Pulled by Councilmembers O'Connell and Sullivan, Councilmember O'Connell opened discussion by stating his opinion that it is not appropriate to replace one historical family's name with another for any of the City's parks. He also acknowledged that Frank L. Ciarelli and Delbert "Bud" Higgins are deserving of being recognized for their own historical contributions to the City, and made a motion to retain each park as currently named (Lamb, Arevalos and Wardlow), and find alternate locations to honor aforementioned individuals (Ciarelli and Higgins).

Councilmember Peterson concurred with Councilmember O'Connell's objection to renaming historically recognized parks, but explained that staff's recommended action does not include changing the Arevalos Park name. He made a substitute motion to retain each park as currently named (Arevalos, Wardlow, and new park at the former Lamb School site), and have the CSC reconsider alternate park locations to honor Frank L. Ciarelli and Delbert "Bud" Higgins. Councilmember Delgleize seconded the motion.

Councilmember Hardy concurred with Councilmember Peterson's motion, but recommended revising it to allow for the new park at Lamb School to be named William and Elizabeth Lamb Park. In addition, she provided support for the CSC to also consider unnamed structures to honor deserving individuals.

Councilmember Posey expressed his opinion that history should not be re-written by renaming parks and he also agrees that Frank L. Ciarelli and "Bud" Higgins are deserving of their own recognition.

Mayor Pro Tem Sullivan expressed his support for Councilmember Peterson's motion as expanded by Councilmember Hardy to think about more than just park space as a way to honor individuals.

Mayor Katapodis expressed his support for not changing any historical family park names and thanked Mary Urashima for sharing her research, and all of the various family members who spoke up and shared their family histories this evening.

Councilmember Peterson's motion as revised and seconded by Delgleize to retain the names of Arealos and Wardlow Parks, name the new park at Lamb School as William and Elizabeth Lamb Park, and return to the Community Services Commission to consider alternative locations for parks (or structures) honoring Frank L. Ciarelli and Delbert "Bud" Higgins carried by the following vote:

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

NOES: None

**4. Adopted Resolution No. 2016-66, modifying the Non-Represented Employees Resolution No. 2016-50 to add the Deputy Community Prosecutor position**

A motion was made by O'Connell, second Posey to adopt Resolution No. 2016-66, "A Resolution of the City Council of the City of Huntington Beach Modifying the Non-Represented Employees Resolution to Add the Deputy Community Prosecutor."

The motion carried by the following vote:

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

NOES: None

**5. Adopted Housing Authority Resolution No. 05 and City Council Resolution No. 2016-70 approving and authorizing execution of Affordable Housing Agreements between the Housing Authority / City and Orange County Community Housing Corporation (OCCHC) for acquisition and rehabilitation of a four-unit multi-family complex located at 7792 Barton Drive; and, approve appropriations of funds**

Councilmember Peterson pulled this item to express his opinion that with the passing of Affirmatively Furthering Fair Housing (AFFH), the further the City goes down this path of using federal funding, the more local control is lost, and addressing the homeless issue should be a County function. He stated he would not be supporting the item.

Mayor Pro Tem Sullivan concurred with Councilmember Peterson, and made a motion to deny the item as presented. His motion was seconded by Councilmember Peterson.

Councilmembers Delgleize and O'Connell shared their observations that three years ago there were twenty-six transitional housing programs in Orange County, and today there are none which has resulted in more homelessness in Huntington Beach. Deputy Director of Economic Development Kellee Fritzal clarified that the City of Huntington Beach does not have to look at AFFH until 2019/2020. There was further discussion between Councilmember Delgleize and Director Fritzal confirming that for projects currently under the Assets For Independence (AFI), the City is not relinquishing any rights or local control.

Councilmember Hardy expressed that since the City is not yet subject to federal oversight for these projects, it is her recommendation to move ahead. There will be time to evaluate the influence that the federal government may be trying to exercise in 2019/2020.

Councilmember O'Connell and Director Fritzal discussed that by using federal and city funds for this project, the city does retain control over maintenance and management of the project; unlike some other projects where the city doesn't have any control.

Mayor Pro Tem Sullivan voiced his agreement with statements made by Councilmembers O'Connell and Delgleize that there is an obligation to assist the homeless; however, the fact that the federal government has the power and ability to remove local control if they so choose, he cannot support this item.

Councilmember Delgleize, Councilmember O'Connell and Director Fritzal further clarified that even if the city foregoes Housing and Urban Development (HUD) funds in 2019/2020, there are city covenants on these projects that mandate the properties be properly maintained for the next 55 years.

Mayor Katapodis reiterated his opinion that he also does not trust the federal government to make local decisions, but that it is in the City's best interests to approve this item and re-visit the continued use of federal funds in 2019.

A substitute motion was made by Hardy, second Delgleize to adopt Housing Authority Resolution No. 05, "Resolution of the Housing Authority of the City of Huntington Beach Approving an Affordable Housing Agreement With Orange County Community Housing Corporation;" and, adopt City Council Resolution No. 2016-70 "A Resolution of the City Council of the City of Huntington Beach Approving a HOME Affordable Housing Agreement Between the City and Orange County Community Housing Corporation;" and, approve the appropriation of \$218,780 in account 35280301.89250 for the acquisition and rehabilitation of 7792 Barton Drive; and, approve the transfer of grant appropriations of \$44,986 from HOME FY 2010/11 (Fund 850) to HOME FY 2014/15 (Fund 1209); and, authorize the Chair/Mayor, Executive Officer/City Manager and Clerk of the Housing Authority/City Clerk to take any action and execute any and all documents and agreements necessary to implement the Agreement with OCCHC.

The substitute motion carried by the following vote:

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

6. **Approved, authorized appropriation of funds and execution of an Agreement for Acquisition and Escrow Instructions for the purchase of an Encyclopedia Lot (APN 110-186-08) located on the north side of Ellis Avenue between Edwards and Goldenwest Streets**

A motion was made by O'Connell, second Posey to approve the Agreement for Acquisition and Escrow Instructions; and, authorize the Mayor and City Clerk to execute the agreement and other related documents; and, authorize the City Manager to execute any other related escrow documents, and, authorize the appropriation of up to \$16,500 from the Park Acquisition and Development Fund balance (Fund 209) into account 20945101.81100.

The motion carried by the following vote:

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

**7. Approved and authorized execution of Amendment No. 2 to the Professional Services Contract with Keyser Marston Associates, Inc. for Economic Analysis Services in the amount of \$35,000, for a total contract amount not to exceed \$380,000**

A motion was made by O'Connell, second Posey to approve and authorize the Mayor and City Clerk to execute "Amendment No. 2 to Agreement between the City of Huntington Beach and Keyser Marston Associates Inc. for Economic Analysis Services."

The motion carried by the following vote:

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

**8. Approved, authorized appropriation of funds and execution of an Agreement with the County of Orange for Design and Periodic Nourishment of the Orange County Beach Erosion Control Project, Stage 13**

A motion was made by O'Connell, second Posey to approve and authorize the Mayor and City Clerk to execute "Agreement for Design of Periodic Nourishment of the Orange County Beach Erosion Control Project, Stage 13;" and, approve the transfer of \$19,721 from Public Works General Fund to Community Services Beach Maintenance Account 10045206.82800.

The motion carried by the following vote:

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

**PUBLIC HEARING**

**9. Approved Substantial Amendment No. 1 to the 2016-2017 Annual Action Plan for US Department of Housing and Urban Development (HUD) Programs to provide HOME-funded Acquisition and Rehabilitation at 7792 Barton Drive and a Tenant Based Rental Assistance Program**

City Manager Fred Wilson introduced Deputy Director of Economic Development Kellee Fritzel who made a PowerPoint presentation entitled *Approve Amendment to 2016/17 HUD Plan* with slides titled: *2016-17 HUD Action Plan, HOME Projects, Recommended Projects, Approval of Amendment, and Questions.*

Mayor Pro Tem Sullivan asked how he can vote for this when he just voted to not support one of the listed projects (Item 5). Deputy Director Fritzel explained that the Action Plan could state that select Councilmembers (Sullivan and Peterson) voted in opposition to the acquisition and rehabilitation of 7792 Barton Drive.

Mayor Katapodis opened the Public Hearing for this item.

City Clerk Robin Estanislau announced that no one signed up to speak, and there was one late PowerPoint communication dated October 17, 2016, entitled *Approve Amendment to 2016/17 HUD Plan*.

With no one present to speak on the item, Mayor Katapodis closed the Public Hearing.

Councilmember Peterson shared his concern as to whether City Attorney Michael Gates has reviewed these documents.

A motion was made by Delgleize, second Hardy to approve Substantial Amendment No. 1 to the City of Huntington Beach 2016-2017 Annual Action Plan for US Department of Housing and Urban Development (HUD) Programs; and, authorize the City Manager to sign any necessary HUD documents to effectuate the Amendment, ***as amended to include that the Action Plan makes note of Councilmembers Sullivan and Peterson voting to oppose the acquisition and rehabilitation of 7792 Barton Drive; and, ensure document review by the City Attorney.***

The motion carried by the following vote:

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

**10. Continued to November 7, 2016 - Public Hearing regarding Comprehensive Fee Schedule including City User Fees, Rates/Charges, and Development Fees**

Mayor Katapodis opened the Public Hearing for this item.

City Clerk Robin Estanislau announced that no one signed up to speak.

With no one present to speak on the item, Mayor Katapodis closed the Public Hearing.

A motion was made by Peterson, second Delgleize to continue the item to the November 7, 2016 City Council/Public Financing Authority Regular meeting.

The motion carried by the following vote:

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

## ORDINANCES FOR INTRODUCTION

**11. Approved for Introduction the 2016 California Building and Safety Codes and related Ordinance Nos. 4106, 4107, 4108, 4109, 4110, 4111, 4112, 4113, 4114; and, schedule a Public Hearing for November 7, 2016**

City Manager Fred Wilson introduced Building Manager Mark Carnahan who made a PowerPoint presentation which contained the following titled slides: *Timeline, Update all HBMC's to reflect the Current Referenced Codes, Additional Modifications to Title 17, and Recommendation.*

A motion was made by O'Connell, second Delgleize to, after the City Clerk reads by title, approve for Introduction Ordinance No. 4106, "An Ordinance of the City of Huntington Beach Amending Chapter 17.04 of the Huntington Beach Municipal Code Relating to the Building Code;" and, approve for Introduction Ordinance No. 4107, "An Ordinance of the City of Huntington Beach Repealing Chapter 17.06 of the Huntington Beach Municipal Code Relating to the Green Building Standards Code;" and, approve for Introduction Ordinance No. 4108, "An Ordinance of the City of Huntington Beach Amending Chapter 17.07 of the Huntington Beach Municipal Code Relating to the Residential Code;" and, approve for Introduction Ordinance No. 4109, "An Ordinance of the City of Huntington Beach Amending Chapter 17.08 of the Huntington Beach Municipal Code Relating to the Housing Code;" and, approve for Introduction Ordinance No. 4110, "An Ordinance of the City of Huntington Beach Amending Chapter 17.40 of the Huntington Beach Municipal Code Relating to the Mechanical Code;" and, approve for Introduction Ordinance No. 4111, "An Ordinance of the City of Huntington Beach Amending Chapter 17.44 of the Huntington Beach Municipal Code Relating to the Plumbing Code;" and, approve for Introduction Ordinance No.4112, "An Ordinance of the City of Huntington Beach Amending Chapter 17.46 of the Huntington Beach Municipal Code Relating to the Uniform Swimming Pool, Spa and Hot Tub Code;" and, approve for Introduction Ordinance No. 4113, "An Ordinance of the City of Huntington Beach Amending Chapter 17.48 of the Huntington Beach Municipal Code Relating to the Electrical Code;" and, approve for Introduction Ordinance No. 4114, "An Ordinance of the City of Huntington Beach Amending Chapter 17.60 of the Huntington Beach Municipal Code Relating to the Solar Energy Code;" and, direct that a Public Hearing be set for November 7, 2016, to adopt Ordinance Nos. 4106 - 4114.

The motion carried by the following vote:

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

**12. Approved for Introduction Ordinance No. 4123 amending Huntington Beach Municipal Code Chapter 17.56 regarding the adoption of the California Fire Code, 2016 Edition; and, schedule a Public Hearing for November 7, 2016**

City Manager Fred Wilson introduced Fire Division Chief Bill Reardon who made a PowerPoint presentation entitled *Proposed Adoption of the 2016 California Fire Code (CFC) with Local Amendments* including slides titled: *Background, Local Amendments, New Amendment, Amendments Removed, and Recommendation.*

Councilmember Peterson and Division Chief Reardon discussed the definition of "significant" for the local amendments requiring automatic sprinklers with "significant tenant improvement", as the amount of square footage being the trigger for "significant".

There was further discussion regarding allowing one warning for false alarms on construction projects.

Councilmember O'Connell and Division Chief Reardon discussed that there will not be any additional restrictions regarding fireworks. The local amendment is not needed as the Fire Code addresses the issues that were in the amendment, and there are no changes being made to the fireworks program.

A motion was made by Peterson, second Delgleize to, after the City Clerk reads by title, approve for Introduction Ordinance No. 4123, "An Ordinance of the City of Huntington Beach Amending Chapter 17.56 of the Huntington Beach Municipal Code Adopting the California Fire Code;" and, schedule a Public Hearing for November 7, 2016, **as amended to include corrections identified in Supplemental Communication; and, consider at a later date altering language relating to fire protection/false alarm monitoring/systems.**

The motion carried by the following vote:

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

**13. Approved for Introduction Ordinance No. 4125 repealing Huntington Beach Municipal Code Section 8.21.176 Mandatory Recycling of Organic Waste by Businesses Commercial Organic Waste Recycling**

City Manager Fred Wilson stated that staff has determined that this Huntington Beach Municipal Code Section is not necessary in order to comply with state law.

A motion was made by Hardy, second Delgleize to, after the City Clerk reads by title, approve for Introduction Ordinance No. 4125, "An Ordinance of the City of Huntington Beach Repealing Huntington Beach Municipal Code Section 8.21.176 Mandatory Recycling of Organic Waste by Businesses Commercial Organic Waste Recycling."

The motion carried by the following vote:

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

**COUNCILMEMBER COMMENTS (Not Agendized)**

Councilmember Peterson congratulated Jena Jean Farris who was selected as Miss Huntington Beach 2017. He shared that he was one of the judges, along with former City Clerk Joan Flynn.

City Attorney Gates shared the sudden passing of resident Ed Paige, known as Drone Eddie, who captured spectacular images of Huntington Beach from the air which he shared online with the world.

Councilmember O'Connell reported attending events for Special Olympics and the Long Beach Sailing Foundation, the Chamber of Commerce update on the City, dedication of the 405 Freeway in Seal Beach in memory of Hotshot Firefighter Kevin J. Woyjeck, and Surf City Nights. He thanked the Downtown businesses who are working hard, paying their taxes and driving the economic engine for Huntington Beach.

Councilmember Hardy reported attending the Huntington Beach Fire Department Open House, the Miss Huntington Beach Pageant, the Boys and Girls Clubs of Huntington Valley 38th Annual Benefit Dinner and Auction, reminded everyone of Drone Eddie's last message — "Don't Be That Guy" admonishing people to respect the restricted airspace for the upcoming Huntington Beach Air Show, and informed everyone that one of the Thunderbird staff, Lauren Goodhue, is a local woman who will be acknowledged on Saturday at 2 p.m.

Councilmember Delgleize shared the award that Huntington Beach received, Sustain OC -- the 7th Annual Conference and Expo at UCI Applied Innovation, Irvine. She acknowledged Assistant to the City Manager, Antonia Graham, and her team for the Governments in Sustainability award.

Mayor Katapodis expressed appreciation to Assistant to the City Manager Graham and her team for the first ever Government in Sustainability Award presented to Huntington Beach. This award acknowledges the City's Recycling Market Development Zone, and Energy Partnership with UCI and LED Retrofit. Mayor Katapodis congratulated Miss Huntington Beach for 2017 — Jena Jean Farris, and runner-ups Sophia Silveria and Tia Giron. He also attended the 2016 League of California Cities Annual Conference and Expo, spoke at the Huntington Beach Chamber of Commerce 2016 Green Forum, "Plug into the Future - Night of Energy", attended the Surfboards on Parade, "Night of a Million Waves" Gala and Art Auction, selected the Mayor's Car (1966 Buick Skylark, owned by original owner Don Hicks) at the First Annual Main Street Cars and Cruise Car Show in Downtown Huntington Beach, attended the Pacific City Beach Pong Tournament, provided a tour of City Hall for Cub Scout Pack 506 to help them meet their Arrow of Light Badge Requirement, attended the 6th Annual OC Financial Planning Day at Central Library, Huntington Beach Fire Department Open House at the Gothard Station, and the Boys and Girls Clubs of Huntington Valley 38th Annual Benefit Dinner and Auction — Great Futures Start Here, and started the races for the Surf City 10K Run.

**ADJOURNMENT** — 8:52 PM to the next regularly scheduled meeting of the Huntington Beach City Council/Public Financing Authority on Monday, November 7, 2016, at 4:00 PM in the Civic Center Council Chambers, 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:



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City Clerk-Secretary



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Mayor-Chair