

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

Monday, October 20, 2014  
5:00 PM - Closed Session  
6:00 PM - Council Chambers  
Civic Center, 2000 Main Street  
Huntington Beach, California 92648

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

5:00 PM - Council Chambers - Closed Session  
6:00 PM - Council Chambers - Regular Business Meeting

**CALL TO ORDER** – 5:01 PM by Councilmember Hardy

**ROLL CALL**

Present: Katapodis, Hardy, Shaw (arrived at 5:05 PM), Harper (arrived at 5:06 PM),  
Boardman, Sullivan, Carchio  
Absent: None

**ANNOUNCEMENT OF SUPPLEMENTAL COMMUNICATIONS FOR CLOSED SESSION**  
(Received After Agenda Distribution) NONE

**PUBLIC COMMENTS PERTAINING TO CLOSED SESSION ITEMS** (3 Minute Time Limit) –  
None.

**RECESS TO CLOSED SESSION** – 5:06 PM

Councilmember Hardy announced: *Pursuant to Government Code § 54956.8, the City Council shall recess 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.*

Councilmember Hardy announced: *Pursuant to Government Code § 54957.6, the City Council shall recess to Closed Session to meet with its designated labor negotiators and Fred Wilson, City Manager regarding the following: SCLEA and MSMA*

**CLOSED SESSION**

- 1. Pursuant to Government Code § 54956.8, the City Council recessed into 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.

2. 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: Donald Sipple, et al. v. City of Alameda, et al., Los Angeles Superior Court Case No. BC462270. Lawsuit to recover utility user tax ("UUT") on internet data paid by New Cingular Wireless PCS LLC.
3. Pursuant to Government Code § 54957.6, the City Council recessed into Closed Session to meet with its designated labor negotiators and Fred Wilson, City Manager regarding the following: SCLEA and MSMA.

**6:00 PM - COUNCIL CHAMBERS**

**RECONVENE CITY COUNCIL/PUBLIC FINANCING AUTHORITY MEETING (6:01)**

**ROLL CALL**

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

**PLEDGE OF ALLEGIANCE** - Led by City Clerk Joan Flynn

**INVOCATION** - Led by Mark Currie, Baha'i Faith and 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.

**CLOSED SESSION REPORT BY CITY ATTORNEY** - None.

**AWARDS AND PRESENTATIONS**

Mayor Harper called on representatives from the Huntington Beach Humane Society to present the Adoptable Pet of the Month.

Mayor Harper called on the Vanguard Aquatics Team to present the athletes with commendations for their recent success at National Junior Olympics.

Mayor Harper called on Orange County Transportation Agency's (OCTA) Gary Hewitt who presented *OC Loop* - a vision for 66 miles of seamless connections and an opportunity

**for people to bike, walk and connect to some of California's most scenic beaches and inland reaches.**

**Mayor Harper called on Community Services Director Janeen Laudenback, who proclaimed October as National Arts and Humanities Month.**

**Mayor Harper called on City of Huntington Beach Ambassador Don MacAllister, who provided a recap of his recent trip to Hangzhou, China.**

**Mayor Harper called on Library Services Director Stephanie Beverage to recognize National Friends of Libraries Week and acknowledge both the Friends of the Library and the Friends of the Children's Library for their continued dedication and commitment.**

**Mayor Harper called on Chief of Police Robert Handy to present the Mayor's Award to Parking Control Supervisor Debra Pinkham.**

**ANNOUNCEMENT OF SUPPLEMENTAL COMMUNICATIONS** (Received after Agenda Distribution) – To be announced during Public Hearing Item No. 8.

**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/>).

Alan Walls voiced concerns about parking in the downtown area, including residential neighborhoods. He stated that the downtown businesses attract a younger, "wild" crowd, and he encouraged the Council to come up with a strategy to change public perception of the downtown, and its character. (00:43:56)

Terrence Haxton spoke in support of Council candidates Connie Boardman, Joe Shaw and Mark Bixby, citing their commitment to protect the environment, specifically the ocean and beaches by banning the use of single-use plastic bags. He also discussed the public's perception of their actions to slow development, and his opinion that they are doing the right thing. (00:46:28)

Richard "Rick" Walker, voiced concerns about surf lessons being conducted locally without proper permits. (00:49:30)

Tim Geddes voiced concerns about political attacks being made by the Republican Party on Council candidates Councilmember Connie Boardman and Mayor Pro Tem Joe Shaw. (00:51:08)

Ralph H. Bauer thanked the Council for moving forward on the Huntington Central Park Senior Center Project. He also recognized his wife Charlene Bauer for her involvement in building the Central Park Library years ago. (00:53:41)

Craig Sheitz voiced concerns about the vulnerability of oil pipes along our coastline and drug trafficking (female canines, surveillance and the Coast Guard). (00:55:21)

Linda Cornejo spoke enthusiastically about placement of a playground in the sand off Pacific Coast Highway at 9th Street. She discussed efforts to raise funds for the potential project, and recognized its mention in the Master Plan of Parks along the beach. (00:57:51)

Mary Jo Baretich thanked the Orange County League of Women Voters and American Association of University Women for hosting the candidate forum, voiced concerns about what she described as vague answers by certain candidates, and provided support for candidates Connie Boardman, Joe Shaw and Mark Bixby. She also voiced concerns about Poseidon, recognizing our ground water replenishment system as top notch. (1:01:02)

Mark Dixon spoke in support of Council candidates Connie Boardman, Joe Shaw, and Mark Bixby for their efforts to protect the environment and quality of life in Huntington Beach. (1:04:32)

Pat Goodman thanked the Council for advancing the reevaluation of the Beach and Edinger Corridors Specific Plan. (1:06:03)

Ian Clare demanded resignations from Connie Boardman, Joe Shaw, and Mark Bixby, alleging Councilmember Boardman, and Mayor Pro Tem Shaw did not follow protocol and check signatures on the Downtown Parking Permit petitions. (1:07:55)

Robert Johnson spoke to Council about his perception of unaffordable housing in Huntington Beach. 1:08:56)

Mike Van Voorhis invited Council to the Sunset Beach Halloween Party, hosted by the Sunset Beach Community Association at the Sunset Beach Community Center on Friday, October 31, 2014, at 6:00 PM. (1:12:00)

Richard Plummer voiced support for incumbents Connie Boardman and Joe Shaw. (1:13:41)

James Torres spoke neutrally about Agenda Item No. 9 – Ordinance for Introduction regarding composition of the Citizens Participation Advisory Board (CPAB). (1:15:56)

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

Reports provided by Councilmember Carchio (2014 LAFCO Annual Conference in Ontario); Councilmember Sullivan chaired Senior Citizens Advisory Council; and, Councilmember Boardman announced an upcoming Compassionate Cities meeting in B-8.

#### **CITY MANAGER'S REPORT**

City Manager Fred Wilson provided a status on construction for the Huntington Central Park Senior Center project, including receipt of bids, bids being under the City Engineer's project cost estimate, and how outstanding issues related to project bonds are expected to be resolved by November 13, 2014.

#### **CONSENT CALENDAR**

Councilmembers Hardy, Shaw and Boardman requested to be recorded as "No" votes on Consent Item Nos. 5 and 6.

**1. Approved and adopted minutes.**

A motion was made by Carchio, second Katapodis to review and approve the City Council/Public Financing Authority regular meeting minutes dated October 6, 2014, as written and on file in the office of the City Clerk. The motion carried by the following vote:

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

**2. Received and filed City Clerk's Quarterly Report listing of Professional Service Contracts filed in the City Clerk's office for contracts executed between April 1, 2014 and June 30, 2014**

A motion was made by Carchio, second Katapodis to receive and file the "List of Professional Service Contracts Approved by Department Heads Pursuant to Huntington Beach Municipal Code Chapter 3.03 and Submitted to the Office of the City Clerk for the Period of April 1, 2014, through June 30, 2014." The motion carried by the following vote:

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

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

A motion was made by Carchio, second Katapodis to receive and file the Twelve-Month Strategic Objectives. The motion carried by the following vote:

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

**4. Approved and authorized execution of Professional Services Contract with Geoscience Support Services, Inc. to provide geohydrologic engineering services to develop a Groundwater Master Plan; and, approved appropriation of funds.**

A motion was made by Carchio, second Katapodis to appropriate \$450,000 from the undesignated Water Fund (506) balance to Water Production System Improvements Account No. 50691028.82100; and, approve and authorize the Mayor and City Clerk to execute the "Professional Services Contract Between the City of Huntington Beach and Geoscience Support Services, Inc. For General Geohydrologic Engineering" in an amount not to exceed \$400,000. The motion carried by the following vote:

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

**5. Adopted Ordinance No. 4032 approving Zoning Map Amendment (ZMA) No. 14-002 (Brightwater and Sandover) Approved for introduction October 6, 2014 - Vote: 4-3 (Hardy, Shaw, Boardman - No)**

A motion was made by Carchio, second Katapodis to adopt Ordinance No. 4032, "An Ordinance of the City of Huntington Beach Amending the Huntington Beach Zoning and Subdivision Ordinance by Establishing RL-CZ (Residential Low Density - Coastal Zone Overlay) on a +0.004 acre parcel of real property located near the terminus of Hampton Lane in the Sandover development on the southwest corner of Los Patos Avenue and Bolsa Chica Street (Zoning Map Amendment No. 14-002)." The motion carried by the following vote:

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

**6. Adopted Ordinance No. 4033 approving Zoning Map Amendment (ZMA) No. 13-003 (Sandover) Approved for introduction October 6, 2014 - Vote: 4-3 (Hardy, Shaw, Boardman - No)**

A motion was made by Carchio, second Katapodis to adopt Ordinance No. 4033, "An Ordinance of the City of Huntington Beach amending the Huntington Beach Zoning and Subdivision Ordinance by changing the zoning designation from RA-CZ (Residential Agriculture - Coastal Zone Overlay) to RL-CZ (Residential Low Density - Coastal Zone Overlay) on +0.29 acre of real property located in the Sandover development on the southwest corner of Los Patos Avenue and Bolsa Chica Street (Zoning Map Amendment No. 13-003)." The motion carried by the following vote:

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

**PUBLIC HEARING**

**7. Approved Substantial Amendment No. 3 to the City of Huntington Beach 2010-2014 Consolidated Plan for Housing and Urban Development Programs and Amendment No. 1 to FY 2014-2015 Annual Action Plan for the Community Development Block Grant and Home Investment Partnership Program for Rehabilitation of 313 11th Street**

Business Development Project Manager Simone Slifman provided a brief staff report.

Mayor Harper opened the Public Hearing.

Michael Hoskinson requested greater study of the affected property be done before Council makes a decision. (1:27:04)

Carrie Thomas spoke in opposition to the request, recommending more study of the affected property. She also thanked Councilmembers Hardy, Boardman and Shaw for their service, and voiced concerns about negative political ads being distributed against incumbents

Boardman and Shaw. (1:28:35)

With no one else present to speak on the matter, Mayor Harper closed the public hearing.

Mayor Harper and Manager Slifman discussed the allocation of \$305,000 to rehab 9 units at 313 11<sup>th</sup> Street.

Councilmember Sullivan and Kellee Fritzal, Deputy Director, Business Development, discussed the notification process and inspection of property.

Councilmember Hardy and Director Fritzal discussed the age of the property.

Mayor Harper and Director Fritzal discussed why the property was chosen, including Project Self Sufficiency's recommended rehabilitation.

Councilmember Carchio and Director Fritzal discussed asbestos and lead remediation and seeking a minimum of three bids. Discussion ensued about the project employing one general contractor who would bid for specialized work using subcontractors, and the proposed allocation of \$305,000 being based on a property inspection report.

Councilmember Boardman stressed the importance of cleaning up an unhealthy property, especially if children are living in a hazardous dwelling.

Councilmember Sullivan voiced concerns about the proposal, methodology, and the bidding process, and recommended that approval be delayed.

A motion was made by Boardman, second Hardy to approve Substantial Amendment No. 3 to the City of Huntington Beach 2010-2014 Consolidated Plan and Amendment No. 1 to the 2014-2015 Annual Action Plan for the Community Development Block Grant and Home Investment Partnership Programs; and, authorize the City Manager to sign all necessary documents, ***as amended with staff to provide a 30- and 60-day status report to Council.*** The motion carried by the following vote:

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

8. **Approve Zoning Text Amendment No. 12-001 (ZSO Maintenance) by approving for introduction amended Ordinance Nos. 4037, 4038, 4039 and 4040 amending four chapters of the Huntington Beach Zoning and Subdivision Ordinance (HBZSO) that will reorganize entitlement permits of certain applications to the lower hearing body, codify existing policies, and clarify certain sections of the HBZSO.**

Assistant Planner Joanna Cortez provided a brief PowerPoint presentation entitled *Zoning Text Amendment No. 12-001, ZSO Maintenance* that included the following titled slides: Request, ZTA Purpose, Planning Commission, Analysis, Project Analysis, and Recommendation.

Mayor Harper opened the public hearing. Pursuant to the Brown "Open Meetings" Act, City Clerk Joan Flynn announced supplemental communications received on the item following distribution of the City Council agenda packet, which revised the Recommended Action:

Communication submitted by Scott Hess, Director of Planning and Building, dated October 17, 2014, submitting four corrected Attachments (Nos. 2, 3, 4 and 5) and a new Attachment No. 9 for Zoning Text Amendment No. 12-001.

With no one present to speak, the public hearing was closed.

Councilmember Sullivan and Planner Cortez discussed why requests related to flea markets are referred to the Zoning Administrator and not a higher reviewing body. Councilmember Sullivan questioned if downtown sidewalk sales are considered flea markets. Planning and Building Director Scott Hess said "No, they are temporary sales that require a temporary use permit." Director Hess discussed the history of indoor flea markets and lower level of review based on the low number of requests. He also explained the entitlement appeal process.

Councilmember Boardman and Planner Cortez discussed detachable unit height requirements for garages, and how they must not exceed the limit of the main dwelling for that district. Council member Boardman asked if that would then allow an apartment over a garage, and the reply was "Yes."

Councilmember Boardman clarified the supplemental information submitted by the Planning Department would become part of this motion. The Mayor agreed and thanked her for the confirmation.

A motion was made by Harper, second Hardy to approve Zoning Text Amendment No. 12-001 with findings for approval and after the City Clerk reads by title, approve for introduction Ordinance No. 4037, "An Ordinance of the City Council of the City of Huntington Beach Amending Chapter 203 of the Huntington Beach Zoning and Subdivision Ordinance Titled Definitions (Zoning Text Amendment No 12-001);" and, after the City Clerk reads by title, approved for introduction Ordinance No. 4038, "An Ordinance of the City Council of the City of Huntington Beach Amending Chapter 211 of the Huntington Beach Zoning and Subdivision Ordinance Titled C Commercial Districts (Zoning Text Amendment No 12-001);" and, after the City Clerk reads by title, approve for introduction Ordinance No. 4039, "An Ordinance of the City Council of the City of Huntington Beach Amending Chapter 212 of the Huntington Beach Zoning and Subdivision Ordinance Titled I Industrial Districts (Zoning Text Amendment No 12-001);" and, after the City Clerk reads by title, approve for introduction Ordinance No. 4040, "An Ordinance of the City Council of the City of Huntington Beach Amending Chapter 230 of the Huntington Beach Zoning and Subdivision Ordinance Titled Site Standards (Zoning Text Amendment No 12-001)," **as amended by Supplemental Communication replacing staff report Attachments 2-5 (Ordinance Nos. 4037, 4038, 4039 and 4040, each with a new Exhibit A).** The motion carried by the following vote:

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

## ORDINANCES FOR INTRODUCTION

**9. Approved for Introduction Ordinance No. 4035 amending Section 2.97.020 of the Huntington Beach Municipal Code relating to the composition of the Citizens Participation Advisory Board (CPAB) to reduce the number of members and change from committee appointment to individual council appointment**

City Manager Wilson explained the grounds for the request.

Councilmember Boardman voiced concerns about local non-profits being considered as board members due to their potential for conflict of interest when applying for funds.

Councilmember Boardman and Deputy Director Fritzel discussed CPAB bylaws and attendance.

Mayor Harper discussed an absent board member being a bad reflection on the Councilmember who appointed them.

Councilmember Hardy recommended the board consist of seven Council-appointed, and eight selected through the application process.

A motion was made by Hardy, second Shaw to approve for introduction Ordinance No. 4035, "An Ordinance of the City of Huntington Beach Amending Section 2.97.020 of the Huntington Beach Municipal Code Relating to the Composition of the Citizens Participation Advisory Board (CPAB)," *as amended that the board consist of seven Council-appointed members, and eight selected through the application process for a total of 15.*

**A substitute motion** was made by Sullivan, second Carchio to after the City Clerk reads by title, approve for introduction Ordinance No. 4035, "An Ordinance of the City of Huntington Beach Amending Section 2.97.020 of the Huntington Beach Municipal Code Relating to the Composition of the Citizens Participation Advisory Board (CPAB)." (Staff Recommendation – 7 individual appointments by Council)

The substitute motion carried by the following vote:

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

**10. Approved for introduction Ordinance No. 4036 amending Chapter 10.68 of the Huntington Beach Municipal Code by repealing Section 10.68.015 entitled "Parking Inoperable Meters"**

A motion was made by Carchio, second Boardman to after the City Clerk reads by title, approve for introduction Ordinance No. 4036, "An Ordinance of the City of Huntington Beach Repealing Section 10.68.015 of the Huntington Beach Municipal Code Relating To

Vehicle Parking Restrictions at Inoperable Meters." The motion carried by the following vote:

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

**COUNCILMEMBER COMMENTS (Not Agendized)**

Councilmember Katapodis reported attending Bulls on the Beach; Councilmember Hardy reported attending the Robin Samsøe Plaque Dedication at Pier Plaza; Mayor Pro Tem Shaw reported on his attendance at "Night of a Million Waves" Gala & Art Action at the Hilton and Robin Samsøe Plaque Dedication; Councilmember Boardman thanked sponsors of candidate forums, attended "Night of a Million Waves," Family Arts Day at the Downtown Art Center, and Robin Samsøe Plaque Dedication; Councilmember Sullivan reported attending Robin Samsøe Plaque Dedication; Councilmember Carchio reported attending the Boeing Annual Fire Prevention and Safety Expo, Surfboards on Parade, Bulls on the Beach and the Robin Samsøe Plaque Dedication; and Mayor Harper reported attending the H.B. Fire Dept Open House, "Night of a Million Waves," Bulls on the Beach, and the Robin Samsøe Plaque Dedication. Mayor Harper also reminded everyone that in order to vote Nov. 4, 2014, you must be registered (online) by 11:59:59 p.m.

ADJOURNMENT - At 8:44 PM to the next regularly scheduled meeting of the Huntington Beach City Council/Public Financing Authority on Monday, November 3, 2014, 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:

  
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City Clerk-Secretary  
\_\_\_\_\_  
Mayor-Chair