

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

**Monday, October 6, 2014
4:00 PM – Room B-8
6:00 PM – Regular Meeting
Civic Center Council Chambers
2000 Main Street
Huntington Beach, California 92648**

**An audio recording of the 4:00 PM portion of the 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 is archived at
www.surfcity-hb.org/government/agendas/**

4:00 PM - ROOM B-8

CALL TO ORDER – 4:05 PM

ROLL CALL

Present: Katapodis, Hardy (arrived at 4:08 PM), Shaw, Harper, Boardman, Sullivan, Carchio
Absent: None

ANNOUNCEMENT OF SUPPLEMENTAL COMMUNICATIONS (Received After Agenda Distribution) – None.

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

STUDY SESSION

- 1. Stan Hoffman & Associates presented the draft Economic Development Strategy and the core objectives**

Stanley R. Hoffman, FAICP, President, Stanley R. Hoffman Associates, provided a PowerPoint presentation entitled Economic Development Strategy Review of Draft Strategy Recommendations, with the following titled slides: Economic Development Strategy Timeline, Vision Statement & Mission Statement, Major Economic Focus Areas, SWOT Assessment Strengths – Weaknesses – Opportunities – Threats, Four Core Objectives, Core Objective (Foundational Economic Development Initiatives, Diversity the Local Economy, Improve Financial Stability, Increase Prosperity of the Community), Huntington Beach Employment Distribution: 2011, Technology Firms with More than 20 Employees, Annual Unemployment Rates: 2000 to 2014 Huntington Beach, Orange County, CA & U.S., Market Area Map, Taxable Retail Sales Per Capita Huntington Beach & Local Cities, Economic Performance Indicators, and Next Steps.

Councilmember Carchio and Mr. Hoffman discussed the importance of partnership with Visit Huntington Beach (tourism), and promoting business and job growth. Councilmember Carchio recognized the value of the Edinger and Beach Corridors and Bella Terra developments, and stressed the importance of connectivity between the downtown and the Pacific City development.

Councilmember Sullivan and Mr. Hoffman discussed enhancing public perception of the downtown after negative publicity following the U.S. Open incident in 2013. Councilmember Sullivan had concerns about how Pacific City's retail businesses will affect downtown retail businesses, and Mr. Hoffman discussed bringing something unique to the downtown that will draw visitors.

Councilmember Boardman and Mr. Hoffman discussed enhancing connectivity between the downtown and its surrounding residents, and ideas that would help revitalize Peter's Landing and its surrounding area.

Mayor Pro Tem Shaw and Mr. Hoffman discussed the negative effects of poor land value on area auto dealers, and the importance of revitalizing older properties to gain retail sales tax.

RECESS TO CLOSED SESSION – 4:59 PM

Mayor Harper 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

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: Michael Christ v. City of Huntington Beach, WCAB Case Nos. ADJ273890 and ADJ625859; Claim Nos. COHB-95-0101 and COHB-92-0145.**
3. **Pursuant to Government Code § 54957.6, the City Council recessed to 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 – 6:00 PM

CLOSED SESSION REPORT BY CITY ATTORNEY- None

ROLL CALL

Present: Katapodis, Hardy, Shaw, Harper, Boardman, Sullivan, Carchio

PLEDGE OF ALLEGIANCE – Led by City Attorney Jennifer McGrath

INVOCATION – Led by Father Christian Mondor of Sts. Simon and Jude 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.

Mayor Harper presented the "Key to the City" and commendation to Father Christian Mondor, Sts. Simon & Jude Catholic Church for his dedicated service to the City. Father Mondor noted his 70 years as a Franciscan, and was joined by members of the Huntington Beach Interfaith Council for a photograph.

AWARDS AND PRESENTATIONS

Mayor Harper proclaimed October as National Disability Employment Awareness Month.

Mayor Harper proclaimed October as National Disability Employment Awareness Month and provided a brief history and addressed the theme for this year's event.

Mayor Harper called on Fire Chief Patrick McIntosh who presented a commendation for Fire Prevention Week October 5-11.

Fire Chief Patrick McIntosh introduced Assistant Fire Marshall Joe Morelli and noted the week of October 5th through 11th as Fire Prevention Week. He provided a brief history of the event and addressed the theme and goals in Fire Prevention Awareness. He announced an Open House on October 11, 2014, from 10:00 AM to 2:00 PM at the Fire Station and Training Center on Gothard, just north of Ellis and invited the public to attend.

Mayor Harper presented Chief McIntosh with a proclamation declaring October 5th through 11th as Fire Prevention Week.

Mayor Harper called on Director of Planning and Building, Scott Hess, who made a presentation announcing October as National Community Planning Month.

Director of Planning and Building, Scott Hess, announced October as National Community Planning Month and deferred to Planning Manager Jennifer Villasenor who addressed this year's theme. She invited residents to visit their favorite places in Huntington Beach, take a picture and submit it to the City's Planning Department to participate in a contest. She added that an art contest is being held for students and that tours will be offered from October 27th through 30th of the City's Planning Department. She reported that additional information is available through the City's website.

Mayor Harper called on Janeen Laudenback from the Community Services Department who recognized Michael Scheiner from Abercrombie and Fitch for their continued partnership with Surf City Huntington Beach.

Director of Community Services Janeen Laudenback introduced Michael Scheiner and Francis Park representing Abercrombie and Fitch, and recognized them for their willingness to negotiate a new contract with the City for a continued partnership with Surf City Huntington Beach.

Mr. Scheiner commented on the City being a key piece in their marketing and thanked the City for its recognition.

Mayor Harper presented them with a commendation for their partnership with the City.

Mayor Harper called on Stephanie Deagle from the American Cancer Society's Relay for Life HB with some fun memories of our 24 hour events because cancer never sleeps.

Stephanie Deagle, American Cancer Society's Relay for Life Volunteer, introduced event committee members and thanked the City for hosting the Annual Chili Cook-off to benefit the Relay. She provided slides highlighting this year's event. She announced the event for next year which will be held April 25th through 27th and encouraged the public to participate.

Councilmember Carchio congratulated Ms. Deagle for her hard work and her efforts towards bringing an end to cancer.

Mayor Harper called on Ocean View High School history teacher Melissa Miller and her students who talked about their upcoming Spring 2015 program called "Sojourn to the Past" – a seven day, six night civil rights journey through the South.

Melissa Miller, History Teacher at Ocean View High School and her students provided information regarding their upcoming Spring 2015 program, "Sojourn to the Past", a seven day, six night civil rights journey through the South. They encouraged residents to donate in order to facilitate the program.

ANNOUNCEMENT OF SUPPLEMENTAL COMMUNICATIONS (Received After Agenda Distribution)

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

CONSENT CALENDAR

- #3. Communication submitted by Lori Ann Farrell, Director of Finance, dated October 6, 2014, requesting the agenda item regarding escheatment of unclaimed funds be continued to a later date to be determined.
- #6. Communications received regarding the establishment of Residential Permit Parking District "S" affecting residents within the proposed district on 7th Street, 8th Street, 9th Street, Olive Avenue, Orange Avenue, Pecan Avenue, Acacia Avenue and Palm Avenue:

Dean DiCarlo (2)	Kim Kramer (2)	Nick Mestanas
Sandy and Hugh Moran	Mary Lou Stephan	Chris and Suzanne Hart
Bart Nugen	Stefan Hanson	Kery Bailey
Debbie Broderick	Cindy Cross	Robert L. Davis
Brynn Keaty	Desiree Kumar	Dr. & Mrs. Lokshin
Hildy Meyers	Michael Nguyen	Anthony Ourenzo
Suzanne Owens	Kerri & Steve Rubino	Rusty's Surf Villa
J. Scott Swearingen	Daniel Taylor	Judy Taylor
Janice E. Ugland	John & Cathy Warkentin (2)	Perri & Bill Westland
Rebecca Arbach	Krisy Moyer	Tracy Overley
Ann Tarkington		

PUBLIC HEARING (No. 19 and 20 being held concurrently)

PowerPoint communication submitted by Scott Hess, Director of Planning and Building, dated October 6, 2014, entitled *Brightwater and Sandover*.

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/>).

Mary Urashima, Chair, Historic Wintersburg Preservation Task Force, spoke to Council about the historic Wintersburg property being recognized as one of the most endangered historic places by the National Trust for Historic Preservation. She invited residents to stop by the Main Street Library where an exhibit about Historic Wintersburg is being held and hosted by the Historic Resources Board. She provided information on their Indiegogo fundraising campaign and invited the public to obtain additional information on their website. (00:33:10)

Mark Stemmer spoke neutrally regarding Consent Item No. 6 (Resolution establishing Residential Permit Parking District "S"). He provided testimony on a recent incident involving a drunk driver and encouraged Council to enforce laws. He opined that if something is not done to clean up the streets, parking permits are not going to help. (00:36:32)

Maureen Lawson voiced concerns regarding Mayor Pro Tem Shaw's Huntington Beach residency. She provided testimony regarding a recent event where Mayor Pro Tem Shaw was approached by a resident with concerns about athletics. She stated that when asked regarding his residence, Mayor Pro Tem Shaw threatened to call the police. She added that citizens are fed up with dirty tricks and dirty politics. (00:37:57)

Kery Bailey spoke in support of Consent Item No. 6 (Resolution establishing Residential Permit Parking District "S"). She provided testimony regarding her experience with break-ins in her home, debris in her yard and verbal abuse and urged Council to vote "yes" on this matter. (00:41:13)

Bijan Sassounian spoke in opposition of Councilmember Item No. 22 (Potential Revisions to the Beach and Edinger Corridor Specific Plan). He commented on the importance of revitalization and protecting the interest of developers who have invested in projects. (00:42:40)

Juana Mueller spoke in support of Councilmember Item No. 22 (Potential Revisions to the Beach and Edinger Corridor Specific Plan). She expressed concerns regarding high-density developments and how they will impact City parks, facilities and services. (00:46:01)

Jeff McCoy voiced concerns about communications with residents affected by Consent Item No. 8 (License Agreements for use of a portion of the former Pacific Electric Railroad Right-of-Way with Eleven (11) Adjoining Property Owners). He asked that Council table the matter until residents can get a better clarification regarding the matter. (00:46:51)

Sharon Benter requested clarification for parking an RV on her residential street. She also voiced opposition to Consent Item No. 6 (Resolution establishing Residential Permit Parking District "S") opining that it is a "band-aid" that has not been thought out thoroughly. Mayor Harper suggested that she fill out a blue follow-up card. (00:48:22)

Judy Fike spoke in support of Consent Item No. 6 (Resolution establishing Residential Permit Parking District "S"). She complained about late-night nuisances in the neighborhood and shared personal testimony regarding people urinating on her property, people having pre- and post-parties in their cars, debris and fighting. She stated this is not a parking problem, but rather a

"people" problem and added that the parking permit program could help the police identify individuals breaking the law. (00:51:02)

Reverend Dr. Peggy Price, Huntington Beach Interfaith Council, spoke regarding Compassion Days, a competition with 150 cities and other agencies worldwide, and reported Huntington Beach finished 5th in participation, and 5th in reported volunteerism. She thanked Councilmember Boardman for her support as well as Council. She added that there was no cost to the City but that there were huge benefits. She encouraged the public to participate in future Compassion Games. (00:54:02)

David Hetos and Eileen Jewett spoke regarding a piece of property at 18651 Beach Boulevard and 18665 Beach Boulevard noting that they are in the process of purchasing same. He added there is a covenant on the deed that whoever purchases the property cannot use it for retail purposes. He reported conducting a thorough marketing analysis as well as an environmental assessment and offered to present it to the City for its review. He commented positively on the City's Planning Department. He was directed to fill out a card for staff to be able to follow up. (00:57:17)

Clay Allison voiced concerns about Mayor Pro Tem Shaw's campaign practices, specifically deleting questions posted on Social Media. He stated that his questions were valid and respectful and believed that they deserve a response rather than being deleted. (01:00:47)

Steve Dodge, Huntington Executive Park, spoke in opposition to Councilmember Item No. 22 (Potential Revisions to the Beach and Edinger Corridor Specific Plan). He opined that the plan is working well and urged Council to consider the economic benefits that multi-unit developments bring to the City. He suggested modifying the plan rather than shutting it down to determine whether compromises can be reached. (01:03:04)

Sebastian Dominguez spoke in opposition to Consent Item No. 6 (Resolution establishing Residential Permit Parking District "S"). He expressed concerns that this will limit public beach access. (01:04:40)

Dianne Thompson, Chairman of the Board, Huntington Beach Chamber of Commerce, spoke regarding Councilmember Item No. 24 (Research Funding option to enhance the Police Department). She encouraged increased safety downtown but commented on limiting any sort of taxation or additional fees. (01:05:57)

Bill Jarjour spoke regarding Councilmember Item No. 22 (Potential Revisions to the Beach and Edinger Corridor Specific Plan) noting that the plan is working well and that units are being filled with good tenants. He did not see a need for change and suggested if it will be changed, it should be changed slowly. (01:07:41)

Jim Rinos spoke in opposition to Consent Item No. 6 (Resolution establishing Residential Permit Parking District "S"). He believed that the resolution would shift but not solve the problem adding that people causing the problem will still be traversing those streets and the burden will simply shift north and east. He suggested finding other solutions to the problem. (01:08:45)

Chris Waring, Pacific Mobile Home Park, voiced concerns about park residents not being able to meet rental rates included in the current 5-year lease agreement. He commented on large increases in space rentals being imposed by the park owners and added that they are capitalistic

predators taking advantage of seniors and the disabled. (01:10:41)

Art Coopman spoke in support of Consent Item No. 6 (Resolution establishing Residential Permit Parking District "S"). He noted that the program will not impact beach access and that the problem has to do with people who party in the downtown areas and bars. He complained of debris around the area as well as public urination and intrusion into their property. (01:13:12)

Craig Frampton spoke regarding Consent Item No. 6 (Resolution establishing Residential Permit Parking District "S"). He opined that Mayor Pro Tem Shaw should recuse himself from this item as he was seen in a video supporting the program. He stated that the problem could be eliminated if the City made parking meters, the City parking structure and beach parking free after 6:00 PM. Additionally, he felt that people should park in their garages or driveways. (01:16:21)

Bob Moore spoke in support of Consent Item No. 6 (Resolution establishing Residential Permit Parking District "S"). He complained about having to break up drunken fights in front of his home in the early morning hours and debris in his yard and urged Council to approve the item. (01:17:58)

Cynthia Motis, Downtown Residents Association, spoke in support of Consent Item No. 6 (Resolution Establishing Residential Permit Parking District "S"). She complained of disruptions, noise, debris, public urination and defecation and noted that the hours are limited and will not affect public beach access. (01:19:48)

Jerry Wheeler, President and CEO of the Huntington Beach Chamber of Commerce, spoke in opposition to Councilmember Item No. 22 (Potential Revisions to the Beach and Edinger Corridor Specific Plan). He commented on the success of the specific plan and opined that the matter needs further careful consideration. He believed that the marketplace will slow down future developments as demand decreases and noted that millions of dollars in developer monies are being paid to the City to help mitigate the effects of development. He added that car dealerships are the single, largest contributors of sales tax revenue to the City and welcomed the opportunity to work closely with the City to develop alternative solutions. (01:22:04)

Alison Goldenberg spoke in support of Councilmember Item No. 22 (Potential Revisions to the Beach and Edinger Corridor Specific Plan) and urged Council to proceed with caution. (01:25:17)

Joseph Mastropaulo voiced concerns about the apparent lack of science that supports sea level rising. He urged the City to rid itself of such irresponsible claims. (01:25:50)

Dixie Terry spoke in support of Consent Item No. 6 (Resolution establishing Residential Permit Parking District "S"). She noted that the proposed regulation will not affect public access to the beach and will encourage the use of public parking structures, discourage public parking on residential streets and increase the safety of area residents. (01:29:00)

Ron Sterud voiced concerns related to Consent Item No. 6 (Resolution establishing Residential Permit Parking District "S") recommending that Council consider establishing a Residential Permit Parking program that covers all residents in the downtown area. He added that problems occur in any area that is within walking distance to downtown bars and that limiting the program to these streets will only serve to shift the problem to other streets. He commented on the need to conduct studies and verify the petition and asked regarding the permit signature verification process. (01:30:37)

Stephanie Green voiced concerns related to Mayor Pro Tem Shaw's \$100 contribution to Save Central Park. She added that she has a copy of the document as proof of the contribution which she will post on the Huntington Beach Community Forum Facebook page. (01:33:31)

Mark C. Smith spoke in opposition to Consent Item No. 6 (Resolution establishing Residential Permit Parking District "S"). While he acknowledged there is a problem, he did not believe that a parking permit program will solve it. He opined that the problem needs to be addressed through the Police Department and he complained about poor response times. Additionally, he believed that the problem will shift to other areas in the City. (01:35:19)

Lyn Semeta spoke in opposition to Consent Item No. 6 (Resolution establishing Residential Permit Parking District "S"). She believed there are other solutions that will not restrict public streets to private citizens and stated that the item may be successfully challenged in court as it does not include all of the affected areas. She urged Council to reject the matter. (01:35:57)

Matt Nye spoke in support of Consent Item No. 6 (Resolution establishing Residential Permit Parking District "S") and urged Council to do the same. (01:38:08)

Elaine Montgomery spoke in support of Consent Item No. 6 (Resolution establishing Residential Permit Parking District "S"). She stated that it has become a public safety issue and that steps must be taken until human behavior changes. (01:39:29)

Kene Phillips spoke in support of Consent Item No. 6 (Resolution establishing Residential Permit Parking District "S"). He noted that he and his wife love living in the City but noted that problems in the downtown area have become unbearable. He complained of public intoxication, noise and trash and felt that the proposed parking permit program will address many of the issues. (01:41:20)

David Smith spoke in support of Consent Item No. 6 (Resolution establishing Residential Permit Parking District "S") to bring back the integrity of downtown neighborhoods. He commented on other parking districts within the City and on the need to protect the neighborhood. He complained of public intoxication, noise, theft and public defecation and urged Council to approve the item. (01:44:41)

James Savage spoke in support of Consent Item No. 6 (Resolution establishing Residential Permit Parking District "S"). He complained of noise from late night bar patrons and commented on the need to ensure that residents and their property are safe. (01:46:30)

Mary Lou Stephan spoke in support of Consent Item No. 6 (Resolution establishing Residential Permit Parking District "S"). She expressed concerns with safety and noted the need to start somewhere and for residents to take back the community. She hoped that Council will approve the item to maintain a quality of life for residents. (01:48:28)

Carrie Brandenburger spoke in opposition to Consent Item No. 6 (Resolution establishing Residential Permit Parking District "S") noting that the streets are public streets, maintained by taxes paid by residents and that a curfew is not needed. (01:50:46)

Robin Rustan spoke in opposition to Consent Item No. 6 (Resolution establishing Residential Permit Parking District "S"). He questioned the integrity of the Downtown Residents Association

and the validity of the petition. He complained that the group was providing false information to encourage residents to sign the petition and questioned the validation process and applying the plan to only parts of the community. Additionally, he opined there should be a class-action lawsuit if the matter is approved. (01:52:03)

David Smith, Downtown Residents Association, spoke in support of Consent Item No. 6 (Resolution establishing Residential Permit Parking District "S"). He complained of drunken arguments and fights and noted that it has been getting worse in the last few years. He acknowledged that this may not be the only solution, but stated it is an effort to protect residents in the area. (01:54:47)

Larry Davis spoke in support of Consent Item No. 6 (Resolution establishing Residential Permit Parking District "S"). He stressed that the intention is not to block access to the beach noting that the beach is closed during the hours for which permits are being requested. Additionally, he noted that residents went through the due process, followed the procedure and obtained the necessary signatures to bring the matter forward. He asked for Council's support on this matter. (01:56:51)

Peggy O'Rourke spoke on her behalf and on behalf of her neighbors, Tony and Cindy Uden, Fred and Alexis Grimm, and Suzanne Holmes and Cathy Wells, in support of Consent Item No. 6 (Resolution establishing Residential Permit Parking District "S"). She reported that in the last six months, she and her neighbors have placed 47 calls for service to the Police Department. She commented on the Police Department's efforts and noted that they have taken the necessary steps to bring the issue forward for a resolution. She urged Council to approve the item. (01:59:29)

Yvonne Ansdell spoke in support of Consent Item No. 6 (Resolution establishing Residential Permit Parking District "S"). She commented positively on the downtown area and the Police Department but noted they are short-staffed and many items take priority over the problems they are experiencing. She urged Council to approve the item in order to increase public safety. (02:02:01)

Scott Rothert spoke in opposition to Consent Item No. 6 (Resolution establishing Residential Permit Parking District "S"). He thanked the Finance Director for continuing Consent Item No. 3 (Escheatment of Unclaimed Funds) and spoke in opposition to Item No. 6, noting there has been no study regarding the cost of enforcement and that the proposed will not solve the problems as it will extend them out to other streets. He opined that alternatives should be considered that will be beneficial to all residents and urged Council to deny the item. Relative to Councilmember Item No. 21 (Repeal of HBMC Chapter 5.95 (Use of Plastic Carryout Bags)), he encouraged Council to approve the repeal of the subject ordinance, as it is no longer needed with the passage of SB 270. He commented on the actions taken by Council regarding the paper bag fee. (02:04:54)

Clem Dominguez spoke in support of Councilmember Item No. 22 (Potential Revisions to the Beach and Edinger Corridor Specific Plan); and, regarding Consent Item No. 6 (Resolution establishing Residential Permit Parking District "S"). He voiced concerns about the lack of due-diligence by the City with respect to Consent Item No. 6 and the signature verification process and opined that the matter should not be voted on at this time. He added that if there has been a problem with the validation process, it would invalidate many of the existing parking districts. He felt the City should not vote on the item this evening. (02:08:01)

Amber Wierenga spoke in opposition to Consent Item No. 6 (Resolution establishing Residential Permit Parking District "S"). She opined that permit parking will not resolve the issue of the bar crowds or make the area safer but will push the existing problem to other streets. She stated that there are alternative solutions and encouraged Council to deny the item. Additionally, she questioned how the signatures were obtained as well as the validation process and stated her opposition to paying to park in front of her own home. (02:10:48)

Andrissa Dominguez spoke in support of Consent Item No. 6 (Resolution establishing Residential Permit Parking District "S"). She commented that much of the opposing residents do not live on the subject streets and reported that they were invited to participate. She noted that strolling the beach is against the law after 10:00 PM, so parking permits between 10:00 PM and 5:00 AM will not affect public access to the beach. She reported there are other areas of the City with successful permit parking programs and urged Council to approve the item. (02:13:35)

Robert Dingman voiced concerns relating to Measure C and construction of the proposed Senior Center in Huntington Central Park, specifically financial support for bonds, parking, and maintenance noting that it will cause property taxes to increase. He complained regarding the lack of parking, increased congestion and traffic. (02:16:40)

John Brunelle spoke in support of Consent Item No. 6 (Resolution establishing Residential Permit Parking District "S"). He provided personal testimony of problems related to the bar crowd in downtown and urged Council to approve the item. (02:19:46)

Steve Colgrove spoke in support of Consent Item No. 6 (Resolution establishing Residential Permit Parking District "S"). He complained of drunken fights, noise and debris from the late-night bar crowd parking on the street and commented on the proposed program being a good way to change behavior and allow residents to take back the safety of their streets. He added that this can be a first step in resolving the issues and noted there are no facts supporting the claim that permit parking will make the problem spill over into other areas. He urged Council to approve the item and help residents protect the streets. (02:22:30)

Martina McGlynn spoke in opposition to Consent Item No. 6 (Resolution establishing Residential Permit Parking District "S"). She expressed concerns with the cost of enforcement and opined that she will pay taxes for something she will not get. She hoped that Council will deny the item. (02:25:56)

Joel Rottman spoke in opposition to Consent Item No. 6 (Resolution establishing Residential Permit Parking District "S"). He opined that the program will not solve the problem but rather, create a bigger one and will cause a spill-over in other areas. (02:26:44)

Sandy Thigpen spoke in opposition to Consent Item No. 6 (Resolution establishing Residential Permit Parking District "S"). She asked that Council deny the item and noted that every issue brought up regarding this item is a police matter. She noted the need for other options and opined that the proposed parking permit program will create a "spill out" effect. (02:28:27)

Mark Bixby spoke in support of Consent Item No. 6 (Resolution establishing Residential Permit Parking District "S"); and, in support of Councilmember Item No. 22 (Potential Revisions to the Beach and Edinger Corridor Specific Plan). He stated that he stands with all City residents working to improve the quality of life in the City and felt that the program is a good first-step in a multi-pronged effort to improve the downtown quality of life and will serve to redirect bar patrons

to other parking structures and lots. He added that the people in the neighborhood have voted and are asking for permit parking and that if they chose to do so, residents or Council may repeal it at a later date. Additionally, Mr. Bixby commented on Item No. 22 noting that he is in favor of doing an assessment to measure current conditions and if the City is falling short of meeting the goals of the plan, it should be modified to improve it. He expressed his support of requiring a CUP process for large projects in order to bring the public into the process. (02:29:27)

Tadas Jusionis spoke in opposition to Consent Item No. 6 (Resolution establishing Residential Permit Parking District "S"). He opined that the permit parking program will not resolve the problems with late-night bar crowds and suggested there are other options to consider. (02:33:00)

Gabriel Mauser spoke in opposition to Consent Item No. 6 (Resolution establishing Residential Permit Parking District "S"). He reported that partying goes on throughout the City and commented on the need for Council to listen to the people. He suggested talking to people instead of increasing regulations. (02:34:11)

Tom Ugland spoke in opposition to Consent Item No. 6 (Resolution establishing Residential Permit Parking District "S"). He opined that by providing parking permits to just a small group, it will not solve the criminal problem in downtown. He added that there is no parking problem but rather, a criminal problem. He hoped that Council will deny this matter. (02:37:24)

Kelli Clarke stated she is the President of the newly formed Huntington Beach Residents Not Downtown Association, spoke in opposition to Consent Item No. 6 (Resolution establishing Residential Permit Parking District "S"). She reported that she also has issues with drunks and trash and that often, a quick call to the police, solves the problem. She indicated that this is not a parking issue, but rather, a law enforcement issue. She commented on the validity of the petition and asked whether the signatures have been verified. She opined that she should not have to pay to use the downtown parking structure and complained it is dirty and full of vagrants. (02:38:17)

Laura Conway spoke in opposition of Consent Item No. 6 (Resolution establishing Residential Permit Parking District "S"). She alleged that the matter has been misrepresented and stated that this is a criminal issue and not a parking issue. (02:41:40)

Mike Posey spoke in opposition to Consent Item No. 6 (Resolution establishing Residential Permit Parking District "S"). He stated that streets are paid for by taxpayers and are therefore, the streets are for everyone. He suggested making it more attractive for employees of businesses in the downtown area to park in the structure and off the streets. He acknowledged that the beach closes at 10:00 PM but noted that many businesses are still open. He commented on the need to protect beach access as well as street parking. (02:42:57)

Lisa Sandler spoke in support of Consent Item No. 6 (Resolution establishing Residential Permit Parking District "S"). She reported that she is afraid to walk at night in the downtown area and stated that residents are entitled to feel safe in their own homes. (02:44:17)

Chris Epting spoke in opposition to Consent Item No. 6 (Resolution establishing Residential Permit Parking District "S"). He stated that he is opposed because of the involvement of the Huntington Beach Downtown Residents Association. He commented on incidents involving Mr. Kramer and on his contributions to several Councilmember campaigns as well as the City

Attorney's and wondered how these individuals could remain impartial regarding this matter. Additionally, he alleged collusion and conflicts of interest relative to this item. (02:45:27)

Suzy Schapperle spoke in support of Consent Item No. 6 (Resolution establishing Residential Permit Parking District "S"). She provided personal testimony regarding her experience with late-night bar crowds in her neighborhood and on her property. She reported calling the police on several occasions but that they responded only once and noted they have asked the Police Department and the City for help, without success. She added this is a public-safety issue and that the proposed program is a solution. She addressed the petition verification process and urged Council to approve the item. (02:48:35)

Steve West spoke in support of Consent Item No. 6 (Resolution establishing Residential Permit Parking District "S"). He commented on his experience with criminal activity in the downtown area because of late-night bar patrons and suggested the need to create multiple policies to separate the bar crowd from residents. He added that existing parking policies encourage bar patrons to seek out free parking in the neighborhood streets and that many surrounding cities offer free parking during the evening hours. Until there is another alternative, he voiced support for the proposed permit parking district. (02:51:38)

Mike Elliott discussed issues related to Consent Item No. 6 (Resolution establishing Residential Permit Parking District "S"). He asked that Council place a time limit on this item and re-evaluate it in three years to determine whether it is working or not and allow residents to vote on it then. (02:55:33)

Eric Peterson, Planning Commissioner and City Council Candidate, spoke personally in opposition to Consent Item No. 6 (Resolution establishing Residential Permit Parking District "S"). He stated that the streets are public property and felt that this matter relates to an enforcement issue rather than a parking issue. He commented on the need to determine what the Police Department needs in order to provide enforcement. Additionally, he suggested offering free parking downtown after 6:00 PM and reiterated the need to support the Police Department with the tools they need to get the job done. (02:56:49)

Carlyn Bargemann spoke in support to Consent Item No. 6 (Resolution establishing Residential Permit Parking District "S") and reported receiving a call from the City verifying her signature on the petition. She stated that residents from other streets were invited to participate but chose not to. She added that residents were told that free parking is not an option in the parking structures because these are not owned by the City and that the only choice for residents was to request parking permits. She suggested that the City could receive revenues from parking permit violations and noted the need to clean up the City, especially the downtown area. Additionally, she noted that residents from surrounding streets have the right to organize and request a similar program for their streets. (02:58:52)

Paul Brown spoke in support of Consent Item No. 6 (Resolution establishing Residential Permit Parking District "S"). He noted that there is a quality of life problem on 7th Street and that Council's job is to promote a good quality of life. He commented on land uses and reported that downtown bar patrons use residential streets to park and wondered why the City would allow residential streets to be used as parking lots for bars. He opined that the Police Department has more important things to do than handle residential nuisances and suggested that the matter needs to be addressed through legislation. (03:01:38)

James Torres spoke in support of Consent Item No. 6 (Resolution establishing Residential Permit Parking District "S"). He encouraged Council to approve the residential parking permit program and thanked Councilmembers Boardman, Carchio and Katapodis for their time and efforts in the Downtown Taskforce and reported that the subject proposal was a result of Taskforce meetings between residents and businesses in the area. He added that this is not just a quality of life issue, but a public safety issue. He added that the program is not unusual or unheard of as other cities have such programs and believed that it will bring some relief. He commented positively on the Police Department's efforts and urged Council to approve the item. (03:05:04)

Thomas Conlon spoke in opposition to Consent Item No. 6 (Resolution establishing Residential Permit Parking District "S"). He suggested there is a wide range of alternatives to an issue that apparently, hasn't been sufficiently studied, that this is not a parking issue and that it relates to behavioral problems. He asked that Council set this matter as a regular agenda item for more complete analysis and consideration of potential impacts and that Council consider approving Item No. 24 to further empower the Police Department. (03:07:55)

John Acampora, Huntington Beach Downtown Residents Association, spoke in support of Consent Item No. 6 (Resolution establishing Residential Permit Parking District "S"). He provided information regarding the canvassing and petition process and reported the request was the result of resident efforts to come up with a solution to the problems they face in their neighborhoods. He urged Council to pass this ordinance. (03:11:51)

Rebecca Arbach spoke in opposition to Consent Item No. 6 (Resolution establishing Residential Permit Parking District "S"). She expressed concerns that this will be just the beginning and that all of downtown will eventually be restricted through parking permits. She suggested increasing Police patrol to alleviate nuisances and felt that the proposed program is extreme and that it will drive people to park in other areas thereby shifting the problem. Additionally, she suggested mandating that bars validate parking for their patrons and allow free parking in the structure after 6:00 PM. (03:14:01)

Cindy Cross spoke in opposition to Consent Item No. 6 (Resolution establishing Residential Permit Parking District "S"). She commented on comments made that the downtown area has become a drug-infested cesspool and spoke against Council creating an elitist class downtown. She suggested installing meters for all to pay to be able to park and questioned regarding the program being enforceable. (03:16:12)

Gloria Alvarez spoke in support of Consent Item No. 6 (Resolution establishing Residential Permit Parking District "S"). She complained of noise, trash and debris and noted it is not a privilege to have to pick up after the drunks on a daily basis. She added that these problems are not new to the area and that the Downtown Taskforce completely discussed the issue, developed recommendations and have followed the City's guidelines and process for bringing the matter forward. She added that bar patrons do not park in the parking structures because they do not want to be caught when they leave the bars. She played an audio of an incident which occurred in front of her house last winter and urged Council to act on this matter and ensure the public's safety. (03:19:11)

Althea Santucci spoke in support of Consent Item No. 6 (Resolution establishing Residential Permit Parking District "S") and asked that Council approve permit parking for downtown. She stated this is not just a behavioral issue or a seasonal issue and that residents have worked hard to live in a nice area. She provided personal testimony regarding her experience with late-night

bar patrons and reported being dismayed by a post from the Mayor asking people to help defeat this item. She added that residents are not asking for special privileges, but rather for Council to help improve their quality of life. She added that individual rights justify the freedom for all and that the individual rights of downtown residents are trampled constantly. She urged Council to approve the item even if only on a trial basis. (03:22:16)

Chris Byrne spoke in opposition to Consent Item No. 6 (Resolution establishing Residential Permit Parking District "S"). He provided a short video of a meeting of the Huntington Beach Downtown Residents Association and alleged coercion and illegal activities. (03:25:29)

Mayor Harper spoke against showing videos during public comments noting that the issue has been discussed previously and that the public comment period is for people to express themselves, individually.

City Attorney McGrath noted that videos have been shown during public comments in the past.

Mayor Harper noted the need to review the matter and discuss it further.

Kim Kramer, President of the Huntington Beach Downtown Residents Association (HBDRA), spoke in support of Consent Item No. 6 (Resolution establishing Residential Permit Parking District "S"). He commented on the significant contributions made by HBDRA to improve residents' quality of life. He asked Council to set aside political vitriol and personal attacks and approve this matter. He noted that homeowners have rights and that by a vote of 81%, downtown residents are now asking for help. He added that if the program causes a shift to other streets, those residents can work to have permit parking on their streets as well. (03:29:00)

Dean Dicarlo spoke in opposition to Consent Item No. 6 (Resolution establishing Residential Permit Parking District "S"). He commented on bullying and opined that there seems to be a double standard in the City. He alleged bullying tactics by Mr. Kramer and questioned noticing for this item. He commented on the need to study the matter further, including potential impacts and stated that if the matter is approved, the City will be subjected to a class-action lawsuit on behalf of the citizens whose voices also matter. (03:31:39)

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

Councilmember Sullivan reported attending the Health and Nutrition Committee meeting of the Senior Citizen Advisory Council as well as the Executive Committee meeting.

CITY MANAGER'S REPORT - None

CONSENT CALENDAR

Councilmember Sullivan asked that Item No. 6 be heard at this time due to the number of people in attendance for same.

While Item No. 6 was heard without objection at this juncture, the minutes are displayed in their original, agenda order.

Mayor Harper pulled Item No. 5 for separate discussion and consideration.

Councilmember Carchio pulled Item No. 12 for separate discussion and consideration.

Councilmember Sullivan pulled Item No. 4 for separate discussion and consideration.

Councilmember Boardman pulled Item No. 8 for separate discussion and consideration.

1. Approved and adopted minutes

A motion was made by Councilmember Carchio, second by Councilmember Hardy to approve the City Council/Public Financing Authority regular meeting minutes dated September 2, 2014, and the City Council/Public Financing Authority regular and Successor Agency special meeting minutes dated September 15, 2014, as written and on file in the office of the City Clerk.

The motion carried with the following vote:

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

2. Received and filed the City Attorney's 2014 Annual Report.

A motion was made by Councilmember Carchio, second by Councilmember Hardy to receive and file the City Attorney's 2014 Annual Report.

The motion carried with the following vote:

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

3. Continued Escheatment of \$62,498.42 of Unclaimed Funds per Government Code Sections 50050-50057

A motion was made by Councilmember Carchio, second by Councilmember Hardy to continue the item to a date uncertain, **as amended by Supplemental Communication**.

The motion carried with the following vote:

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

4. Adopted Resolution No. 2014-68 to designate the Huntington Beach Wave (Orange County Register) as the Primary Newspaper for Publication of the City's Legal Notices

Councilmember Sullivan suggested asking the Huntington Beach Wave (Orange County Register) to publish where the paper can be obtained, free. So that those who do not subscribe to the paper would be able to know where to find public notices.

City Clerk Flynn reported that staff requested that at the time bids were submitted and that the information will be placed on the City's website as well.

A motion was made by Councilmember Sullivan, second by Councilmember Boardman to adopt Resolution No. 2014-68, "A Resolution of the City Council of the City of Huntington Beach Designating Certain newspapers for the Publishing of Legal Notices of the City;" approve continuance of the current practice of placing legal notices in the Orange County Register daily publication if there is insufficient time to place the notice in the Huntington Beach Wave provided the initiating department indicates there is an urgent need to do so and with authorization from the Office of the City Manager; ***and, request that the Huntington Beach Wave provide a list of where papers can be picked up by the public for free.***

The motion carried with the following vote:

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

5. Discussed Proposition 47, the "Safe Neighborhoods and Schools Act" which would be funded from the cost savings achieved by various crime reduction provisions of the measure

Mayor Harper announced a presentation by Police Chief Handy on this item.

Police Chief Handy noted that the subject issue is on the ballot for the November election and provided details of the initiative. He noted that the title of the initiative does not tell the whole story and reported that it would create a funding source for crime prevention, trauma recovery and mental health services in schools and addressed the origin of the funding, punishments reduced for crimes and resentencing provision. He added this is a very complicated bill and offered to respond to questions.

Mayor Harper reported that the City has taken a position on this matter and that if Councilmembers would like to change it, it would require Council action.

Councilmember Sullivan stated that drug offenders are a danger to the community.

Chief Handy confirmed that many are and that many violent and dangerous offenders are locked up for property crimes (minor offenses) and therefore, there would be many violent offenders who would be eligible for release.

Councilmember Katapodis thanked Chief Handy for bringing this matter forward and expressed agreement with him.

Councilmember Carchio stated that the leniency given to criminals will perpetuate more crimes and hoped that the initiative will be defeated. He thanked Chief Handy for bringing it forward.

The item was received and filed, without objection.

6. Adopted Resolution No. 2014-77 establishing Residential Permit Parking District "S" affecting residents within the proposed district on 7th Street, 8th Street, 9th Street, Olive Avenue, Orange Avenue, Pecan Avenue, Acacia Avenue, and Palm Avenue in Huntington Beach

Director of Public Works, Travis Hopkins provided details of the report addressing background, applicable ordinance, the subject area, details of the current request including petitions, the signature verification process, notification, staff review, calls received by staff from residents and recommendations.

In response to Mayor Harper's inquiry, Director of Public Works Hopkins reported that Council has the ultimate discretion as to whether or not to approve the proposed district. He added that within the petition, if there is a valid signature on the address, it would be counted as a "yes". He added that staff has not encountered a situation where there has been a conflict between a property owner and resident. The Public Works office evaluates the signature process rather than the City Clerk's office. If the item is approved, the City Council could modify it, as desired.

City Attorney McGrath stated that although not specifically stated in the ordinance, there is a process for repeal by residents and a process for repeal by Council. She added that it would be best initiated if brought forth as a Councilmember Item on a future agenda.

Mayor Harper acknowledged and thanked all of the speakers for their participation.

In response to Mayor Harper's inquiry, Police Chief Handy reported that the Police Department responds to many complaints and patrols proactively in the neighborhoods of the downtown area.

Mayor Harper commented on other permit parking districts in the City and in response to his inquiry, Director of Public Works Hopkins reported that the proposed parking permit program is for 10:00 PM to 5:00 AM, daily and that there currently are no "carve outs". He added that Council can modify the recommendations as it sees fit. Council may dictate a length of time in which the matter can be revisited. He stated that there have been no studies to determine where the people causing the problems are coming from.

In further response to Mayor Harper's question, City Attorney McGrath reported that this item involves only a regulation of parking.

Mayor Harper commented on the lack of staff for increased parking enforcement and asked regarding how the matter would be enforced.

City Manager Fred Wilson reported that at this time, it is complaint-driven only.

Police Chief Handy reported there is one Parking Control Officer that works until midnight. The Department would respond to complaints after midnight and Officers could issue parking tickets. He added there would be very limited proactive enforcement after that.

Mayor Harper asked regarding transferability of guest passes or the potential for people to sell them.

Director of Public Works Hopkins reported up to four residential permits (1 per licensed, registered vehicle per address), plus two guest permits per location issued. If anyone is caught misusing them, they can be taken away for one year. He added that he is not aware of a case where a permit has been revoked. He added that the proposed ordinance will not affect bicycle parking. He added that the ordinance would allow permit parking within the Coastal Zone but would require a Coastal Development Permit. Mr. Hopkins added that this is a resident-generated program and the parking restrictions could also be put in place by City Council. In order for the subject area to

be expanded, it would require an amendment. Typically, it would be done by residents generating same and he reiterated that Council may impose parking restrictions as it sees fit. Additional input could be received at the discretion of City Council.

Councilmember Boardman noted there have been other parking districts to which, after adoption, additional streets were added. Mr. Hopkins responded to her question noting that in those cases, the expansion to additional streets was resident-driven. He commented on the minimum area that could be covered.

In response to Councilmember Hardy's question regarding distinctions between this and other parking permit districts, Mr. Hopkins stated there has been more discussion on this matter because it is in the downtown area. There was no other difference between this and other districting efforts.

Councilmember Boardman reported this issue has been discussed extensively by the Downtown Taskforce. She added that one of the goals of the Taskforce was to examine ways to reduce impacts of late-night bar patrons on residents. She stated that one of the suggestions was to use the mechanism which was already in place, which was to pursue the residential parking permit program. She reported these were public meetings, were very well-attended and there was nothing secretive about them. She listed other options discussed at those meetings and reported that Council has adopted an ordinance to prevent additional liquor licenses in the area, requiring new restaurants to stop serving alcohol at 11:00 PM and close at midnight and allowing employees to pay \$20 per month to park in the parking structure. She added that the charge for parking in the City parking structure after 9:00 PM is a flat \$5 fee. Residents are not concerned about beach visitors, but rather late-night bar patrons who impact their quality of life. The beach closes at 10:00 PM and the pier closes at midnight and Councilmember Boardman stated she does not see this impacting surfers or beach-goers. It could impact people living on 10th, 11th and 12th Streets and she encouraged them to also pursue this kind of solution if problems arise. The full impact will not be known until the program is implemented.

Mayor Harper asked if other cities have residential parking permit areas either in the Coastal Zone or adjacent to it, Director Hopkins stated that some do but that staff did not research it. Staff also did not calculate the percentage of City streets currently with permit parking.

Councilmember Katapodis noted that people will often buy alcohol from stores and will drink in their cars which are parked in front of residences. He stated that it is unfortunate that the City does not have more Police Officers to address the problem and that it is his goal to bring Police Department staffing up where it should be. He stated he would accept implementing this program for a limited period and revisiting it to determine its success but stressed the importance of giving it a chance. He noted that the process has been the same for other permit parking districts in the City and that if problems shift to other streets, those residents can initiate the process to do the same.

Councilmember Hardy stated she has been supportive of all the other parking districts that have come forward and that it doesn't seem fair to not support this one. She stated she would accept adding a one-year evaluation of the program.

Mayor Pro Tem Shaw sympathized with downtown residents and noted that many of the issues take time to solve. He commented on restrictions made to alcohol-serving establishments downtown and stated he sees no difference between this and other permit parking requests made

throughout the City. He commented on the integrity of the petition and the validation process and noted that he experienced the same problems when he lived downtown. He commended the residents for working together to find a small way to try to make a difference in their lives and in what is going on downtown and commented on their overwhelming support of the proposed permit parking district.

Councilmember Sullivan expressed his appreciation to those who offered their comments on this matter, but had concerns after hearing from a speaker with twenty-five years of experience in CEQA issues pointing out that a study has not been conducted to evaluate the impacts of the proposed parking permit district. He suggested delaying the matter to do an impact study and obtain more information and give residents in outlying streets the opportunity to decide whether they would like to participate in the program.

City Clerk Flynn reiterated there was an amendment made to the resolution by Director of Public Works Hopkins amending the hours to 10:00 PM to 5:00 AM and exchanging the words Constitution Drive to "the requested streets." She stated the need to ensure these are included in the motion.

A motion was made by Mayor Pro Tem Shaw, second by Councilmember Katapodis to adopt Resolution No. 2014-77, "A Resolution of the City Council of the City of Huntington Beach Establishing Permit Parking District "S" Within the City of Huntington Beach" prohibiting parking without a permit on the designated streets between 10:00 PM and 5:00 AM, daily, ***as amended, to put in hours in resolution (10:00 PM to 5:00 AM), exchange the words Constitution Drive to the requested streets in the third paragraph and include a one-year evaluation of the program (from date of implementation).***

Councilmember Carchio stated that the City created the problem in the downtown area and that now residents are being asked to solve it. He stated he does not understand the rush or the exclusion of other streets that may be impacted and suggested delaying the item until appropriate studies can be conducted.

Director of Public Works Hopkins noted this was initiated by residents and that some residents of 10th Street may be interested in participating but he is unaware of residents' interest on 11th or 12th Streets. He noted it would take time to send out petitions and have residents collect signatures.

Councilmember Carchio suggested continuing the matter to allow inclusion of the entire affected area. He commented on employees who are "forced" to park in the neighborhoods and felt there are many other things that need to be done before approving this item. In response to his inquiry, Director of Public Works Hopkins reported that the program offers up to four resident and two quest parking permits per residence. Councilmember Carchio noted that there may be legal issues involved.

City Attorney McGrath reported that no basis is required to sue and that anyone can sue at any time on any grounds. A lawsuit would challenge the Public Works Director's decision on this matter.

Councilmember Carchio stated he wants to ensure that this is done right without jumping into it to avoid potential lawsuits. He stated he will not support the current motion.

Mayor Harper disclosed that pursuant to previous discussions held at a meeting on May 19, 2014, he had not accepted a campaign contribution that would create a conflict of interest in relation to voting on this matter. He also provided his view of why beach access is so important, and why he will vote in opposition to the item. He wondered why the good should be penalized with the bad and commented on the behavioral problems described noting that they are already crimes and against the law on the books and that it is just a matter of connecting law enforcement to the offender and making sure that justice is served but not deprive people of parking. He believed that parking permits become a franchise and a premium. He suggested that the issue may create more of a problem than what is solved. Additionally, he felt that the criteria for evaluation should be built into the resolution and questioned the tools used to measure success. He believed there are too many opportunities for abuse, too much restriction from the coast and the matter sets precedent for expansion of time and geography.

Councilmember Boardman asked how an impact is supposed to be studied before enactment. She stated that an impact on 10th, 11th and 12th Streets will only happen if the program is enacted. Director of Public Works Hopkins stated that an impact study could be part of the motion at this time. He added that the challenge would be that to verify the impacts, staff must hear from the residents.

Councilmember Boardman reiterated that this is a resident-driven initiative and that she would not support anything that were not supported by a majority of residents as well as permitted parking during the day or for twenty-four hours. She stressed this is about impacts from 10:00 PM to 5:00 AM and stated she would like to see an impact study done and she would like to add that to the motion. She added that Seal Beach has a residential permit parking program and stated she will support the item.

The maker and second of the motion accepted adding the requirement for an impact study.

In response to Councilmember Katapodis's question, Director of Public Works Hopkins noted challenges with doing an impact study without implementation of the program.

Councilmember Katapodis commented on a program at Golden West College and stated that he is not aware of any abuse of parking permits.

Councilmember Carchio commented on the need for guest passes and on this being about personal responsibility. He felt that the behavior will continue and expressed concerns regarding potential legal issues.

Councilmember Boardman clarified her request for an impact study and suggested that if Councilmembers have concerns regarding the process that has existed for thirty years, they should bring a new agenda item to revamp the process and not penalize residents who have followed the existing process.

Councilmember Katapodis noted that residents would pay for the permits and that if Councilmembers want to modify the process, the matter should be placed on a future agenda.

Mayor Harper questioned the criteria for measuring success in one year.

In response to Councilmember Hardy's question, Director of Public Works Hopkins noted there is a CEQA exemption for existing facilities.

Councilmember Sullivan and Transportation Manager Stachelski discussed the number of passes per household and it was noted that residents can receive one pass per registered vehicle, up to four and two guest passes.

The motion has been clarified as follows:

A motion was made by Mayor Pro Tem Shaw, second by Councilmember Katapodis to adopt Resolution No. 2014-77, "A Resolution of the City Council of the City of Huntington Beach Establishing Permit Parking District "S" Within the City of Huntington Beach" prohibiting parking without a permit on the designated streets between 10:00 PM and 5:00 AM, daily, ***as amended, to put in hours in resolution (10:00 PM to 5:00 AM), exchange the words Constitution Drive to "the requested streets" in the third paragraph, initiate an impact study of the proposal's effects from implementation, and include a one-year evaluation of the program (from date of implementation).***

The motion carried with the following vote:

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

7. Adopted Resolution No 2014-78 approving the Title VI Compliance Plan and authorizing its submittal to the California Department of Transportation (Caltrans) for purchase of replacement vehicles for the Senior Transportation Program

A motion was made by Councilmember Carchio, second by Councilmember Hardy to adopt Resolution No. 2014-78, "A Resolution of the City Council of the City of Huntington Beach Approving the Title VI Compliance Plan and Authorizing the Plan to be Submitted to the California Department of Transportation to Secure a Senior Mobility Program Grant;" and, approve the City of Huntington Beach Community Services Department Title VI Plan dated May 2014.

The motion carried with the following vote:

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

8. Continued for 30 Days the execution of License Agreements for use of a portion of the former Pacific Electric Railroad Right-Of-Way with Eleven (11) Adjoining Property Owners

Councilmember Boardman noted that a public speaker indicated that effected property owners heard about this matter on Friday and they would like more time to learn about it and discuss it. She asked regarding efforts made to notify the public on this item.

Kellie Fritzal, Deputy Director, Business Development, reported that this issue has been discussed for the last two years and residents have been approached on it several times. She added that residents were informed but acknowledged that they should have been provided better information.

Councilmember Boardman stated she would like to ensure that residents understand the issue

and suggested allowing them thirty days to make sure they have adequate information.

A motion was made by Councilmember Boardman, second by Councilmember Katapodis to continue this item for thirty days in order to ensure that all stakeholders understand the license agreements and return to Council at that time.

The motion carried with the following vote:

AYES: Katapodis, Hardy, Shaw, Harper, Boardman, Carchio
NOES: None
ABSENT: Sullivan (Out of the Chambers)

9. Approved and authorized execution of the Fiscal Year 2014/2015 OC Animal Care Services Contract; and, authorized the Chief of Police to expend funds for animal control purposes

A motion was made by Councilmember Carchio, second by Councilmember Hardy to approve and authorize the Mayor to execute the "Exhibit B to Agreement for Provision of OC Animal Care Services With City of Huntington Beach July 1, 2014 through June 30, 2015" with the County of Orange; and, authorize the Chief of Police to expend up to \$743,338 for animal control services as budgeted.

The motion carried with the following vote:

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

10. Approved and authorized execution of Amendment No. 1 to Lease Agreement between the City and the Huntington Beach Playhouse excluding the use of the theater on Sundays and extending the contract two years

A motion was made by Councilmember Carchio, second by Councilmember Hardy to approve and authorize the Mayor and City Clerk to execute "Amendment No. 1 to Lease Agreement between the City of Huntington Beach and The Huntington Beach Playhouse for Non-Exclusive Use of the Public Library Theater."

The motion carried with the following vote:

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

11. Approved and authorized execution of Amendment No. 1 to Agreement between the City and Mariners Church for nonexclusive use of the Public Library Theater, extending Sunday service hours and adjusting rent schedules accordingly

A motion was made by Councilmember Carchio, second by Councilmember Hardy to approve and authorize the Mayor to execute "Amendment No. 1 to Agreement between the City of Huntington Beach and Mariners Church for Nonexclusive Use of the Public Library Theater."

The motion carried with the following vote:

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

12. Approved and authorized execution of Lease Agreement between the City and Dwight's and Jack's Inc., for Jack's Beach Concession located at 201 Pacific Coast Highway

Councilmember Carchio requested clarification regarding the rent charges and Deputy Director Fritzel reported it includes a base rent plus a percentage rent. She added that they are not under this type of agreement, currently, but are under a straight percentage rent with no base rent. She addressed distinctions between concessionaires noting that those closer to the pier are required to remain open for additional days. She added that the rent formula is the same for all concessionaires. She added that staff recommends a term of ten years and then the matter would go out for an RFP.

A motion was made by Councilmember Carchio, second by Councilmember Sullivan to approve and authorize the Mayor and City Clerk to execute the "Lease between the City of Huntington Beach and Dwight's and Jack's, Inc. for Jack's Beach Concession at 21091 Pacific Coast Highway."

The motion carried with the following vote:

AYES: Katapodis, Hardy, Shaw, Harper, Sullivan, Carchio
NOES: None
ABSENT: Boardman (Out of the Chambers)

13. Approved adding a new Member to the Integrated Law & Justice Agency for Orange County (ILJAOC), and authorized execution to related Amendment for existing Joint Powers Authority (JPA) Governance Agreement

A motion was made by Councilmember Carchio, second by Councilmember Hardy to approve and authorize the Mayor and City Clerk to execute the recommended amendment to the Governance Document, "Restated and Amended Joint Powers Agreement for Integrated Law & Justice Agency for Orange County (ILJAOC)" Joint Powers Authority; approve the addition of California State University, Fullerton, on behalf of their Police Department, as a new Member of the ILJAOC; and, direct the City Clerk to provide a minute order to the ILJAOC Recording Secretary confirming the City Council's action.

The motion carried with the following vote:

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

14. Approved and authorized execution of a three-year Professional Services Contract with Keyser Marston Associates, Inc. for Economic Analysis Services

A motion was made by Councilmember Carchio, second by Councilmember Hardy to approve and authorize the Mayor and City Clerk to execute the "Professional Services Contract Between the City of Huntington Beach and Keyser Marston Associates, Inc. for Economic Analysis

Services" in an amount not to exceed \$270,000 over a three-year period.

The motion carried with the following vote:

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

15. Approved and authorized execution of an amended and reinstated License Agreement with Abercrombie & Fitch Co. for video authorization at the Huntington Beach Municipal Pier

A motion was made by Councilmember Carchio, second by Councilmember Hardy to approve and authorize the Mayor and City Clerk to execute the "Amended and Restated City Agreement" with Abercrombie and Fitch Co. to allow for video recording from the Huntington Beach Pier up to four (4) times per year for up to five (5) consecutive days and, to transfer the ownership of the nine (9) video cameras and monitors used for live video streaming to the City.

The motion carried with the following vote:

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

16. Approved and authorized execution of Amendment No. 2 to Agreement No. C-1-2765 with Orange County Transportation Authority (OCTA) for M2 Comprehensive Transportation Funding Programs (CTFP)

A motion was made by Councilmember Carchio, second by Councilmember Hardy to approve and authorize the Mayor and City Clerk to execute "Amendment No. 2 to Master Funding Agreement No. C-1-2765 between Orange County Transportation Authority and City of Huntington Beach for M2 Comprehensive Transportation Funding Programs."

The motion carried with the following vote:

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

17. Adopted Resolution No. 2014-76 declaring the City's intention to dissolve the Huntington Beach Hotel/Motel Business Improvement District (BID) and Fixing the Time and Place of a Public Hearing to November 3, 2014

A motion was made by Councilmember Carchio, second by Councilmember Hardy to adopt Resolution No. 2014-76, "A Resolution of the City Council of the City of Huntington Beach Declaring its Intention to Disestablish the Huntington Beach Hotel/Motel Business Improvement District;" and Fixing the Time and Place of a Public Hearing to November 3, 2014 and Giving Notice Thereof; and, direct the City Clerk to provide Notice in Accordance with Streets and Highways Code Section 36523.

The motion carried with the following vote:

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

NOES: None

**18. Adopted Ordinance No. 4031 amending Municipal Code Section 8.60 relating to Emergency Management and Homeland Security
Approved for introduction September 15, 2014 (Vote: 7 - 0)**

A motion was made by Councilmember Carchio, second by Councilmember Hardy to adopt Ordinance No. 4031, "An Ordinance of the City of Huntington Beach Amending Chapter 8.60 of the Huntington Beach Municipal Code Relating to Emergency Management and Homeland Security."

The motion carried with the following vote:

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

It was noted that Council must act in order to continue a meeting after 11:00 PM.

A motion was made by Councilmember Sullivan, second by Councilmember Boardman to proceed with the remaining agenda items after the hour of 11:00 PM.

The motion carried with the following vote:

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

PUBLIC HEARING (Nos. #19 and #20 were held concurrently)

- 19. Adopted Resolution No. 2014-79 approving General Plan Amendment (GPA) No. 13-003; Approved for introduction Ordinance No. 4032 approving Zoning Map Amendment (ZMA) No. 14-002 (Brightwater and Sandover)**
- 20. Approved for Introduction Ordinance No. 4033 approving Zoning Map Amendment (ZMA) No. 13-003; Adopted Resolution No. 2014-80 adopting Local Coastal Program Amendment (LCPA) No. 14-001 (Sandover)**

Associate Planner Ricky Ramos provided details of the report addressing the project location, background, details of the request, analysis and recommendations.

Director of Planning and Building Scott Hess added that the only reason that the lots were not developed with Brightwater and Sandover is because they cross the jurisdiction into the County of Orange and the City.

Mayor Harper opened the public hearing. There were no requests to speak and Mayor Harper closed the public hearing.

A motion was made by Councilmember Carchio, second by Councilmember Katapodis to approve General Plan Amendment No. 13-003 by adopting City Council Resolution No. 2014-79, "A Resolution of the City Council of the City of Huntington Beach Approving General Plan Amendment No. 13-003;" approve Zoning Map Amendment No. 14-002 with findings for approval

and after the City Clerk reads by title, approve for introduction 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)"; approve Zoning Map Amendment No. 13-003 with findings for approval and after the City Clerk reads by title, approve for introduction 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);" and, approve Local Coastal Program Amendment No. 14-001 with findings for approval by adopting City Council Resolution No. 2014-80, "A Resolution of the City Council of Huntington Beach adopting Local Coastal Program Amendment No. 14-001 and requesting its certification by the California Coastal Commission."

The motion carried with the following vote:

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

COUNCILMEMBER ITEMS

21. Request Submitted by Mayor Harper Failed to Direct the City Attorney to prepare an ordinance to repeal Chapter 5.95 (Use of Plastic Carryout Bags and Recyclable Paper Bags) of the Huntington Beach Municipal Code

Mayor Harper noted that the aforementioned matter has been argued, thoroughly and reported this is in reaction to the Governor's signing as well as the passage of SB 270, which substantively adopts the law for the entire State.

City Attorney McGrath requested clarification of the date of the repeal as State law does not go into effect until July 1, 2015.

A motion was made by Mayor Harper, second by Councilmember Carchio to direct the City Attorney to prepare an ordinance to repeal Chapter 5.95 of the Huntington Beach Municipal Code, effective July 1, 2015.

Councilmember Hardy stated she would prefer to act when the law takes effect.

Councilmember Boardman stated she does not believe that the State law makes the City's law obsolete.

In response to Mayor Harper's question, City Attorney McGrath addressed the differences between the two laws.

The motion failed by the following vote:

AYES: Harper, Sullivan, Carchio

NOES: Katapodis, Hardy, Shaw, Boardman

22. Request Submitted by Mayor Pro Tem Shaw and Councilmember Connie Boardman Approved - Potential Revisions to the Beach and Edinger Corridor Specific Plan

Councilmember Boardman noted there is nothing wrong with the idea of constructing retail near housing but stated she wants to ensure that underlying assumptions are correct in terms of cars and trips per household. She reported that the plan allows the City to conduct a new environmental review when the maximum amount of new development is reached. She suggested giving staff an opportunity to return to Council with a new environmental review and traffic study and determine whether some of the assumptions were accurate, especially as they relate to traffic impacts. She added there is a lot of unease among residents about the impacts of further development. Additionally, she stated she would like staff to return to Council with recommendations relative to requiring certain sized projects to go through the CUP process in order to involve the public. Currently, there is little public participation in the approval process. She indicated she supports giving incentives to developers and property owners to improve their property but expressed concerns that as property values increase, there could be pressure on car dealers to sell and stated she does not want to see car dealerships replaced with apartments and she wants to ensure protections are in place for car dealerships. She addressed the number of units approved so far, and stated that she would accept increasing the number a little.

Mayor Pro Tem Shaw added that residents are concerned with the pace of development in the area, especially in relation to the Beach/Ellis project. He referenced a traffic study in the EIR of the specific plan and noted that the cumulative effect of other projects has not been studied. He believed it would be prudent to have additional traffic studies conducted for projects being built now and that there should be a CUP process for every project to allow public participation. He acknowledged there are projects in the pipeline that may need to be considered, and commented that the 2,000 dwelling unit may be too little, but 4,500 is too high. He agreed with the need to protect car dealerships, review excessive heights and densities, consider retail as part of every development and eliminate "by right" development.

In response to Mayor Harper's question regarding whether the change would have made a difference in regards to the Beach/Ellis project, Director of Planning and Building Hess affirmed that the environmental was appealed to City Council.

Mayor Harper asked if the change slows the pace of development and Councilmember Boardman responded that involving the public in the process could slow the pace but felt it is worth it in order to involve the public more. Additionally, the re-evaluation process will also slow down the pace of development. She reiterated that residents are alarmed with the current pace of development.

Councilmember Carchio noted that the proposal basically stops all further development within the Beach and Edinger corridor. He suggested the matter requires an in-depth study process involving stakeholders. He provided brief background on the plan and addressed its results. He added that this decision involves many millions of dollars in commerce, corporate portfolios and a significant number of property owners. He noted the need for a clear picture of the various projects in place adding that it would be unfair to those working within the existing guidelines to not permit their development projects. He suggested taking additional time to thoroughly discuss the matter with all stakeholders. He agreed that the plan should be perfected adding that impact fees should be directed to infrastructure, there should be more emphasis on required public improvements on developer sites and designs should be improved. Additionally, he agreed with

the need to protect car dealerships.

Mayor Pro Tem Shaw noted there is no intention of leaving stakeholders out of the process.

In response to Councilmember Hardy's question, Director of Planning and Building Hess reported that the Bella Terra units are not included in the number of dwelling units for the Beach Ellis Corridor Specific Plan (BECSP). He added that staff has looked at conceptual plans for approximately 400 units.

Councilmember Hardy noted that this does not stop development at 2,800, but would trigger a re-evaluation. She addressed the action to be taken tonight and stressed the need to listen to property owners, developers and business owners on both sides of the issue.

Councilmember Katapodis agreed with setting the cap at 2,800 units. He stated the need to ensure that there is a traffic study done as part of the direction to staff and including Goldenwest north of Edinger.

Councilmember Sullivan expressed concerns with potential legal ramifications.

City Attorney McGrath noted that developers are not entitled until they are entitled and that until they receive the approval from City Council for a project to commence, there is no cause of action against the City.

Councilmember Sullivan agreed with the need to consider the matter but stressed the importance of including stakeholders in the process as well as the public.

Councilmember Boardman agreed with Councilmember Sullivan's comments.

Discussion followed regarding protecting car dealerships including the possibility of creating an overlay zone, clarification of traffic study requirements and property taxes that might be lost because of the reduction in units.

Councilmember Carchio commented on slowing down the pace of development and noted that time is money to developers.

Mayor Pro Tem Shaw reiterated that the public is alarmed by the pace of development and noted the benefits of slowing it down, including increased public participation and review.

Mayor Harper commented on the Beach/Ellis project noting that it received much public scrutiny and participation. He stated he does not see the proposed to be a substantive change in terms of the number of units and does not believe it will slow down the pace of development adding that the pace of development will slow whether this is passed or not. He stated he will be voting against this item.

A motion was made by Councilmember Boardman, second by Mayor Pro Tem Shaw to direct staff to return to the City Council with short- and long-term options to address these concerns of residents and to include: reducing the threshold (Maximum Amount of New Development - MAND) for reviewing the overall success of the BECSP plan to 2,800 dwelling units; requiring all residential and mixed-use Site Plan Reviews to obtain a Conditional Use Permit; requiring a minimum square footage of retail space in a mixed-use development; and reviewing the

development standards for car dealerships to ensure their economic viability, ***as amended to add additional traffic studies on projects both done, and currently in process, and studies related to excessive height and density.***

The motion carried with the following vote:

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

23. Request Submitted by Councilmember Carchio Failed - Direct City Attorney to prepare an ordinance for consumer protection by allowing customers who have purchased paper bags and experienced flaws, to be able to return the bag for a replacement bag or a receive a refund of 10 cents

Councilmember Carchio explained why he brought this matter forward noting that he wants to give consumers some protection.

A motion was made by Councilmember Carchio, second by Councilmember Sullivan to direct City Attorney to prepare an ordinance for consumer protection by allowing customers who have purchased paper bags under the new Plastic Bag Ban and have experienced flaws with the bag (coming apart, handles breaking, etc.), to be able to return the bag for a replacement bag or a refund of 10 cents.

The motion failed by the following vote:

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

24. Request Submitted by Councilmember Carchio Approved - Direct the City Manager and Police Chief to research funding options to enhance the Police Department

Councilmember Carchio introduced the proposal noting the number of alcohol-serving businesses in the City and the amount of police resources needed for enforcement. He stressed the need for more Police Officers and commented on Proposition 218 implications.

Police Chief Handy reported an analysis is currently being done which has revealed that the Huntington Beach Police Department is understaffed. He commented on things that need to be done to add services back, not specifically related to downtown or alcohol, although those are issues that the Police Department must deal with. He added that in conjunction with the City Manager, he is prepared to review alternatives and reported he would like the opportunity to present those to Council.

Councilmember Carchio commented on the downtown ambassador program and stated that having the Police Chief and the City Manager work together would enable the development of great ideas and options to help the Police Department fund necessary activities.

Councilmember Sullivan commented on the problems in downtown related to alcohol-serving establishments and suggested having those businesses contribute, as a cost of doing business.

Councilmember Boardman commented on developing a strategic plan to fully staff the Police

Department to appropriate levels. She asked what the staffing goal would be.

Police Chief Handy reported that population formulas would not work well for the City because of the visitors coming into the City. However, he estimated that an appropriate number would be north of 237 Police Officers in the 280s. He added that he has not had the time to put together a detailed plan but would like to do so. This item would give him that opportunity.

A motion was made by Councilmember Carchio, second by Councilmember Katapodis to direct the City Manager and Police Chief to research funding options to enhance the Police Department.

The motion carried with the following vote:

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

COUNCILMEMBER COMMENTS (Not Agendized)

Councilmember Katapodis reported he was one of the judges for the recent 2014 Miss Huntington Beach Scholarship Pageant and announced the Claire Epting was declared the winner. He commented on Ms. Epting's qualifications and noted it was a close race. Additionally, he attended the Boys & Girls Clubs of Huntington Valley, Annual Benefit Dinner and Auction and commented positively on the event.

Councilmember Hardy stated she meant to vote "no" on Items No. 19 and 20. The record was modified accordingly. She congratulated Miss Huntington Beach as well as the two runners up and reported attending the Police Open House. She announced the Fire Department's Open House on Saturday, October 1, 2014, from 10:00 AM to 2:00 PM. Additionally, she encouraged residents to contribute to the Historic Wintersburg project through Indiegogo and commented on the importance of preserving the City's history.

Mayor Pro Tem Shaw reported attending the HB Chamber of Commerce City Council Candidate Forum, the Coastal Cleanup Day, the National Drive Electric Week event and the Reduce, Reuse, Recycle Surf Contest.

Councilmember Sullivan reported attending the funeral for Former Planning Commissioner Bob Dingwall.

Councilmember Carchio reported attending the HB Chamber of Commerce City Council Candidate Forum, the Police Badge Pinning Ceremony, the Beach Cities Interfaith Services Grand Opening, Duke's 16th Anniversary Celebration, the Boys & Girls Clubs of Huntington Valley, Annual Benefit Dinner and Auction and the Kiwanis Huntington Beach Installation Dinner.

Mayor Harper congratulated Merrill Gardens on their Grand Opening and acknowledged the Police Department for their recent Open House. Additionally, he congratulated the new Miss Huntington Beach and reported attending the Waves of Valor Veteran Surf Camp at Bolsa Chica State Beach. He encouraged citizens to vote in this coming election.

ADJOURNMENT

There being no other business to come before City Council, Mayor Harper adjourned the meeting

at 12:14 AM.

The next regularly scheduled meeting of the Huntington Beach City Council/Public Financing Authority is Monday, October 20, 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:



City Clerk-Secretary



Mayor-Chair