

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

**Monday, September 3, 2013
4:00 PM – Study Session
6:00 PM – Regular Meeting
Civic Center Council Chambers
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, an audio recording of the 4:00 PM portion of this meeting and video recording of the 6:00 PM portion of this meeting is archived at www.surfcity-hb.org/government/agendas/

4:00 PM - ROOM B-8

CALL TO ORDER - 4:10 PM by Mayor Pro Tem Harper

ROLL CALL

Present: Sullivan, Hardy, Harper, Boardman (arrived at 4:14 PM), Carchio, Shaw, and Katapodis
Absent: None

ANNOUNCEMENT OF SUPPLEMENTAL COMMUNICATIONS (Received After Agenda Distribution)

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

PowerPoint presentation submitted by Travis Hopkins, Director of Public Works, dated September 3, 2013, entitled *Orange County Water District Annexation Update*.

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

STUDY SESSION

- 1. The Orange County Water District (OCWD) manages the local groundwater basin from which the City obtains approximately 70% of its water supply. OCWD staff provided a status report on requests from three agencies to annex areas into the District.**

City Manager Fred Wilson asked Brain Ragland, City of Huntington Beach Utilities Manager to introduce Orange County Water District (OCWD) representatives Cathy Green, OCWD Director, John Kennedy, Executive Director, and Michael R. Marcus, P.E. - General Manager, who provided a PowerPoint presentation entitled *Orange County Water District Annexation Update* that included the following titled slides: 1986 Annexation Policy Summary, Annexation History, 1999 Lawsuit with Cities of Huntington Beach and Fountain Valley, Annual Additional Pumping &

Annexation Fee, OCWD Basin Pumping Percentage - BPP, What Impacts the BPP?, Groundwater Producer Meetings, and Current Annexation Schedule.

Questions/comments included:

Mayor Pro Tem Harper and OCWD representatives discussed an annexation by the Irvine Ranch Water District (IRWD) shown on the map, differences between water user versus producer and how each is affected by annexation, water operations and over-pumping in unincorporated areas (Midway City), summarization of the bottom line to Huntington Beach, and how salt water intrusion affects pumping quantity and associated costs.

Councilmember Hardy and OCWD representatives discussed how Huntington Beach residents are efficient water users.

Councilmember Sullivan and OCWD representatives discussed Board policy in relation to annexation, and details related to the last annexation in Yorba Linda in 1996. Public Works Director Travis Hopkins discussed limits in annexation within the watershed.

Mayor Boardman discussed ideas being considered for groundwater producers and future annexation in undeveloped areas. Director Green discussed specifics in relation to Basin Pumping Percentage (BPP).

Mayor Boardman expressed concerns about the proposed Poseidon Plant, and recommended requirements that protect the groundwater basin. Discussion ensued about cost neutrality and lower basin pumping percentage.

RECESS TO CLOSED SESSION - 4:49 PM

Mayor Boardman announced: Pursuant to Government Code Section 54957.6.a, the Council takes this opportunity to publicly introduce and identify designated labor negotiators: Fred Wilson City Manager, Michele Warren Director of Human Resources, Lori Ann Farrell Director of Finance, Janeen Laudenback Acting Director of Community Services, Patrick McIntosh Fire Chief, Irma Rodriguez-Moisa AALRR, Ken Small Police Chief, and Peter Brown LCW, who will be participating today in Closed Session discussions regarding labor negotiations with MEA, MEO, MSMA, SCLEA, POA and HBFA.

A motion was made by Sullivan, second Carchio to recess to Closed Session. The motion carried by the following vote:

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

CLOSED SESSION

2. Pursuant to Government Code § 54957.6, the City Council recessed to Closed Session to meet with its designated labor negotiators: Fred Wilson, City Manager; Michele Warren, Director of Human Resources, Lori Ann Farrell, Director of Finance, regarding labor negotiations with MEA and MEO.
3. Pursuant to Government Code § 54957.6, the City Council recessed to Closed Session to

meet with its designated labor negotiators: Fred Wilson, City Manager; Michele Warren, Director of Human Resources, Lori Ann Farrell, Director of Finance, Janeen Laudenback, Acting Director of Community Services, Patrick McIntosh, Fire Chief and Irma Rodriguez-Moisa, AALRR regarding labor negotiations with MSMA and SCLEA.

4. Pursuant to Government Code § 54957.6, the City Council recessed to Closed Session to meet with its designated labor negotiators: Fred Wilson, City Manager; Michele Warren, Director of Human Resources, Lori Ann Farrell, Director of Finance, Ken Small, Police Chief, Patrick McIntosh, Fire Chief and Peter Brown LCW regarding labor negotiations with POA and HBFA.
5. Pursuant to Government Code § 54956.9(d)(2), the City Council recessed into Closed Session to confer with the City Attorney based on existing facts and circumstances that a significant exposure to potential litigation from two potential plaintiffs against the City exist.

6:00 PM – COUNCIL CHAMBERS

RECONVENE CITY COUNCIL/PUBLIC FINANCING AUTHORITY MEETING – 6:06 PM

CLOSED SESSION REPORT BY CITY ATTORNEY

Regarding Closed Session Item No. 5, City Attorney Jennifer McGrath reported that, in a vote of 6-1 (Sullivan-No), the City Council authorized the filing of litigation to prevent the Wet Electric event of September 14, 2013, to include the promoter, land owner, and non-profit.

ROLL CALL

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

Absent: None

PLEDGE OF ALLEGIANCE – Led by Boy Scout Troop 568

INVOCATION - The invocation was provided by Andrea Jeffrey and Maria Kahn of the Huntington Beach Interfaith Council.

In permitting a nonsectarian invocation, the City does not intend to proselytize or advance any faith or belief. Neither the City nor the City Council endorses any particular religious belief or form of invocation.

AWARDS AND PRESENTATIONS

Presentation - Mayor Boardman called on Gisela Campagne and Victoria Alberty to introduce the Adoptable Pet of the Month

Mayor Boardman reported this is a new segment at monthly Council meetings to introduce pets that residents may want to adopt.

Ms. Campagne, from Wagon Trails Rescue Foundation, provided information on the organization and introduced a Chihuahua named Destiny as the Adoptable Pet of the Month. She thanked Mayor Boardman, Council and staff for the opportunity to present pets in need of adoption and

hoped that the practice will continue on a monthly basis. She introduced Victoria Alberty, also with the Foundation and Valerie, with the Local Humane Society. Valerie provided information on Destiny including contact information for those wishing to adopt her.

Presentation - Mayor Boardman called on Police Chief Ken Small to recognize Crime Analyst Julie Romano, Detective Jeff Goodspeed and Detective Phil Gasca for their continued work to find the vandals and felons from the July 28th downtown civic disturbance

Police Chief Small recognized Crime Analyst Julie Romano, Detective Jeff Goodspeed and Detective Phil Gasca for their continued work to find the vandals and felons from the July 28th downtown civic disturbance.

ANNOUNCEMENT OF SUPPLEMENTAL COMMUNICATIONS (Received After Agenda Distribution)

Pursuant to the Brown "Open Meetings" Act, City Clerk Joan Flynn announced supplemental communications that were received by her office following distribution of the City Council agenda packet. She reported that one supplemental communication was received for Public Hearing Item No. 9 and will be announced at the time of the hearing.

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/>).

Mayor Boardman opened the Public Comments portion of the meeting.

Robert Dettloff, Huntington Beach Council on Aging (COA) spoke regarding the Affordable Care Act. He addressed efforts by the organization to inform residents of scams related to the matter. He announced a forum on the Affordable Care Act on September 26, 2013, in Council Chambers, from 7:00 PM to 9:00 PM and addressed items to be discussed during the meeting. (00:12:37)

Bob Dingman voiced concerns about CalPERS retirement obligations. He felt that City employees are overpaid and should have to pay for their retirement such as employees in the private sector. (00:14:11)

Jennelle Godges and Dianne Thompson, representing the Huntington Beach Chamber of Commerce, spoke regarding the Chamber's "Green Forum" on September 14, 2013 from 8:00 to 10:30 AM at the Shorebreak Hotel featuring key speaker Ed Begley Jr. Dianne Thompson announced that following the event, members are invited to attend the "Green Expo" at the Pier. She thanked the City and Council for sponsoring the event and distributed information. (00:15:56)

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

Councilmember Sullivan reported chairing the Executive Committee meeting of the County Senior Citizens' Advisory Committee.

Councilmember Carchio reported attending the CAL LAFCO General Conference, and announced

that LAFCO was awarded the Government Leadership Award. He thanked LAFCO staff for their efforts.

CITY MANAGER'S REPORT

City Manager Fred Wilson reported that Moody's issued a report last week that resulted in an upgrade to one of the City's bond ratings. He congratulated City Finance staff for their work and efforts.

CONSENT CALENDAR

1. Approved and adopted minutes of August 19, 2013

A motion was made by Councilmember Carchio, second by Councilmember Hardy to approve and adopt the minutes of the City Council/Public Financing Authority Regular Meeting of August 19, 2013, as written and on file in the office of the City Clerk.

The motion carried with the following roll call vote:

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

2. Adopted Resolution of Intent No. 2013-43 calling for a Public Hearing on September 16, 2013 regarding the formation of the Brookhurst Street Underground Utility District

A motion was made by Councilmember Carchio, second by Councilmember Hardy to adopt Resolution No. 2013-43, " A Resolution of the City Council of the City of Huntington Beach Setting a Public Hearing to Determine Whether Public Necessity, Health, Safety or Welfare Require the Formation of an Underground Utility District on Brookhurst Street, between Garfield Avenue and approximately 900 feet South of Adams Avenue."

The motion carried with the following roll call vote:

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

3. Adopted Resolution No. 2013-47 designating Lori Ann Farrell, Alisa Cutchen, Joyce M. Zacks and Dahle Bulosan as persons authorized to execute financial transactions in the name of the City of Huntington Beach

A motion was made by Councilmember Carchio, second by Councilmember Hardy to adopt Resolution No. 2013-47, "A Resolution of the City Council of the City of Huntington Beach Authorizing the Manual and/or Facsimile Signatures of Lori Ann Farrell, Alisa Cutchen, Joyce M. Zacks and Dahle Bulosan" as persons authorized to execute financial transactions in the name of the City of Huntington Beach.

The motion carried with the following roll call vote:

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

NOES: None

4. Approved and accepted California State Library LSTA (Library Services and Technology Act) Grant of \$37,000 for a Beach Pop Up Library project, and California State Library CLLS (California Library Literacy Services) baseline Literacy Grant of \$10,000

Mayor Boardman pulled this item for further discussion and consideration. She reported doing so to allow Library Director Stephanie Beverage to comment on the Library "Pop-up" location and the funding she received for it.

Library Director Beverage reported that the California State Library encourages the development of new and innovative ways of extending library service and has a grant program for which she pitched an idea involving "pop-up" library locations. She suggested possible locations and reported that the target launch is for March, 2014. She reported that it will have a mobile circulation module where people may sign up for library cards for checking out information, including e-books.

Councilmember Carchio referenced an article reporting on the use of storage trailers for library facilities and other uses.

Councilmember Shaw commented positively on the matter.

Mayor Boardman added that the grant includes a \$10,000 award for the City's Literacy Program.

A motion was made by Mayor Boardman, second by Councilmember Carchio to approve and accept grant award in the amount of \$37,000 - \$16,650 upon execution of agreement with State Library, \$16,650 on or about October 30, 2013, and \$3,700 on completion and return of abatements - for the Huntington Beach Public Library to fund a project providing a Beach Pop-Up library to the community, and to allocate the grant funds to an account to be determined by the Finance Department; and, approve and accept grant award in the amount of \$10,000 for the Huntington Beach Public Library Literacy Program to support services to learners and tutors, and to allocate the grant funds to an account to be determined by the Finance Department.

The motion carried with the following roll call vote:

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

5. Approved and authorized execution of amendments to two existing contracts between the City of Huntington Beach and CSG Consultants, Inc. for Plan Review Services and Building Staffing Services

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 Agreement between the City of Huntington Beach and CSG Consultants, Inc. For Plan Review Services;" and, approve and authorize the Mayor and City Clerk to execute "Amendment No. 1 to Agreement between the City of Huntington Beach and CSG Consultants, Inc. for Building Staffing Services."

The motion carried with the following roll call vote:

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

6. Approved and authorized execution of the Fifth Amended Joint Powers Agreement for Orange County-City Hazardous Materials Emergency Response Authority

A motion was made by Councilmember Carchio, second by Councilmember Hardy to approve and authorize the Mayor and the City Clerk to execute the "Fifth Amended Joint Exercise of Powers Agreement of the Orange County-City Hazardous Materials Emergency Response Authority."

The motion carried with the following roll call vote:

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

7. Approved two Professional Service Contracts with Community Service Programs Inc. (CSP) in the amounts of \$242,580 for the Gang Prevention and Intervention Program, and \$311,891 for Management of Juvenile Diversion Program each with a three-year expiration

A motion was made by Councilmember Carchio, second by Councilmember Hardy to approve and authorize the "Professional Services Contract Between the City of Huntington Beach and Community Service Programs, Inc. for Gang Prevention and Intervention Program;" and, approve and authorize the "Professional Service Contract Between the City of Huntington Beach and Community Service Programs, Inc. for Management of Juvenile Diversion Program."

The motion carried with the following roll call vote:

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

8. Approved and authorized execution of Amendment No. 1 to Professional Services Contract with Acclamation Insurance Management Services (AIMS) and Allied Managed Care (AMC) to provide workers' compensation, medical and disability bill review services

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 Professional Services Contract Between the City of Huntington Beach and Acclamation Insurance Management Services (AIMS) to Provide Workers' Compensation, Medical and Disability Claims Management Services;" and, approve and authorize the Mayor and City Clerk to execute "Amendment No. 1 to Professional Services Contract Between the City of Huntington Beach and Allied Managed Care, Inc. (AMC) to Provide Workers' Compensation, Medical and Disability Bill Review Services."

The motion carried with the following roll call vote:

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

PUBLIC HEARING

9. Public Hearing to consider adopting Resolution No. 2013-48 to adopt a Budget for the City for Fiscal Year 2013/2014 and Resolution No. 2013-49 establishing the Gann Appropriation Limit

City Manager Wilson reported this is the final public hearing to adopt the budget for the upcoming Fiscal Year 2013/14. He noted that Council has discussed the budget on three different occasions and that the budget presented reflects changes made to the document by Council. He deferred to staff for a report.

Budget Manager Carol Molina Espinosa presented highlights of the budget addressing the theme and elements of the building blocks to build economic prosperity including recovery, realignment and reinvestment. She presented a budget overview and addressed the General Fund by Departments and accomplishments and efforts within each building block.

City Clerk Joan Flynn reported supplemental communication was received on this item consisting of a copy of the PowerPoint presentation provided by Ms. Espinosa. She reported that it is available online and in the City Clerk's Office.

Mayor Boardman opened the Public Hearing.

Bob Dingman commented on his experience in the area of finance and expressed concerns regarding \$165,000 for the Main Street Library noting that, in his opinion, it is not needed and that the City could close that branch and use the money elsewhere. He questioned the need for \$50,000 to remodel the Council Chambers, \$1.2 million for a park (Bartlett Park) and \$270,000 for the future senior center. He stated that many residents are opposed to building a new senior center. (00:31:04)

With no other interested parties wishing to address Council, Mayor Boardman closed the Public Hearing.

Councilmember Hardy suggested adding language indicating that Community Services Officer (CSO) positions would not be hired until the City reaches the budgeted level (5) of Police Officers.

City Manager Wilson clarified Commissioner Hardy's suggested that the two budgeted CSO positions would not be hired until five additional Police Officers are hired, bringing the total number of Police Officers to 212.

Police Chief Small indicated that the City will reach 207 Police Officers in March, 2014. He added that after two or three additional months, the City could reach 212 Police Officers. He reported that the budget being presented contains twelve months of funding for the CSO positions. He noted that delaying the hiring of the CSOs will not allow faster hiring of additional Police Officers and would only result in detectives doing work that could be done by civilians.

Mayor Pro Tem Harper commented on policy and budget discussions and indicated support for the Main Street Library and improvements at Bartlett Park. He stressed that City voters have decided on the location of the new senior center in Central Park and indicated support of steps towards the construction of a new senior center.

A motion was made by Councilmember Hardy, second by Councilmember Katapodis to approve the budget with changes regarding the hiring of two (2) CSO positions only after the hiring of five (5) Police Officers bringing the total of Police Officers on board to 212.

In response to an inquiry from Councilmember Carchio regarding the two CSO positions, Mr. Wilson reported that the issue of CSOs is currently included in the budget. If Council approves the budget, as presented, it will include allocation of funding for the CSO positions. He added that Council approved the hiring of CSOs at its last meeting.

Councilmember Hardy indicated wanting to prioritize the hiring of Police Officers prior to the hiring of CSOs.

Councilmember Sullivan indicated he would not support the motion noting that Police Chief Small has thoroughly explained the importance of hiring CSOs to free up Police Officers to do the job intended rather than administrative work.

Councilmember Hardy stated that she would suggest voting on the budget separately than on the issue of hiring CSOs.

Chief Small reiterated that delaying the hiring of the CSOs would not result in hiring Police Officers any faster. He added that efforts are being made to hire Police Officers as quickly as possible, with or without hiring CSOs.

Mayor Pro Tem Harper felt that Councilmember Hardy's motion goes beyond budget discussions and relates more to policy discussions and indicated he would oppose the motion.

Mayor Boardman stated she is uncomfortable with the motion and that it should be up to the Command staff of the Police Department to determine when they have budgeted positions, which ones to hire, and when. She reported that Council would be entering into the realm of micro-managing and that she will be opposing the motion. She added that the Chief should be free to hire budgeted positions as he sees fit, in his best judgment.

Motion by Councilmember Hardy, second Councilmember Katapodis to direct that the budgeted recruitment of two (2) Community Services Officer (CSO) positions be delayed until all five Police Officers have been hired, bringing the total to 212 Police Officers.

The motion carried with the following roll call vote:

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

Mayor Boardman referenced a letter from City Manager Wilson that highlights the accomplishments of the budget and shared highlights of the letter. She reported that this is the first time in six (6) years that the budget has been balanced without the need for layoffs or elimination of positions. She added that employees are taking on additional responsibilities due to decreased staff levels resulting from the recession. She addressed revenues, TOT, property taxes and continued demands by the State due to the elimination of Redevelopment Agencies. She presented ways in which the budget addresses unfunded liabilities, investments in infrastructure and grant funding. She suggested that staff provide information regarding possible grant funding going forward and thanked Mr. Wilson and City staff for their work on the budget.

A motion was made by Councilmember Hardy, second by Councilmember Katapodis that being the Council held a Public Hearing on the proposed FY 2013/14 City budget appropriation of \$313,780,914 as outlined in the Proposed Budget document, they adopt Resolution Number 2013-48, " A Resolution of the City Council of the City of Huntington Beach Adopting a Budget for the City for FY 2013/14 **as amended by earlier action regarding CSOs;**" authorize the Professional Services included in the FY 2013/14 budget to be representative of the services projected to be utilized by departments in FY 2013/14; and, adopt Resolution Number 2013-49, "A Resolution of the City Council of the City of Huntington Beach Establishing the Gann Appropriation Limit for FY 2013/14" of \$733,663,584.

The motion carried with the following roll call vote:

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

10. Public Hearing to consider adoption of Resolution No. 2013-44 approving an Annual Assessment within the Huntington Beach Auto Dealers Association Business Improvement District (BID) for Fiscal Year 2013-2014

Mr. Wilson introduced the aforementioned item and deferred to staff for a report.

Economic Development Project Manager Simone Slifman provided a PowerPoint presentation addressing the process, prior consideration by Council, noticing and the procedure for addressing written protests.

Ms. Slifman presented a history and background of the subject BID, BID Members and the proposed assessments and 2013/14 budget and goals.

Mayor Boardman opened the Public Hearing.

With no interested parties wishing to address Council, Mayor Boardman closed the Public Hearing.

City Clerk Flynn reported that no written protests were received.

A motion was made by Councilmember Shaw, second by Councilmember Carchio to conduct the Public Hearing; and, adopt City Council Resolution No. 2013-44, "A Resolution of the City Council of the City of Huntington Beach Approving an Annual Assessment Within the Huntington Beach Auto Dealers Association Business Improvement District for Fiscal Year 2013-2014."

The motion carried with the following roll call vote:

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

11. Public Hearing to consider adoption of Resolution No. 2013-45 approving an Annual Assessment within the Huntington Beach Hotel/Motel Business Improvement District (BID) for Fiscal Year 2013-2014

Ms. Silfman presented a history and background of the subject BID and highlights of their accomplishments. She addressed the proposed assessments, the budget and goals, BID Members and recommendations.

Mayor Boardman opened the Public Hearing.

J.D. Shafer of the Robert Mayer Corporation referenced the BID annual report, its mission statement and use of BID funds. He requested approval of the matter and introduced Kelly Miller, President and CEO of the Huntington Beach Marketing and Visitors Bureau. (00:56:40)
Kelly Miller introduced himself and thanked the City and Council for its support. (00:57:42)

With no other interested parties wishing to address Council, Mayor Boardman closed the Public Hearing.

City Clerk Flynn reported that no written protests were received.

Mayor Pro Tem Harper acknowledged the efforts and achievements of the BID.

A motion was made by Councilmember Sullivan, second by Councilmember Shaw to conduct the Public Hearing; and, adopt City Council Resolution No. 2013-45, "A Resolution of the City Council of the City of Huntington Beach Approving An Annual Assessment Within the Huntington Beach Hotel/Motel Business Improvement District for Fiscal Year 2013-2014."

The motion carried with the following roll call vote:

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

12. Public Hearing to consider adoption of Resolution No. 2013-46 approving an Annual Assessment within the Huntington Beach Downtown Business Improvement District (BID) for Fiscal Year 2013-2014

Ms. Silfman presented a history and background of the subject BID and highlights of their accomplishments. She addressed the proposed assessments, budget and goals, BID Members and recommendations.

Councilmember Carchio addressed the start of the Downtown Taskforce and wondered if they have had preliminary discussions on topics related to the Taskforce.

Staff noted that they have discussed additional cleaning and maintenance of Main Street which will be considered by Council in the next few months. Additionally, they have had discussions on potential positive impacts to the Downtown area and currently do not have funding to consider additional security measures.

Councilmember Carchio noted the need for discussions regarding security.

Mayor Boardman opened the Public Hearing.

Susan Welfringer, Huntington Beach Downtown Business Improvement District (BID) thanked Council and City staff for their support and commented positively on the partnerships. She invited

Council to attend "Surf-City Days" on September 14, 2013. She thanked Board Members for their participation and efforts. (01:05:09)

With no other interested parties wishing to address Council, Mayor Boardman closed the Public Hearing.

City Clerk Flynn reported that no written protests were received.

A motion was made by Councilmember Shaw, second by Councilmember Katapodis to conduct the Public Hearing; and, adopt City Council Resolution No. 2013-46, "A Resolution of the City Council of the City of Huntington Beach Approving An Annual Assessment Within the Huntington Beach Downtown Business Improvement District for Fiscal Year 2013-2014."

The motion carried with the following roll call vote:

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

ORDINANCES FOR INTRODUCTION

13. Approved for Introduction Ordinance No. 3988 adding new Huntington Beach Municipal Code Section 1.16.090 relating to violations of Conditions of Approval

City Attorney McGrath presented details of the report noting that the matter will give clear authority to Code Enforcement and the Police Department to issue citations for violating Conditions of Approval.

A motion was made by Mayor Boardman, second by Councilmember Katapodis to after the City Clerk reads by title, approve for introduction Ordinance No. 3988, "An Ordinance of the City of Huntington Beach Amending Chapter 1.16 of the Huntington Beach Municipal Code Relating to Violations of Conditions of Approval."

The motion carried with the following roll call vote:

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

14. Approved for introduction Ordinance No. 3989 amending Huntington Beach Municipal Code Chapter 3.03 to allow for the approval of Professional Services contracts beyond a three-year term, on a case-by-case basis, not to exceed five years

Mr. Wilson introduced the aforementioned item, noting the current allowances in the Municipal Code and the proposed changes.

Human Resources Director Michelle Warren presented details of the report and referenced Item No. 8 in terms of the need for continuity of efforts as an example of the needed change to the Municipal Code.

Mr. Wilson added that as a general rule, contracts are bid every three years but noted exceptions

to the rule and the need for an amendment to the ordinance.

Mayor Pro Tem Harper expressed concerns with maintaining a competitive environment on a regular basis. He noted that the term for Council Members is four (4) years and cautioned placing terms on contracts beyond the four-year terms of Council Members. He indicated he would support a four-year term for contracts, but not five.

Councilmember Katapodis agreed with Mayor Pro Tem Harper's suggestion.

A motion was made by Katapodis, second by Mayor Pro Tem Harper to after the City Clerk reads by title, approve for introduction amended Ordinance No. 3989, "An Ordinance of the City of Huntington Beach Agreements", **amending the term not-to-exceed four years (3 year contracts with 1-year extensions)**.

The motion **as amended** carried with the following roll call vote:

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

COUNCILMEMBER ITEMS

15. Submitted by Mayor Connie Boardman – Authorized the Mayor to send a letter on behalf of the Council to our State representatives, Cal-Trans, and Orange County Transportation Authority (OCTA) board expressing our opposition to Cal-Trans ordering toll lanes on the 405 freeway

Mayor Boardman reported that Cal-Trans is concerned that speeds during rush hour in high-occupancy vehicle lanes may be slowed down to 45 mph because of electric vehicles in these lanes increasing the amount of traffic. One of their proposed solutions is to create toll lanes to decrease the number of cars using carpool lanes. She noted other available solutions and reiterated her request.

Mayor Pro Tem Harper thanked the Mayor for bringing the matter forward noting additional concerns in terms of the Cal-Trans degradation study in which the State is attempting to force local agencies to adopt tolling and exert control.

Councilmember Sullivan wondered if the letter will include a suggestion to increase the occupancy in vehicles using HOV lanes.

Mayor Boardman stated that there are alternatives that would exist to tolls and will point out that fact.

Councilmember Sullivan stated he will oppose the motion based on changing HOV lanes from 2 to 3 or more people in the vehicle.

Councilmember Carchio commented positively on the matter and thanked Mayor Boardman for bringing the issue forward.

A motion was made by Councilmember Hardy, second by Mayor Boardman to authorize the Mayor to send a letter on behalf of the Council to our State representatives, Cal-Trans, and

Orange County Transportation Authority (OCTA) board expressing our opposition to Cal-Trans ordering toll lanes on the 405 freeway.

The motion carried with the following roll call vote:

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

16. Submitted by Councilmember Joe Shaw – Approved creation of the Huntington Beach Scenic Trails Committee for the purpose of developing a map or maps; improving way finding, and looking at opportunities to increase the trail network

Councilmember Shaw stated his reasons for bringing the matter forward and noted existing opportunities to create more trails in the City. He suggested the creation of a Scenic Trails Committee for the purpose of developing a map or maps, improving way finding and increasing the network of trails in the City. He listed members of the public that have agreed to serve on the Committee as well as the City's Planning Division.

Mayor Pro Tem Harper commented on the Citizens' group working on the Bicycle Master Plan and felt that they should be allowed to move forward with their process before the creation of a new committee. Additionally, he expressed concerns with the creation of more committees without defining the rules and policies and considering overlapping issues. He presented the Community Services Commission as an example and suggested considering existing committees and a process for allocating responsibilities to them. He suggested an appropriate time to consider the matter would be during a study session or during an upcoming strategic planning session.

Councilmember Shaw reported this would be an Ad Hoc Committee that will be able to build upon the work done by the Bicycle Master Plan Committee and noted that there are many places to create trails that don't allow bicycles.

Councilmember Sullivan wondered why the Bolsa Chica Conservancy was not included.

Councilmember Shaw stated he was not able to reach them to discuss the matter. He stated he is open to suggestions regarding potential involvement of parties.

Councilmember Hardy noted that the suggested committee and the Bicycle Master Plan Committee are two different types of groups with only pathways in common. She suggested having a sub-committee of the Community Services Commission, commented positively on the idea in general and suggested involving the Shipley Nature Center as part of the sub-committee.

Councilmember Carchio agreed with Councilmember Hardy's suggestions. He felt that this should be a function of the Community Services Commission and that they should make the appointments.

Councilmember Shaw indicated he would support the suggestions.

Councilmember Hardy encouraged that the Community Services Commission notify Council liaisons about related meetings. She commented on the need for Council to ask for help more often.

Mayor Pro Tem Harper asked that Council not over-manage the Community Services Commission and commented positively on referring the matter to them and encouraging them to proceed with the sub-committee after the Bicycle Master Plan has been presented.

Councilmember Sullivan wondered regarding the status of the Community Services Commission.

Staff noted that the next Community Services Commission meeting is scheduled for September 11, 2013. The restructured Community Services Commission will be brought forward to Council on November 18, 2013.

Mayor Boardman noted that while many of the trails are multi-use, there are paths that are not appropriate for bicycles. She suggested including members of the Environmental Board to participate as well as members of the public.

A motion was made by Councilmember Shaw, second by Councilmember Katapodis to refer the matter to the Community Services Commission to move forward with a Huntington Beach Scenic Trails Committee to develop a map of trails.

The motion carried with the following roll call vote:

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

COUNCILMEMBER COMMENTS (Not Agendized)

Councilmember Sullivan reported attending the Municipal Employee's Association (MEA) picnic. He announced a ceremony by the American Legion honoring City first-responders on September 11, 2013, at 6:00 PM at Pierside Pavilion.

Councilmember Hardy thanked the Kiwanis for their celebration of Bruce Templeton's retirement. She announced Senior Saturday on September 7, 2013 from 9:00 AM to 2:00 PM at Pier Plaza. Additionally, she reported that the 9/11 Memorial Committee is hosting an event at the Newland House on September 8, 2013 from 11:00 AM to 4:00 PM which is open to the public.

Mayor Pro Tem Harper reported that the USC Trojans defeated the University of Hawaii Warriors by a score of 30-13.

Councilmember Shaw expressed concerns with a rave at Huntington State Beach on September 14, 2013, noting that it will bring approximately 10,000 people into the City. He expressed concerns with related alcohol and drug use at the event and was glad that Council is taking appropriate action.

Councilmember Katapodis mentioned the event at the Newland House on September 8, 2013, and noted that he plans to attend. He reported attending the MEA family picnic where money was raised for the 9/11 Memorial. He announced the upcoming Restaurant Week and listed participating restaurants.

Councilmember Katapodis thanked Firefighters, Paramedics, Huntington Beach Police Officers and the Orange County Coroner's Office for their support on the passing of his mother on August

31, 2013. He stated that her funeral will be on Saturday, September 7, 2013 and noted his mother's support of the 9/11 Memorial. He encouraged the public to support the 9/11 Memorial Committee's efforts.

On behalf of Council and City staff, Mayor Boardman expressed condolences to Councilmember Katapodis on the passing of his mother.

Councilmember Carchio reminded the public regarding the Blessing of the Waves on September 8, 2013, and encouraged everyone to attend.

Mayor Boardman announced the City employee blood drive on September 10, 2013, from 9:00 AM to 4:00 PM at City Hall, and in the Junior Lifeguard Building and 10:00 AM to 4:00 PM at the Central Park Library. Additionally, she announced the recent passing of Dale Dunn and Dean Albright and listed their involvement and efforts in serving the community. Mr. Dunn's funeral will be held on Saturday, September 7, 2013, at 3:00 PM at the Hilton. Mayor Boardman extended Council's and City staff condolences to their families.

ADJOURNMENT

There being no further business to come before Council, Mayor Board adjourned the meeting at 7:48 PM in honor of Dale Dunn and Dean Albright.

The next regularly scheduled meeting of the Huntington Beach City Council/Public Financing Authority is Monday, September 16, 2013, at 4:00 PM in Room B-8, Civic Center, 2000 Main Street, Huntington Beach, California.



Clerk and ex-officio Clerk of the City
Council of the City of Huntington Beach, and
Secretary of the Huntington Beach Public
Finance Authority

ATTEST:


City Clerk, Secretary
Mayor-Chair