

RESOLUTION NO 2020-81
A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF HUNTINGTON BEACH
SUPPORTING THE MURAL-BASED ARCHITECTURAL TREATMENT AND
CAPITAL IMPROVEMENT PROJECTS AND PROGRAMS RELATED TO THE
NEWLY CONSTRUCTED HUNTINGTON BEACH ENERGY PROJECT

WHEREAS, AES Southland Development, LLC (“AES”) has begun operation of the new Huntington Beach Energy Project (“HBEP”), a natural gas-fired, combined cycle air-cooled 644-megawatt electrical generation facility, which shall serve as a replacement for the AES Huntington Beach Generating Station (“HBGS”); and

WHEREAS, the City has previously adopted Resolution No. 2016-27, “A Resolution of the City Council of the City of Huntington Beach Supporting Proposed Architectural Improvements as Modified and Approximate 150-Foot-High Structures Related to the Reconstruction of the Huntington Beach Energy Project,” which in part provided that construction of the HBEP would include architectural enhancements to soften the view of the new HBEP structures, including the use of an architectural screen wall design to preserve and enhance public visual resources as required in the Coastal Zone overlay; and

WHEREAS, following an extensive public outreach effort by AES to the local community, the local community supported the development of a mural-based surface treatment by renowned Southern California artist, Kim West as an alternative to the previously approved architectural screen. The mural highlights imagery depicting the natural environment, local fauna and flora and regional features, all intended to highlight nature and the unique Huntington Beach experience; and

WHEREAS, the Kim West mural based design project will result in the elimination of one tall structure, the 150-foot tall spherical ball wall, and will have no other changes to the heights of the structures addressed by Resolution No. 2016-27; and

WHEREAS, on September 14, 2020, in support of the mural-based aesthetic design, AES submitted a Design Review Planning Application to the City seeking an Advisory Resolution from the City recommending approval by the California Energy Commission (“CEC”) for the Kim West mural at the HBEP; and

WHEREAS, the CEC has permitting authority for the HBEP, and will consider resolutions issued by the City regarding the Kim West mural based design project’s compliance with local laws, ordinances, regulations, and standards (“LORS”); and

WHEREAS, by regulation, the comments and recommendations made by the City relating to matters within the City’s jurisdiction, but for the CEC’s exclusive jurisdiction over power plant siting, “shall be given due deference by Commission staff” (20 CCR §1744(e); and

WHEREAS, on October 8, 2020, the Design Review Board recommended support of the Kim West mural based design project to the City Council; and

WHEREAS, AES and the City of Huntington Beach will enter into that certain Memorandum of Understanding (“MOU”) to memorialize the agreement of AES to fund certain identified Capital Improvement Projects and Programs, as identified in the Memorandum of Understanding attached as Exhibit A and incorporated herein by reference, which will provide the City with both the funding and the discretion to proceed with the identified Capital Improvement Projects and Programs that will benefit the City and its residents; and

WHEREAS, by this Resolution, the City Council is making a recommendation that the CEC incorporate the Kim West mural based design (received and dated September 14, 2020 and subsequently revised on October 26, 2020 to depict painted louvers on the lower part of the Air Cooled Condenser unit) into the project approvals for the new Huntington Beach Energy Project, and is making findings that the AES proposal for a painted mural and potentially an additional approximately 10 foot high wall to fill in the “gap” to west of the sound wall, is not detrimental to visual resources and is consistent with applicable LORS.

NOW, THEREFORE, the City Council of Huntington Beach does hereby resolve as follows:

SECTION 1. The City of Huntington Beach reaffirms its conclusions in Resolution No. 2016-27 that the height variance that could have been granted to Huntington Beach Energy Project was properly considered and the potential variance findings remain valid with the proposed Kim West mural based design. Specifically, the City of Huntington Beach affirms in this Advisory Resolution that the removal of the 150 foot tall spherical ball wall does not change the City’s conclusions with respect to the HBEP, and the City finds the Kim West mural based design is consistent with Resolution No. 2016-27.

SECTION 2. By this Advisory Resolution, the City of Huntington Beach finds that the Kim West mural based design is not detrimental to visual impacts from Magnolia Avenue (CEC Key Observation Point 4) and all other KOPs identified by the CEC.

SECTION 3. By this Advisory Resolution, the City of Huntington Beach further finds that the Kim West mural based design is consistent with all applicable laws, ordinances, regulations and standards, including but not limited to all city ordinances, regulations, and standards.

SECTION 4. By this Advisory Resolution, the City of Huntington Beach further finds that the MOU to be entered into between the City and AES, which memorializes the agreement of AES to fund certain identified Capital Improvement Projects and Programs, as further defined in Exhibit A, will provide the City with funding and the discretion to proceed with certain additional Capital Improvement Projects and Programs that will further benefit the City and its residents.

SECTION 5. By this Advisory Resolution, the City of Huntington Beach City Council recommends that the CEC approve the Kim West mural based design project for the Huntington Beach Energy Project as requested by AES.

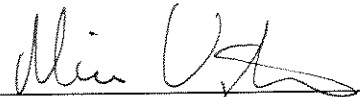
PASSED AND ADOPTED by the City Council of the City of Huntington Beach at a regular meeting thereof held on the 2nd, day of November, 2020.

Mayor

REVIEWED AND APPROVED

APPROVED AS TO FORM

City Manager



City Attorney *ML*

INITIATED AND APPROVED

Director of Community Development