



AGENDA

CITY COUNCIL/PUBLIC FINANCING AUTHORITY

Monday, March 4, 2019

Council Chambers

2000 Main Street

Huntington Beach, CA 92648

Study Session - 4:00 PM / Closed Session - 5:00 PM

Regular Meeting - 6:00 PM

MAYOR AND CITY COUNCIL

ERIK PETERSON, Mayor

LYN SEMETA, Mayor Pro Tem

PATRICK BRENDEN, Councilmember

KIM CARR, Councilmember

BARBARA DELGLEIZE, Councilmember

JILL HARDY, Councilmember

MIKE POSEY, Councilmember

STAFF

FRED A. WILSON, City Manager

MICHAEL E. GATES, City Attorney

ROBIN ESTANISLAU, City Clerk

ALISA BACKSTROM, City Treasurer

MEETING ASSISTANCE NOTICE: In accordance with the Americans with Disabilities Act, services are available to members of our community who require special assistance to participate in public meetings. If you require special assistance, 48-hour prior notification will enable the City to make reasonable arrangements for an assisted listening device (ALD) for the hearing impaired, American Sign Language interpreters, a reader during the meeting and/or large print agendas. Please contact the City Clerk's Office at (714) 536-5227 for more information, or request assistance from the staff or Sergeant-at-Arms at the meeting.

PUBLIC COMMENTS: To address the legislative body on items of interest not scheduled for public hearing, *Request to Speak* forms will be made available at the meeting and are collected by the staff or Sergeant at Arms. Some legislative bodies may provide different *Request to Speak* forms for public hearing items.

AUDIO/VIDEO ACCESS TO BROADCASTED MEETINGS: City Council and Planning Commission meetings are televised live on HBTV-3 Channel 3, and can be viewed via live or archived website at <https://huntingtonbeach.legistar.com>.

4:00 PM - COUNCIL CHAMBERS

CALL TO ORDER

ROLL CALL

Brenden, Carr, Semeta, Peterson, Posey, Delgleize, Hardy

ANNOUNCEMENT OF SUPPLEMENTAL COMMUNICATIONS (Received After Agenda Distribution)

PUBLIC COMMENTS PERTAINING TO STUDY SESSION / CLOSED SESSION ITEMS (3 Minute Time Limit)

STUDY SESSION

1. [19-043](#) **Joint Citizen Participation Advisory Board (CPAB) Study Session with City Council**

Roll Call of the Citizen Participation Advisory Board: Peter Andres, Shelly Grace-Bowers, Chris Byrne, Shayna Lathus, Mike Massie, Dr. Paul Morrow, Donna Traversi

RECESS TO CLOSED SESSION

CLOSED SESSION ANNOUNCEMENT(S)

2. [19-296](#) **Mayor Peterson to announce: Pursuant to Government Code § 54957.6, the City Council takes this opportunity to publicly introduce and identify designated labor negotiators, Fred A. Wilson, City Manager, Lori Ann Farrell-Harrison, Assistant City Manager; also in attendance: David Segura, Fire Chief, Mike Baumgartner, Marine Safety Division Chief, Gilbert Garcia, Chief Financial Officer, Michele Warren, Director of Human Resources, who will be participating in today's Closed Session discussions regarding labor negotiations with: Marine Safety Management Association (MSMA).**

CLOSED SESSION

3. [19-246](#) **Pursuant to Government Code § 54956.9(d)(1), the City**

Council shall recess into Closed Session to confer with the City Attorney regarding the following lawsuit: Cody Rogers, et al. v. City of Huntington Beach, et al.; USDC Case No. 8:19-cv-00031 DOC (ADSx).

4. [19-247](#) Pursuant to Government Code § 54956.9(d)(1), the City Council shall recess into Closed Session to confer with the City Attorney regarding the following lawsuit: Jennifer Watson v. City of Huntington Beach; OCSC Case No.: 30-2018-01030249.
5. [19-248](#) Pursuant to Government Code § 54956.9(d)(1), the City Council shall recess into Closed Session to confer with the City Attorney regarding the following lawsuit: Bedel (Richard) v. City of Huntington Beach; OCSC Case No.: 30-2017-00958740.
6. [19-260](#) Pursuant to Government Code § 54956.9(d)(2) the City Council shall recess into Closed Session to confer with the City Attorney regarding potential litigation. Number of cases, one (1).
7. [19-262](#) Pursuant to Government Code § 54956.9(d)(1), the City Council shall recess into Closed Session to confer with the City Attorney regarding the following lawsuit: In re: Ruby's Diner, Inc., a California Corporation, US Bankruptcy Court Case No. 8:18-bk-13311-CB.
8. [19-263](#) Pursuant to Government Code § 54954.5(e), the City Council shall recess into Closed Session to discuss the public employment of Interim City Manager.
9. [19-264](#) Pursuant to Government Code § 54957.6, the City Council shall recess into Closed Session to meet with its designated labor negotiators: Fred A. Wilson, City Manager, Lori Ann Farrell-Harrison, Assistant City Manager; also in attendance: David Segura, Fire Chief, Mike Baumgartner, Marine Safety Division Chief, Gilbert Garcia, Chief Financial Officer, Michele Warren, Director of Human Resources regarding the following: Marine Safety Management Association (MSMA).

10. [19-285](#) Pursuant to Government Code § 54956.9(d)(1), the City Council shall recess into Closed Session to confer with the City Attorney regarding the following lawsuit: City of Huntington Beach v. The Stephouse Recovery, Inc.; et al.; OCSC Case No. 30-2018-01025168.
11. [19-286](#) Pursuant to Government Code § 54956.9(d)(1), the City Council shall recess into Closed Session to confer with the City Attorney regarding the following lawsuit: City of Huntington Beach v. Nevaeh Re 1, LLC; OCSC Case No. 30-2018-01025173.
12. [19-287](#) Pursuant to Government Code § 54956.9(d)(1), the City Council shall recess into Closed Session to confer with the City Attorney regarding the following lawsuit: City of Huntington Beach v. David Lacy, et al.; OCSC Case No. 30-2018-01025153.
13. [19-289](#) Pursuant to Government Code § 54956.9(d)(1), the City Council shall recess into Closed Session to confer with the City Attorney regarding the following lawsuit: City of Huntington Beach v. Coastline Recovery LLC; et al.; OCSC Case No. 30-2018-01025162.
14. [19-290](#) Pursuant to Government Code § 54956.9(d)(1), the City Council shall recess into Closed Session to confer with the City Attorney regarding the following lawsuit: City of Huntington Beach v. Anthony Roxstrom; OCSC Case No. 30-2018-010285104.

6:00 PM – COUNCIL CHAMBERS

RECONVENE CITY COUNCIL/PUBLIC FINANCING AUTHORITY MEETING

ROLL CALL

Brenden, Carr, Semeta, Peterson, Posey, Delgleize, Hardy

PLEDGE OF ALLEGIANCE

INVOCATION

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.

15. [18-639](#) **Pat Goodman of the Greater Huntington Beach Interfaith Council**

CLOSED SESSION REPORT BY CITY ATTORNEY

AWARDS AND PRESENTATIONS

16. [19-146](#) **Mayor Peterson to proclaim California Arbor Week March 7-14, 2019 and present proclamation to Jean Nagy**

ANNOUNCEMENT OF SUPPLEMENTAL COMMUNICATIONS (Received After Agenda Distribution)

PUBLIC COMMENTS (3 Minute Time Limit)

COUNCIL COMMITTEE - APPOINTMENTS - LIAISON REPORTS, AB 1234 REPORTING, AND OPENNESS IN NEGOTIATIONS DISCLOSURES

CITY MANAGER'S REPORT

CITY ATTORNEY'S REPORT

17. [19-214](#) **Community Prosecutor Program Update**

CONSENT CALENDAR

18. [19-250](#) **Approve and Adopt Minutes**

Recommended Action:

Approve and adopt the City Council/Public Financing Authority special meeting minutes dated February 7, 2019, and regular meeting minutes dated February 19, 2019, as written and on file in the Office of the City Clerk.

19. [19-270](#) **Approve the appointment of Alfred Balitzer, William Larkin, Michael Van Voorhis, Craig Schauppner, Kimberley Milligan, Renee Hunter, and John Ochs to the newly established Harbor Commission**

Recommended Action:

Approve the appointments to the Harbor Commission as approved by the City Council Liaisons, Mayor, Erik Peterson, and Mayor Pro Tem, Lyn Semeta, for:

- Alfred Balitzer - Four Year Term expiring December 31, 2022

- William Larkin - Four year term expiring December 31, 2022
- Michael Van Voorhis - Two year term expiring December 31, 2020
- Craig Schauppner - Two year term expiring December 31, 2022
- Kimberly Milligan - Four year term expiring December 31, 2022
- Renee Hunter - Two year term expiring December 31, 2020
- John Ochs - Two year term expiring December 31, 2020

20. [19-166](#) **Adopt Resolution No. 2019-10 declaring Weeds and Rubbish a nuisance on specific properties and fixing April 15, 2019 at 6:00pm for hearing Protests and Objections to the Abatement thereof**

Recommended Action:

Adopt Resolution No. 2019-10, "A Resolution of the City Council of the City of Huntington Beach Finding and Declaring That Certain Weeds Growing in the City, and Rubbish and Refuse Deposited on Public Ways and Private Property are a Public Nuisance; and Fixing the Time for Hearing Protests and Objections to the Abatement Thereof."

21. [19-293](#) **Adopt Resolution No. 2019-14 expanding the Orange County Recycling Market Development Zone (OCRMDZ) by adding the cities of Fullerton and Lake Forest**

Recommended Action:

Adopt Resolution No. 2019-14, "A Resolution of the City Council of the City of Huntington Beach Expanding the Orange County Recycling Market Development Zone by Adding the Cities of Fullerton and Lake Forest to the Recycling Zone."

22. [19-280](#) **Adopt Resolution No. 2019-15 approving and implementing the Memorandum of Understanding (MOU) with the Huntington Beach Police Officers' Association (HBPOA) for October 1, 2017, through December 31, 2019**

Recommended Action:

Adopt Resolution No. 2019-15, "A Resolution of the City Council of the City of Huntington Beach Approving and Implementing the Memorandum of Understanding Between the Huntington Beach Police Officers' Association (HBPOA) and the City for October 1, 2017, through December 31, 2019."

23. [19-255](#) **Adopt Resolution No. 2019-16 amending the City's Classification Plan by adding the Job Classification of Principal Finance Analyst and establishing the compensation**

Recommended Action:

Adopt Resolution No. 2019-16, "A Resolution of the City Council of the City of Huntington

Beach Amending the City's Classification Plan by Adding the Classification of Principal Finance Analyst," and establishing the compensation.

24. [19-179](#) **Approve and authorize execution of a License Agreement with the Ocean View School District (OVSD) of Orange County for use and maintenance of neighborhood parks on school properties**

Recommended Action:

Approve and authorize the Mayor and City Clerk to execute the "License Agreement Between the City of Huntington Beach and the Ocean View School District of Orange County for Use and Maintenance of Neighborhood Parks on School Properties."

25. [19-207](#) **Award and authorize execution of a 3-Year Contract with Merrimac Petroleum Inc. dba Merrimac Energy Group for Bulk Fuel Service - Gasoline and Diesel in an amount not to exceed \$1,500,000 per year**

Recommended Action:

Approve and authorize the Mayor and City Clerk to execute the "Service Agreement Between the City of Huntington Beach and Merrimac Petroleum Inc. dba Merrimac Energy Group for Bulk Fuel Services - Gasoline and Diesel" in an amount not to exceed amount of \$1,500,000 per year for three years.

ADMINISTRATIVE ITEMS

26. [19-268](#) **City of Huntington Beach Strategic Plan Update**

Recommended Action:

Approve the February 7, 2019, Strategic Objectives as contained within Attachment 1.

COUNCILMEMBER COMMENTS (Not Agendized)

ADJOURNMENT

The next regularly scheduled meeting of the Huntington Beach City Council/Public Financing Authority is Monday, March 18, 2019, at 4:00 PM in the Civic Center Council Chambers, 2000 Main Street, Huntington Beach, California.

**INTERNET ACCESS TO CITY COUNCIL/PUBLIC FINANCING AUTHORITY AGENDA
AND STAFF REPORT MATERIAL IS AVAILABLE PRIOR TO CITY COUNCIL MEETINGS
AT**

<http://www.huntingtonbeachca.gov>