

Minutes

City Council/Public Financing Authority City of Huntington Beach

Monday, October 21, 2019
4:00 PM - Council Chambers
6:00 PM - Council Chambers
Civic Center, 2000 Main Street
Huntington Beach, California 92648

A video recording of the 4:00 PM and 6:00 PM portions of this meeting is on file in the Office of the City Clerk, and archived at www.surfcity-hb.org/government/agendas/

4:00 PM - COUNCIL CHAMBERS

CALL TO ORDER — 4:00 PM

ROLL CALL

Present: Brenden, Carr, Semeta, Peterson, Posey, Delgleize, and Hardy (arrived at 4:01 p.m.)
Absent: None

Pursuant to City Charter Section 309, City Attorney Michael Gates requested permission to be absent, and Chief Assistant City Attorney Mike Vigliotta attended the meeting in his place.

ANNOUNCEMENT OF SUPPLEMENTAL COMMUNICATIONS (Received After Agenda Distribution)

Study Session

#1 19-853 PowerPoint communication submitted by Tom Herbel, Interim Public Works Director, entitled *Unfunded Capital Improvement Projects*.

#2 19-1053 PowerPoint communication submitted by Oliver Chi, City Manager, entitled *An Existential Threat – Pension Cost Increases*.

Closed Session

#7 19-1052 Email communication submitted by Shereen Hawkins regarding homelessness in HB.

#10 19-1071 Ten (10) email communications submitted regarding Pier Concession Request for Proposal (RFP).

PUBLIC COMMENTS PERTAINING TO STUDY SESSION / CLOSED SESSION ITEMS

(3 Minute Time Limit) — No Speakers

STUDY SESSION

1. **19-853 Capital Improvement Project (CIP) Unfunded Capital Projects List**

Interim Assistant City Manager Travis Hopkins introduced Interim Director of Public Works Tom Herbel who introduced Principal Civil Engineer Todd Broussard who presented a PowerPoint communication entitled: *Unfunded Capital Improvement Projects* with slides titled: *Historical Annual CIP Budget, Overall Need From G.F., Drainage/Flood Control (2), Facilities (3), Alleys (2), Parks & Beaches* and *After it's Broken is NOT the Time to Fix it*

Councilmember Carr and Engineer Broussard briefly discussed the process developed for private/public partnership for alleys, and Engineer Broussard confirmed that currently there are no partnership participants.

Councilmember Posey and staff discussed that approximately 10 percent (10%) of the population is served by the 33 miles of alleys. Councilmember Posey asked for the total revenue generated last year, this year to date, and 2020 projected Development Fees, and Interim Assistant City Manager Hopkins agreed to report back to Council with the numbers. Councilmember Posey and Engineer Broussard discussed ADA compliance requirements for which the City must demonstrate progress towards full compliance.

Councilmember Brenden and Director of Library Services Stephanie Beverage discussed Central Library Restroom ADA compliant projects which are being completed over time.

Councilmember Delgleize and Interim Director Herbel discussed the process for determining which projects get to the top of the list, and Interim Director Herbel explained that with so many needs the projects in the very worst condition get moved to the top, and added that there is a constant search for funding for these projects outside of using General Funds.

Councilmember Posey explained that currently over 99% (ninety-nine percent) of projects are not funded, and discussed the costs of alley rehabilitation with Engineer Broussard.

Councilmember Delgleize and Interim Director Herbel discussed that Southern California Edison is currently focused on placing utilities underground generally on major arterials, but not for alleys.

Mayor Pro Tem Semeta and Interim Director Herbel discussed that it is generally less expensive to repair or replace a pump station before it actually fails, or before it becomes an emergency repair rather than a maintenance issue.

Mayor Peterson and Engineer Broussard discussed that the City does not have a Return on Investment (ROI) analysis process like FEMA utilizes to assure more money than the project is worth is not being spent, and Mayor Peterson requested a detailed breakdown of the projects under Facility Maintenance, and asked if preventive maintenance is used.

2. 19-1053 Review of Options to Address our CalPERS Unfunded Accrued Liability

City Manager Oliver Chi presented a PowerPoint communication entitled: *An Existential Threat — Pension Cost Increases* with slides titled: *CalPERS Pension Cost Increases, Pension Cost Background, How Do Pension Costs Work?, Three Different Pension Cost Areas, City of Huntington Beach Pension Cost Areas FY 2018/19 Actuals, UAL Payments Driving Pension Cost Increases, UAL Structure Similar To A Mortgage, UAL Cost Increase Impact On HB, UAL Payment Amounts Chart, \$21.09 Million/Year, CalPERS Overview, Has CalPERS Always Been Underfunded?, CalPERS Historical Funded Status, So What Happened?, CalPERS Investment Returns Tanked, CalPERS Cost Increases Enacted, Additional*

Increases Enacted In 2016, So...What Do We Do Now?, HB's UAL Cost Increase Scale, UAL Payments Amounts Chart, Scale of Pending Budget Problem (2), What Are Our Options?, Refinancing Seems Like A Good Idea, CalPERS UAL vs. POB Refinance, CalPERS Costs vs. Refinance Costs Chart, Why Is Refinancing Cheaper?, Why Shouldn't We Refinance?, Reasons Why Refinancing Could Be A Bad Idea (2), Reasons Why Refinancing Makes Sense (3), Additional Refinance Consideration, Savings From Refinancing UAL Debt Should Be Conservatively Managed, Section 115 Trust, Development Of A CalPERS UAL Policy, Proposed Next Steps, and Questions?

Mayor Peterson described the Orange County Sanitation District (OCSD) process for paying off their Unfunded Liability, and suggested that at least half of any year's savings be set aside for future year payments. Mayor Peterson suggested that the Finance Commission review refinancing options and work towards fixing the problem rather than just applying a band aide solution.

Mayor Pro Tem Semeta stated her support for exploring refinance options, and suggested considering the CalPERS 115 Trust which has lower fees and invests more aggressively.

Councilmember Posey stated his support for holding PERS responsible for poor returns while also looking at refinance options.

Councilmember Carr and City Manager Chi discussed that CalPERS terms are non-negotiable, and stated her support for refinancing. Councilmember Carr also suggested that both the Investment Advisory Board and the Finance Commission be involved in the process.

Councilmember Delgleize and City Manager Chi discussed some options that other cities have used, such as increasing sales tax, or issuing bonds, and agreed that there should be more public meetings to discuss options after the Investment Advisory Board and Finance Commission have provided their recommendations.

Councilmember Brenden stated his support for the stabilization that refinancing would have on the budget, and requested a report showing how other municipalities have used pension obligation bonds and the results.

Councilmember Hardy stated support for continued study on refinancing options, and expressed her interest in developing a policy framework that doesn't require debate for each year's budget.

Mayor Pro Tem Semeta stated support for fiscal discipline and using annual savings to prepare for future UAL obligations.

Councilmember Posey re-stated his frustration with CalPERS investment strategies by reading a statement from a *Point of No Returns* report: "CalPERS has increased its ESG investing in activism while converting a \$3B pension surplus in 2007 to a \$138B deficit as of December 2017."

Councilmember Posey reiterated his opinion that the City's effort needs to be two-fold on this issue: 1) find the link between Environmental, Social and Governance (ESG) investing and increased employer contributions to prove their responsibility in the situation, and 2) refinancing the UAL.

City Manager Chi explained that the new CalPERS Investment Director has private equity market experience and there will be an effort to move away from some of the past bad investment decisions.

A motion by Posey, second by Brenden to recess into Closed Session for discussion on Item Nos. 4-12. With no objections, the motion passed.

RECESSED TO CLOSED SESSION — 5:19 PM

CLOSED SESSION ANNOUNCEMENT(S)

3. **19-1075 Mayor Peterson announced: Pursuant to Government Code § 54956.8, the City Council takes this opportunity to publicly introduce and identify designated property negotiator; City Manager, Oliver Chi, who will be participating today's in Closed Session discussion regarding negotiations with:**

The City of Costa Mesa concerning price and terms of payment for the disposition of real property located on a portion of 3175 Airway Avenue, Costa Mesa, California,

Five Point Plaza LLC & JHC Acquisitions LLC concerning price and terms of payment for the disposition of real property located on a portion of 18431 Beach Boulevard, Huntington Beach, California,

Dave Shenkman concerning price and terms of payment for the disposition of real property located on a portion of 61 Main Street, Huntington Beach, California,

Marian Johnson concerning price and terms of payment for the disposition of real property located on a portion of 21 Main Street, Huntington Beach, California, and

Tina Viray and Nelson Wescott GP DBA as The Surf City Store concerning price and terms of payment for the disposition of real property located on a portion of 60 Main Street, Huntington Beach, California.

CLOSED SESSION

4. **19-1047 Pursuant to Government Code § 54956.9(d)(2), the City Council recessed into Closed Session to confer with the City Attorney regarding potential litigation. Number of cases, one (1).**
5. **19-1048 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: Tabares (Tiffany) v. City of Huntington Beach and Eric Esparza; USDC Case No.: 8:18-cv-00821 JLS (JDEx).**
6. **19-1049 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: Turman (Kathy M.) v. City of Huntington Beach; OCSC Case No.: 30-2018-01008686.**
7. **19-1052 Pursuant to Government Code § 54956.8, the City Council recessed to Closed Session to give instructions to the City's Negotiator, Oliver Chi, City Manager, regarding negotiations with the City of Costa Mesa concerning price and terms of payment for the disposition of real property located on a portion of 3175 Airway Avenue, Costa Mesa, California.**

8. **19-1069 Pursuant to Government Code § 54956.8, the City Council recessed to Closed Session to give instructions to the City’s Negotiator, Oliver Chi, City Manager, regarding negotiations with Five Point Plaza LLC & JHC Acquisitions LLC concerning price and terms of payment for the disposition of real property located on a portion of 18431 Beach Boulevard, Huntington Beach, California.**
9. **19-1070 Pursuant to Government Code § 54956.8, the City Council recessed to Closed Session to give instructions to the City’s Negotiator, Oliver Chi, City Manager, regarding negotiations with Dave Shenkman concerning price and terms of payment for the disposition of real property located on a portion of 61 Main Street, Huntington Beach, California.**
10. **19-1071 Pursuant to Government Code § 54956.8, the City Council recessed to Closed Session to give instructions to the City’s Negotiator, Oliver Chi, City Manager, regarding negotiations with Marian Johnson concerning price and terms of payment for the disposition of real property located on a portion of 21 Main Street, Huntington Beach, California.**
11. **19-1072 Pursuant to Government Code § 54956.8, the City Council recessed to Closed Session to give instructions to the City’s Negotiator, Oliver Chi, City Manager, regarding negotiations with Tina Viray and Nelson Wescott GP DBA as The Surf City Store concerning price and terms of payment for the disposition of real property located on a portion of 60 Main Street, Huntington Beach, California.**
12. **~~19-1073 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: Benzen Properties, LLC, et al. v. City of Huntington Beach, et al.; OCSC Case No.: 30-2019-01070544.~~**

6:00 PM - COUNCIL CHAMBERS

RECONVENED CITY COUNCIL/PUBLIC FINANCING AUTHORITY MEETING — 6:09 PM

ROLL CALL

Present: Brenden, Carr, Semeta, Peterson, Posey, Delgleize, and Hardy
Absent: None

Pursuant to City Charter Section 309, City Attorney Michael Gates requested permission to be absent, and Chief Assistant City Attorney Mike Vigliotta attended in his place.

PLEDGE OF ALLEGIANCE — Led by Councilmember Carr

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.

13. 19-977 Deacon Tom Concitis, St. Mary's by the Sea Catholic Church and member of the Greater Huntington Beach Interfaith Council

CLOSED SESSION REPORT BY CITY ATTORNEY — Chief Assistant City Attorney Mike Vigliotta reported that Closed Session Item No. 12 regarding Benzen Properties, LLC, was not discussed.

AWARDS AND PRESENTATIONS

14. 19-980 ~~Mayor Peterson to call on Victoria Alberty to present the "Adoptable Pet of the Month"~~

15. 19-979 Mayor Peterson called on Police Chief Rob Handy who presented the Mayor's award to Lieutenant Oscar Garcia

Police Chief Handy introduced Lieutenant Oscar Garcia whose service with the Huntington Beach Police Department began in 2007. Lt. Garcia has worked as a Narcotics Detective, Narcotics Sergeant, SWAT Officer, SWAT Supervisor, and currently he is the Executive Officer for the Uniform Division taking care of schedule and administrative items. He manages the Gang Specialist and Crimes Task Force programs as well as various Department technology projects. Chief Handy described Lt. Garcia as a man who knows how to take the strengths of his co-officers to improve processes and procedures.

ANNOUNCEMENT OF SUPPLEMENTAL COMMUNICATIONS (Received After Agenda Distribution)

Consent Calendar

#18 19-972 Communication submitted by Amory Hansen in support of the appointment of K.C. Fockler to the Environmental Board.

Administrative Items

#24 19-1037 PowerPoint communication submitted by Ursula Luna-Reynosa, Community Development Director, entitled *6th Cycle Regional Housing Needs Assessment (RHNA) Update*.

Ordinances for Introduction

#26 19-971 PowerPoint communication submitted by Ursula Luna-Reynosa, Community Development Director, entitled *Local Adoption of the Latest California Building Standards Code*.

Councilmember Items

#28 19-1074 Communication submitted by Kathie Schey, City Archivist, regarding Plaque Assessment.

Councilmember Posey pulled Councilmember Item 28 regarding the Historic Standard Market Plaque.

PUBLIC COMMENTS (3 Minute Time Limit) — 17 Speakers

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>.

Garry Troxell was called to speak and shared his opinions regarding how the City treats the homeless, downtrodden, addicts, and alcoholics, and encouraged the Council members to become a part of the solution. (01:34:57)

Maureen was called to speak and shared her opinions regarding blight like graffiti and the efforts to remove it. (01:38:00)

Amory Hanson, Candidate for City Council in 2020 and Member of the Historic Resources Board, was called to speak and asked that the Council consider communication submitted by Kathie Schey, City Archivist, when voting on Councilmember Item 28, and stated his support for the appointment of Kevin Fockler to the Environmental Board. (01:39:57)

Kathryn Levassiur, resident of Huntington Beach and Founding Member of the Huntington Beach Short-Term Rental Alliance, was called to speak and stated her case for potential sustainable revenue from Short-Term Rentals, and encouraged the City to implement processes to regulate and tax a service which many residents are already providing. (01:41:09)

Tim Geddes, long-time resident of southeast Huntington Beach, was called to speak and shared his opinions regarding the continuing issues from Ascon, Magnolia Tank Farm, AES, Poseidon, and Orange County Sanitation District which he believes are negatively impacting the southeast residents of Huntington Beach, and added that he will be the first to cheer when things improve. (01:43:51)

Mark Sheldon, 29-year resident of Huntington Beach, was called to speak and stated his support for Consent Calendar Item 18 regarding appointment of Kevin Fockler to the Environmental Board. (01:45:02)

Gary Sahagen, President of the Huntington Beach Longboard Crew and Former Member of the Surfing Museum Board of Trustees, was called to speak and shared his opinions regarding the International Surfing Museum and its status as a non-profit. (01:47:46)

Mike Downey, 53-year resident of Huntington Beach, was called to speak and shared his opinions regarding the International Surfing Museum and encouraged Council to keep it in Surf City and managed by local people. (01:50:26)

Jim Miller, life-time member of the International Surfing Museum and Huntington Beach surfer, was called to speak and shared his opinions regarding the Surfing Museum and encouraged Council to keep it in Surf City and managed by local people. (01:51:36)

Diana Dehm was called to speak and thanked the City for her three-year tenure at the International Surfing Museum, reviewed major accomplishments during her tenure, and asked that the Council go to bid so that an informed decision can be made. (01:52:31)

Jericho Poppler, US and World Surfing Champion, was called to speak and stated her support for keeping the International Surfing Museum in Surf City and managed by local people. (01:55:29)

Adam Orozcu, AKA Bushman, was called to speak and stated his support for keeping the International Surfing Museum in Surf City as an integral part of the City's culture and heritage. (01:59:21)

Becky Etfinger, 20-year resident of Huntington Beach, was called to speak and stated her support for keeping the International Surfing Museum in Surf City and managed by local people. (02:00:30)

Andrea Roberson, a long-time resident of Huntington Beach, was called to speak and stated her support for keeping the International Surfing Museum in Surf City and managed by local people. (02:02:30)

Mitzy Nigh, a 3-year resident of Huntington Beach, was called to speak and shared some questions and concerns related to a proposed permit parking plan for the frontage road on Heil Avenue near Gothard Street. Mayor Peterson asked Ms. Nigh to complete a blue card for staff follow-up. (02:04:42)

Dennis Lynch, a resident of Huntington Beach since 1989, was called to speak and shared his concerns about the proposed permit parking plan for the frontage road on Heil Avenue and asked that there be opportunity for discussion with affected residents before a plan is finalized. Mayor Peterson asked Mr. Lynch to complete a blue card for staff follow-up. (02:06:21)

Amber was called to speak and shared her concerns regarding the potential negatives impacts from the Ascon landfill project, especially for the safety and health of Edison High School students and project area residents. (02:09:52)

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

Councilmember Posey reported meeting with the Huntington Beach Police Officers' Association (HBPOA), and attending a West Orange County Water Board meeting to discuss methodologies to extend the life of the water pipes; announced that West Nile virus has been detected in Huntington Beach; and attending a Southern California Association of Government (SCAG) Community Economic and Human Development Policy Committee meeting which voted to recommend to the Regional Council to adopt the Draft Methodology for the Regional Housing Needs Assessment (RHNA) calculations.

Mayor Peterson reported that the Ground Water Replenishment System (GWRS) is recycling 91M gallons of water per day, and the expansion will add 30M gallons more per day being added back to the groundwater basin. He also attended the League of California Cities Annual Conference Closing Luncheon and General Assembly.

CITY MANAGER'S REPORT

Interim Assistant City Manager Travis Hopkins provided updates on the Ascon Landfill Site and AES Huntington Beach Energy projects.

CONSENT CALENDAR

Councilmember Posey pulled Consent Calendar Item No. 18 for further discussion.

16. 19-1025 Approved and Adopted Minutes

A motion was made by Semeta, second Delgleize to approve and adopt the City Council/Public Financing Authority regular meeting minutes dated October 7, 2019, as written and on file in the office of the City Clerk.

The motion carried by the following vote:

AYES: Brenden, Carr, Semeta, Peterson, Posey, Delgleize, and Hardy
NOES: None

17. 19-992 Received and filed City Clerk's quarterly listing of professional services contracts filed in the City Clerk's office between April 1, 2019 and June 30, 2019

A motion was made by Semeta, second Delgleize to receive and file the "List of Professional Services Contracts Approved by Department Heads and Submitted to the Office of the City Clerk during the Period of April 1, 2019 and June 30, 2019."

The motion carried by the following vote:

AYES: Brenden, Carr, Semeta, Peterson, Posey, Delgleize, and Hardy

NOES: None

18. 19-972 Approved the appointments of Bud Benneman, Kevin Fockler, Kathleen McGowan, Joan Siegal, Corvi Urling to the Environmental Board and the reappointment of Tony Soriano to the Environmental Board as recommended by City Council Liaisons, Councilmembers Delgleize and Hardy

Councilmember Posey pulled this item to support the appointments and reappointment to the Environmental Board and commended the Board's efforts to keeping Huntington Beach clean, safe, and educated.

A motion was made by Posey, second Hardy to approve the appointments of Bud Bennemen, Kevin Fockler, Kathleen McGowan, Joan Siegal, and Corvi Urling to the Environmental Board as approved by City Council Liaisons, Councilmembers Delgleize and Hardy, their terms to expire June 30, 2023; and, re-appoint Tony Soriano, his term to expire June 30, 2023.

The motion carried by the following vote:

AYES: Brenden, Carr, Semeta, Peterson, Posey, Delgleize, and Hardy

NOES: None

19. 19-964 Adopted Resolution No. 2019-64 certifying that the City has the resources to implement the projects to be included in the Federal Transportation Improvement Program (FTIP) as required by the Orange County Transportation Authority (OCTA)

A motion was made by Semeta, second Delgleize to adopt Resolution No. 2019-64, "A Resolution of the City Council of the City of Huntington Beach Certifying that the City has the Resources to Fund the Projects in the FY 2020/21 - 2025/26 Transportation Improvement Program and Affirms its Commitment to Implement All Projects in the Program."

The motion carried by the following vote:

AYES: Brenden, Carr, Semeta, Peterson, Posey, Delgleize, and Hardy

NOES: None

20. 19-1018 Adopted Resolution No. 2019-72 authorizing the execution and delivery of a Second Supplemental Indenture in connection with a change in the authorized use of proceeds of the Huntington Beach Public Financing Authority (Orange County,

California) Lease Revenue Bonds, 2014 Series A, and authorizing the execution of necessary documents and certificates and related actions in connection therewith

A motion was made by Semeta, second Delgleize to adopt Resolution No. 2019-72, "Resolution of the City Council of the City of Huntington Beach Authorizing the Execution and Delivery of a Second Supplemental Indenture in Connection with a Change in the Authorized Use of Proceeds of the Huntington Beach Public Financing Authority (Orange County, California) Lease Revenue Bonds, 2014 Series A, and authorizing the Execution of Necessary Documents and Certificates and Related Actions in Connection Therewith;" and, approve authorization to execute any necessary actions to comply with Resolution 2019-72 including: 1) the inter-fund transfer of \$514,651 from the Bond Project Fund (319) to the Infrastructure Fund (314); and 2) an appropriation increase of \$320,349 to the Bond Project Fund to utilize the remaining bond proceeds on capital projects as authorized in the Bond Indenture and Supplemental Amendments.

The motion carried by the following vote:

AYES: Brenden, Carr, Semeta, Peterson, Posey, Delgleize, and Hardy

NOES: None

21. 19-1019 Adopted Public Financing Authority Resolution No. 24 authorizing the execution and delivery of a Second Supplemental Indenture in connection with a change in the authorized use of proceeds of the Huntington Beach Public Financing Authority Lease Revenue Bonds 2014 Series A, and authorizing the execution of necessary documents and certificates and related actions in connection therewith

A motion was made by Semeta, second Delgleize to adopt Resolution No. 24, "Resolution of the Board of Directors of the Huntington Beach Public Financing Authority Authorizing the Execution and Delivery of a Second Supplemental Indenture in Connection with a Change in the Authorized Use of Proceeds of the Huntington Beach Public Financing Authority Lease Revenue Bonds 2014 Series A, and Authorizing the Execution of Necessary Documents and Certificates and Related Actions in Connection Therewith;" and, approve authorization to execute any necessary actions to comply with Resolution 24.

The motion carried by the following vote:

AYES: Brenden, Carr, Semeta, Peterson, Posey, Delgleize, and Hardy

NOES: None

22. 19-1000 Approved and authorized execution of an Agreement for sharing consultant costs for the 2019 America's Water Infrastructure Act's Compliance Risk and Resiliency Assessments and Emergency Response Plans (Phases II and III) with the Municipal Water District of Orange County (MWDOC)

A motion was made by Semeta, second Delgleize to approve and authorize the City Manager to execute the "Agreement for Sharing Consultant Costs for 2019 AWIA Compliance Risk and Resiliency Assessments and Emergency Response Plans for Participating Agencies (Phases II and III)" with the Municipal Water District of Orange County (MWDOC).

The motion carried by the following vote:

AYES: Brenden, Carr, Semeta, Peterson, Posey, Delgleize, and Hardy
NOES: None

23. 19-1008 Approved and authorized execution of a three-year Professional Services Contract between the City of Huntington Beach and Wittman Enterprises, LLC in the amount of \$1,080,000 to provide billing services for emergency paramedic and ambulance services; and, increased the Fire Department's Professional Services authority accordingly

A motion was made by Semeta, second Delgleize to approve and authorize the Mayor and City Clerk to execute a "Professional Services Contract Between the City of Huntington Beach and Wittman Enterprises, LLC for Billing Services for Emergency Paramedic and Ambulance Service" in an amount not to exceed \$1,080,000 over a three-year period; and, increase the Fire Department's professional services authority accordingly by the commensurate amount to ensure compliance with Administrative Regulation No. 228.

The motion carried by the following vote:

AYES: Brenden, Carr, Semeta, Peterson, Posey, Delgleize, and Hardy
NOES: None

ADMINISTRATIVE ITEMS

24. 19-1037 Received and filed the monthly status update on the 6th cycle Regional Housing Needs Assessment (RHNA) process

City Manager Chi referred to Director of Community Development Ursula Luna-Reynosa who presented a PowerPoint communication entitled: *6th Cycle RHNA Update* with slides titled *October 15, 2019 HCD Final Regional Determination, Draft SCAG Region RHNA, RHNA Allocation: Draft SCAG Methodology, and RHNA Next Steps*.

Mayor Pro Tem Semeta shared that the SCAG Community Economic and Human Development Policy Committee members do not feel that the California Department of Housing and Community Development (HCD) is not following the letter of law, and the Policy Committee expects to pursue options for addressing the situation.

Councilmember Hardy asked for the RHNA numbers for surrounding cities, and described the large discrepancies in the past. Director Luna-Reynosa explained that the large discrepancies from past cycles did not carry over to this cycle, but she agreed to report actual numbers back to Council.

Councilmember Posey stated that the Draft methodology included local input, approximately 248 public comments were received, and all of the details for the process can be found at SCAG's website: www.scag.ca.gov/rhna

Recommended Action:

Receive and file the monthly Regional Housing Needs Assessment (RHNA) process status update.

Approved by acclamation 7-0.

25. 19-1042 Authorized the Sale of City-Owned Real Property Located at 15311 Pipeline Lane for \$2,744,000

City Manager Chi introduced this item and provided a brief history of the purchase, purpose, and current staff recommendation for the City-Owned Real Property at 15311 Pipeline Lane.

Councilmember Posey confirmed with City Manager Chi that the existing tenant agreed to vacate the premises within a 45-day escrow.

A motion was made by Peterson, second Posey to authorize the sale of the Pipeline Property to Steve Chalabian and Jackie Jernigan for \$2,744,000; and authorize and allocate funds for the payment of escrow fees associated with the transaction for an amount not to exceed \$19,000; and authorize and allocate funds for the payment of associated commission fees in an amount not to exceed 2.5% of the property sale price (\$68,600) payable to Lee Associates, to be paid from the proceeds of the sale or Residual Receipts Fund 233; and authorize the City Manager to request a 45-day period to allow for current tenants to vacate the site prior to the close of escrow; and authorize the City Manager, with the approval as to form by the City Attorney Office, to execute any and all necessary documents to consummate the real estate transaction.

The motion carried by the following vote:

AYES: Brenden, Carr, Semeta, Peterson, Posey, Delgleize, and Hardy

NOES: None

ORDINANCES FOR INTRODUCTION

26. 19-971 Approved for introduction Ordinance No. 4190 adopting the 2019 Model California Construction Codes; and scheduled a Public Hearing for November 18, 2019

City Manager Chi introduced Building Manager Eric Haghani who presented a PowerPoint communication entitled: *Local Adoption of the Latest California Building Standards Code with slides titled: Code Adoption Process, Building Codes, Effective Date for New Codes, Amendments, City Outreach, Training & Preparation Efforts, and Recommendation.*

Councilmember Delgleize and Manager Haghani discussed that the latest California Building Standards Code is available on the City's website, and as flyers on counters for walk-ins.

Mayor Pro Tem Semeta confirmed with Manager Haghani that no substantive changes to the Code were made this year.

A motion was made by Brenden, second Posey to, after the City Clerk reads by title, approve Introduction of Ordinance No. 4190, "An Ordinance of the City of Huntington Beach Amending the Huntington Beach Municipal Code, Title 17 - Building and Construction Chapters 17.04, 17.07, 17.40, 17.44, and 17.48 to Adopt by Reference the Current California Code of Regulations Title 24 Parts 1-12 with Regard to the 2019 Edition of the California Building Code, 2019 Edition of the California Residential Code, 2019 Edition of the California Mechanical Code, 2019 Edition of the California Plumbing Code, and 2019 Edition of the California Electrical Code; to Adopt the 2019 Edition of the California Administration Code, 2019 Edition of the California Energy Code, 2019 Edition of the California Historical Building Code, 2019 Edition of the Reference Standards Code, and the 2019 Edition of the Green

Building Standards Code; Chapter 17.46 Amending to Reference the 2018 Uniform Swimming Pool, Spa and Hottub Code; Chapter 17.60 Amending to Reference the 2018 Uniform Solar, Energy and Hydronic and Geothermal Code;" (Attachment No. 1) and, direct that a Public Hearing be set for the adoption of Ordinance No. 4190 on November 18, 2019.

The motion carried by the following vote:

AYES: Brenden, Carr, Semeta, Peterson, Posey, Delgleize, and Hardy
NOES: None

27. 19-1022 Approved for introduction Ordinance No. 4189 amending Municipal Code Chapter 17.56 adopting the California Fire Code, 2019 Editions; and scheduled a Public Hearing for November 18, 2019

City Manager Chi introduced Interim Fire Chief David Segura who turned the presentation over to Fire Division Chief Tim Andre who presented a PowerPoint communication entitled: *Proposed Adoption of the 2019 California Fire Code (CFC) With Local Amendments with slides titled: Background (2), Local Amendments, Proposed Amendment Example, Amendments Repealed and Recommendation.*

A motion was made by Posey, second Delgleize to, after the City Clerk reads by title, approve introduction of Ordinance No. 4189, "An Ordinance of the City of Huntington Beach Amending Chapter 17.56 of the Huntington Beach Municipal Code Adopting the California Fire Code," 2019 edition; and, Schedule a Public Hearing for November 18, 2019.

The motion carried by the following vote:

AYES: Brenden, Carr, Semeta, Peterson, Posey, Delgleize, and Hardy
NOES: None

COUNCILMEMBER ITEMS

28. 19-1074 Submitted by Councilmember Posey WITHDRAWN — Updating the Historic Standard Market Plaque at 126 Main Street

Recommended Action:

~~Given the information that I've received, and based on a review that has already been conducted by both the City Historic Resources Board and the Huntington Beach Preserve Our Past group, I am recommending that the City Council vote to direct staff to update the plaque located on the historic Standard Market building with correct historical information, as outlined in the attached information packet.~~

COUNCILMEMBER COMMENTS (Not Agendized)

Councilmember Carr reported that her husband had a heart attack while surfing several weeks ago, and it was the quick action of a City Maintenance crew as well as the Emergency Response Teams which resulted in an excellent prognosis. She expressed deep appreciation for the love and support received from the community.

Councilmember Hardy reported attending the Golden West College Grand Opening Ceremony for the New Math & Science Building; Huntington Beach Fire and Police Department Open Houses; Miss Huntington Beach Scholarship Pageant, congratulated the new Miss Huntington Beach, Mara James; and shared with Peterson Elementary 3rd, 4th and 5th graders local Huntington Beach history and why the City Council is needed, as well as her experiences related to running for City Council.

Councilmember Posey reported attending the Surf City Arts Fest at Triangle Park, International Surfboard Builders Hall of Fame 20th Annual Induction Ceremony, Coldwell Banker Campbell Realtors 9th Annual Pumpkin Patch Festival, Boys and Girls Clubs of Huntington Valley 41st Annual Benefit Dinner & Auction, and thanked the volunteers who serve on City commissions and boards for helping to make a difference. Councilmember Posey announced that on Friday, October 25, the Association of California Cities - Orange County (ACC-OC) will be hosting a Housing Summit at the Disney Grand Resort, Anaheim from 8:30 a.m. - 2 p.m., where as Chair of the Housing Committee, he will be delivering the opening and closing remarks, as well as moderating the Solutions for Orange County panel.

Councilmember Brenden thanked the new and re-appointees for serving on the Environmental Board; reported attending the 25th Anniversary Celebration for the Orange County Conservation Corps, the Golden West College Foundation Courtyard of Honor Ceremony to recognize alumnus City Attorney Michael Gates, Miss Huntington Beach Scholarship Pageant, and the Boys & Girls Clubs of Huntington Valley 41st Annual Benefit Dinner & Auction.

Councilmember Delgleize congratulated Mara James, Miss Huntington Beach, and reported attending the Golden West College Grand Opening Ceremony of the New Math & Science Building, Old World Reopening Community Support Event, League of California Cities - Orange County Division General Membership Meeting on Workforce Housing, RHNA, and Regional Update Featuring SCAG's Executive Director Kome Ajise, and an opportunity to visit the 9/11 Memorial in New York City.

Mayor Pro Tem Semeta reported presenting the City's commendation for the Golden West College Grand Opening Ceremony of the New Math & Science Building, attending the Golden West College Foundation Courtyard of Honor Ceremony to recognize alumnus City Attorney Michael Gates, Old World Reopening Community Support Event, Biarritz/HB Sister City Dinner and business visit to Newlight Technologies, the Pumpkin Patch in support of the Police and Community Foundation, Huntington Beach Police Department Open House, Boys & Girls Clubs of Huntington Valley 41st Annual Benefit Dinner & Auction, and congratulated Miss Huntington Beach Mara James and thanked outgoing Miss Huntington Beach Lily Orlando for her service this past year.

Mayor Peterson reported attending the Old World Reopening Community Support Event; explaining the purpose of City Council and answering questions from Cub Scouts meeting their Badge Requirement; attending the Biarritz/HB Sister City Dinner and Newlight Technologies business visit, International Surfboard Builders Hall of Fame 20th Annual Induction Ceremony, and the Miss Huntington Beach Scholarship Pageant. Mayor Peterson thanked outgoing Miss Huntington Beach Lily Orlando for her outstanding service this past year and congratulated Mara James, current Miss Huntington Beach. He also reported presenting special a commendation to long-time City residents Dick and Mary Satterfield from their neighbors for their above and beyond contributions to their neighborhood through the years.

ADJOURNMENT — 7:58 PM to the next regularly scheduled meeting of the Huntington Beach City Council/Public Financing Authority on Monday, November 4, 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>

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