



AGENDA -- REVISED FINAL

CITY COUNCIL/PUBLIC FINANCING AUTHORITY

Monday, August 19, 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

DAVE KIFF, Interim 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

Councilmember Delgleize has requested permission to be absent pursuant to Resolution No. 2001-54

ANNOUNCEMENT OF SUPPLEMENTAL COMMUNICATIONS (Received After Agenda Distribution)

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

STUDY SESSION

1. [19-881](#) **Review of the pros and cons of cannabis and the economy along with a cost-benefit analysis and discussion of CBD**

RECESS TO CLOSED SESSION

CLOSED SESSION ANNOUNCEMENT(S)

2. [19-891](#) **Mayor Peterson to announce: Pursuant to Government Code § 54957.6, the City Council shall recess into Closed Session to meet with its designated labor negotiator: David Kiff, Interim City Manager and Peter Brown, Chief Negotiator; also in attendance: Robert Handy, Police Chief; Chuck Adams, Interim Chief Financial Officer; and Michele Warren, Director of Human Resources regarding the following: Police Officers' Association (POA).**

CLOSED SESSION

3. [19-884](#) **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. Gray Dove Church of Peace, et al.; OCSC Case No. 30-2018-00997348.**
4. [19-885](#) **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, two (2).

5. [19-886](#) 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 Workers' Compensation Claim: Richard Glover v. City of Huntington Beach; Workers' Comp. Case No. COHB-15-0123.
6. [19-888](#) Pursuant to Government Code § 54957.6, the City Council shall recess into Closed Session to meet with its designated labor negotiator: David Kiff, Interim City Manager and Peter Brown, Chief Negotiator; also in attendance: Robert Handy, Police Chief; Chuck Adams, Interim Chief Financial Officer; and Michele Warren, Director of Human Resources regarding the following: Huntington Beach Police Officers' Association (POA).
7. [19-893](#) 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. City of Fountain Valley, et al. (PCTA); OCSC Case No. 30-2019-01071652.
8. [19-897](#) 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: Benzen Properties, LLC, et al. v. City of Huntington Beach, et al.; OCSC Case No.: 30-2019-01070544.
- *9. [19-904](#) Pursuant to Government Code § 54956.9(d)(4), the City Council shall recess into Closed Session to confer with the City Attorney regarding whether to authorize the City Attorney to add the City's name to the Amicus Brief in Support of the City of Boise in their Petition to the United States Supreme Court for review of the case Martin v. City of Boise (9th Cir. 2018) 902 F.3d 1031.

6:00 PM – COUNCIL CHAMBERS

RECONVENE CITY COUNCIL/PUBLIC FINANCING AUTHORITY MEETING

ROLL CALL

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

Councilmember Delgleize has requested permission to be absent pursuant to Resolution

No. 2001-54

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.

10. [19-668](#) **Pastor Nadar Hanna of Faith Lutheran Church and member of the Greater Huntington Beach Interfaith Council**

CLOSED SESSION REPORT BY CITY ATTORNEY

AWARDS AND PRESENTATIONS

11. [19-847](#) **Mayor Peterson to call on Victoria Albery to present the “Adoptable Pet of the Month”**
12. [19-848](#) **Mayor Peterson to call on Community Development Director Ursula Luna-Reynosa to present the Mayor’s Award to Kevin Kirby, Building Inspector III**
13. [19-849](#) **Mayor Peterson to call on Sister City exchange students from Anjo, Japan to share their experiences of visiting Huntington Beach**

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

CONSENT CALENDAR

14. [19-859](#) **Approve and Adopt Minutes**

Recommended Action:

Approve and adopt the City Council/Public Financing Authority regular meeting minutes dated August 5, 2019.

15. [19-818](#) **Approve Fiscal Year 2018/19 Year-End Budget Adjustment and Inter-Fund Transfers**

Recommended Action:

A) Approve the appropriation and transfer of \$1.0 million into the Section 115 Trust from the General Fund year-end balances. (See Attachment 1); and,

B) Approve appropriation and transfer of \$850,000 from the General Fund year-end balances to the Fiscal Year 2018/19 Revised Budget in the Technology Fund (323) and \$150,000 in the Retiree Supplemental Fund (703). (See Attachment 1); and,

C) Increase appropriations by \$1.08 million in the Retiree Supplemental Fund (703). (See Attachment 1).

16. [19-840](#) **Approve and authorize execution of a five-year License Agreement with Southern California Edison for public parkland located at Le Bard Park**

Recommended Action:

Approve the "License Agreement" with Southern California Edison for the use of the 2.02 acres of property commonly known as Le Bard Park (Contract No. 9.2480), and authorize the Mayor and City Clerk to execute any and all documents necessary to conclude this transaction.

17. [19-837](#) **Approve Annual Report and Fiscal Year 2019-2020 Huntington Beach Downtown Business Improvement District (DTBID) Budget; adopt Resolution No. 2019-54 declaring the City's intention to levy an annual assessment for Fiscal Year 2019-2020 within the Huntington Beach Downtown Business Improvement District; and, schedule a Public Meeting for September 3, 2019, and a Public Hearing for September 16, 2019**

Recommended Action:

A) Adopt Resolution No. 2019-54, "A Resolution of the City Council of the City of Huntington Beach Declaring the City's Intention to Levy an Annual Assessment for Fiscal Year 2019-2020 within Huntington Beach Downtown Business Improvement District," including Exhibit A - Huntington Beach Downtown Business Improvement District 2019-2020 Annual Report, Exhibit B - Boundary Map, and List of Businesses to be assessed, and Exhibit C - Types of improvements and activities proposed to be funded; and,

Authority

B) Direct the City Clerk to agendize the item for the City Council's regular meeting of September 3, 2019, hold a public hearing on September 16, 2019, send copies of the Resolution of Intention, including the BID Boundary Map and assessment formula to each business to be assessed, and publish in a newspaper of general circulation.

18. [19-877](#) **Adopt Resolution No. 2019-56 authorizing submittal of an application for a California Coastal Commission (CCC) Local Coastal Program (LCP) Planning Grant**

Recommended Action:

Adopt Resolution No. 2019-56, "A Resolution of the City Council of the City of Huntington Beach Authorizing Submittal of an Application for a California Coastal Commission LCP Planning Grant."

19. [19-879](#) **Adopt Resolution No. 2019-57 appointing David Segura as Interim Fire Chief and approving the Employment Agreement**

Recommended Action:

A) Adopt Resolution No. 2019-57, "A Resolution of the City Council of the City of Huntington Beach Appointing David Segura as Interim Fire Chief;" and,

B) Approve and authorize the Mayor to execute the "Employment Agreement Between the City of Huntington Beach and David Segura."

PUBLIC HEARING

20. [19-758](#) **Recommendation to open Public Hearing and continue to September 3, 2019 to consider the Appeal of Planning Commission Denial of Tentative Tract Map No. 18157 and Conditional Use Permit No. 17-042 (Ellis Ave. Condos)**

Recommended Action:

Open the public hearing and continue the appeal of Planning Commission Denial of Tentative Tract Map No. 18157 and Conditional Use Permit No. 17-042 (Ellis Ave. Condos) to a date certain of September 3, 2019, at the applicant's request (Attachment No. 9).

21. [19-805](#) **Approve General Plan Amendment No. 2019-001 by adopting Resolution No. 2019-50, Zoning Map Amendment No. 2018-001 by approving for introduction Ordinance 4184, and Zoning Text Amendment No. 2018-002 by approving for introduction Ordinance 4183 (Gothard Property & Research and Technology Zoning)**

Recommended Action:

A) Approve General Plan Amendment No. 19-001 by adopting City Council Resolution No. 19-50, "A Resolution of the City Council of the City of Huntington Beach Approving General Plan Amendment No. 19-001." (Attachment 1); and,

B) Approve Zoning Map Amendment No. 18-001 with findings for approval and approving for introduction Ordinance No. 4184, "An Ordinance of the City of Huntington Beach amending the Huntington Beach Zoning and Subdivision Ordinance by changing the zoning designation from IG (Industrial General), IL (Industrial Limited), or CG (Commercial General) to RT (Research and Technology) on real property located in two existing industrial areas herein referred to as the Gothard Street Corridor and Northwest Industrial Area (Zoning Map Amendment No. 18-001)." (Attachments 2 and 3); and,

C) Approve Zoning Text Amendment No. 18-002 with findings for approval and approving for introduction Ordinance No. 4183, "An Ordinance of the City of Huntington Beach amending Chapters 204 Use Classifications, 212 Industrial Districts, and 231 Off-Street Parking and Loading of the Huntington Beach Zoning and Subdivision Ordinance (Zoning Text Amendment No. 18-002)." (Staff Recommended Action for public agency owned property) (Attachments 4 and 5); and,

D) Consider and provide direction on Planning Commission Minute Action to update the City's Urban Design Guidelines; and,

E) Consider and provide direction on Planning Commission Minute Action to create a Broadband and Wireless Ad-Hoc Committee; and,

F) Consider and provide direction on Planning Commission Minute Action to study implementation of public sidewalks in all Industrial districts.

ADMINISTRATIVE ITEMS

22. [19-870](#) **Receive and File a Status Update on the 6th Cycle Regional Housing Needs Assessment (RHNA) Process**

Recommended Action:

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

23. [19-880](#) **Approval of Tentative Agreement and introduction of proposed Memorandum of Understanding between the Huntington Beach Police Management Association (HBPMA) and the City of Huntington Beach for the period of January 1, 2018, through June 30, 2020**

Recommended Action:

Approve the "Tentative Agreement" and the introduction of the proposed Memorandum of Understanding between the Huntington Beach Police Management Association and the City of Huntington Beach for the period January 1, 2018, through June 30, 2020.

COUNCILMEMBER COMMENTS (Not Agendized)

ADJOURNMENT

The next regularly scheduled meeting of the Huntington Beach City Council/Public Financing Authority is Tuesday, September 3, 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>