

Minutes

City Council/Public Financing Authority City of Huntington Beach

Monday, June 17, 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

CALLED TO ORDER — 4:00 PM

ROLL CALL

Present: Carr, Semeta, Peterson, Posey, Delgleize, and Hardy
Absent: Brenden

Councilmember Brenden requested and was granted permission to be absent pursuant to Resolution No. 2001-54

ANNOUNCEMENT OF SUPPLEMENTAL COMMUNICATIONS (Received After Agenda Distribution)

Pursuant to the Brown "Open Meetings" Act, City Clerk Robin Estanislau announced supplemental communications received by her office following distribution of the Council Agenda packet:

Study Session *Item No. 1 (19-676)*, a PowerPoint communication was received from Travis Hopkins, Interim Assistant City Manager, entitled *PCTA Exit and Transition Plan Update*

PUBLIC COMMENTS PERTAINING TO STUDY SESSION / CLOSED SESSION ITEMS

(3 Minute Time Limit) — 1 Speaker

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/>.

Amory Hanson, City Council Candidate in 2020 and Historic Resources Board Member, was called to speak and stated his support for Study Session Item 1. (19-676) regarding exiting the Public Cable Television Authority (PCTA) as he believes this will provide an opportunity for more transparency. (00:00:54)

STUDY SESSION

1. 19-676 Presented Information on Public Cable Television Authority (PCTA) Exit Plan

Interim City Manager David Kiff introduced Assistant to the City Manager Antonia Graham who presented a PowerPoint communication entitled: *PCTA Exit and Transition Plan Update* with slides titled: *Background (2), Business Plan for Operating "Surf City 3," Staffing, Programming, Cablecasting Services, Programming - Creative Content, What can PEG be spent on?, Proposed Budget, Branding and Public Notification, Current Trends in TV, Revenue/Partnership Opportunities, and Timeline.*

Councilmember Carr and Assistant to the City Manager Graham discussed last year's PEG funding of approximately \$605K which was retained by PCTA, plus the PCTA administrative budget fee of \$152K. Assistant Graham confirmed that the Communications Committee will approved future programming content, and that video streaming apps are expected to be in place this Fall.

Mayor Pro Tem Semeta commended staff for their research on this change, and encouraged the public to submit their programming ideas for what they would like to see broadcast.

Councilmember Posey and Assistant Graham discussed the effects of declining cable subscriptions that will reduce PEG funds, and how cable companies are investing in 5G technology for streaming.

Councilmember Delgleize and Assistant Graham discussed how exiting the PCTA would provide the City with more control over PEG funds and franchise fees. Assistant Graham explained that installation of fiber is an eligible PEG fund expense, but clarified that use of PEG funding for installation of dark fiber to rent or lease out would not be eligible.

Mayor Peterson encouraged the public to suggest programming ideas.

RECESSED TO CLOSED SESSION — 4:20 PM

A motion by Posey, second by Semeta to recess to Closed Session for Items 2 – 4. With no objections the motion passed.

CLOSED SESSION

2. 19-702 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**
3. 19-701 Pursuant to Government Code § 54954.5(e), the City Council recessed into Closed Session to discuss the public employment of City Manager
4. 19-704 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: **Moore (Neal), et al. v. City of Huntington Beach, et al.; OCSC Case No.: 30-2019-01071686**

6:00 PM - COUNCIL CHAMBERS

RECONVENED CITY COUNCIL/PUBLIC FINANCING AUTHORITY MEETING — 6:00 PM

ROLL CALL

Present: Carr, Semeta, Peterson, Posey, Delgleize, and Hardy
Absent: Brenden

Councilmember Brenden requested and was granted permission to be absent pursuant to Resolution No. 2001-54

PLEDGE OF ALLEGIANCE — Led by Mayor Pro Tem Semeta

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.

5. **19-639 Maha Ragab from the Muslim community and member of the Greater Huntington Beach Interfaith Council**

CLOSED SESSION REPORT BY CITY ATTORNEY — None

AWARDS AND PRESENTATIONS

6. **19-687 ~~Mayor Peterson to call on Victoria Alberty to present the Adoptable Pet of the Month~~**
7. **19-688 Mayor Peterson called on Community Services Director Marie Knight who presented the Mayor's Award to Community Services Programs and Services Manager, Chris Slama**

Director Knight introduced Mr. Slama, and described his career path, contributions and accomplishments during his tenure with the City. She focused special attention on his service as Interim Community Services Director from October 2018 through April 2019, and his commitment to cover for another Division Manager who retired, all the while serving with grace, professionalism and enthusiasm while managing these two additional positions. Director Knight thanked Mr. Slama's family for their support during this time, and provided a "bucket of fun" for daughters Kaitlyn and Casey to help with making up for lost time with their dad.

Mr. Slama shared his pleasure at being able to work and raise his family in the City he grew up in. He thanked the Community Services team for their support in enhancing the quality of life in Huntington Beach, thanked Director Knight for her leadership, and Mayor Peterson for the recognition.

ANNOUNCEMENT OF SUPPLEMENTAL COMMUNICATIONS (Received After Agenda Distribution)

Pursuant to the Brown "Open Meetings" Act, City Clerk Robin Estanislau announced supplemental communications received by her office following distribution of the Council Agenda packet:

Consent Calendar Item No. 8 (19-673), Inter-Department Memo from Robin Estanislau, City Clerk, submitting corrections to the City Council draft Minutes dated May 20, 2019.

PUBLIC COMMENTS (3 Minute Time Limit) — 12 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>.

Claudia Perez, Senior Field Representative for Assemblywoman Cottie Petrie-Norris, was called to speak and announced that Assemblywoman Petrie-Norris has spoken to both the Department of Toxic Substances Control (DTSC) and the California Environmental Protection Agency regarding clean up at the Ascon site, and will be communicating with these agencies weekly to address residents' concerns. (00:37:56)

Amber was called to speak, and asked that the School Board and Edison Principal be notified of the potential health risks from the Ascon clean-up so that they may in turn inform the parents of students. (00:39:00)

Sharon Messick, HB Landfill Awareness, was called to speak and shared her confusion and disappointment with what appears to her as the City Council's lack of concern for the impact on residents regarding the Ascon landfill remediation project. (00:41:22)

Nancy Buchoz was called to speak and expressed her concerns about the Tank Farm project, and asked that the Tank Farm Environmental Impact Report (EIR) be re-evaluated in light of the issues that have surfaced related to the Ascon landfill remediation project. (00:44:30)

Kathryn Levassieur, a resident of Huntington Beach and Huntington Beach Short-Term Rental Alliance Founding Member, was called to speak and shared statistics to support her position that the City should be collecting Transient Occupancy Tax (TOT) revenues on short-term rentals operating within the City. (00:46:50)

Ryan Messick was called to speak and expressed his concerns about the Ascon landfill project and the negative health effects experienced by family members. (00:49:01)

Tara Barton was called to speak and expressed her concerns regarding the Ascon landfill project and the negative effects experienced by residents. (00:52:15)

Mariya Skoblov-Sheldon was called to speak and expressed her concerns regarding the Ascon landfill project and the negative effects experienced by residents. (00:55:38)

David Geddes, a resident of southeast Huntington Beach, was called to speak and shared his opinions regarding area housing developments, and encouraged everyone to clean up their own trash. (00:57:56)

Tony Bisson was called to speak and expressed his concerns regarding the Ascon landfill project, and described his efforts to save a decades old neighborhood tree from being unnecessarily destroyed by the LeBard Park Residential Subdivision on Craimer Lane. (01:00:00)

Ryan Reza Farsai was called to speak and shared his opinions on various issues. (01:03:00)

Chrissy Gonzales was called to speak and expressed her concerns regarding the Ascon landfill project and described personal health issues that she believes are the result of living in close proximity to that land. (01:06:01)

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

Mayor Pro Tem Semeta reported attending the Southern California Association of Government (SCAG) Community Economic and Human Development Policy Committee and Regional Council meetings where Regional Housing Needs Assessment (RHNA) numbers were discussed.

Councilmember Posey reported attending the Southern California Association of Government (SCAG) Community Economic and Human Development Policy Committee meeting, chairing a meeting of the Orange County Parks Commission, attending a Building Industry Association (BIA) Urban Infill Seminar, and announced that the Southern California Association of Government (SCAG) Regional Housing Needs Assessment (RHNA) Subcommittee will meet on Monday, July 1.

Councilmember Carr reported attending a Specific Events meeting to discuss the Surf City 10K Sundown Race which will be held on Saturday, September 21, starting at 6:30 p.m.

Councilmember Delgleize reported that she and Councilmember Brenden met with the Director of the Long Beach Airport related to airport noise issues.

CITY MANAGER'S REPORT

Mayor Peterson introduced newly appointed Interim City Manager Dave Kiff. Manager Kiff expressed his appreciation for the support he has received from Council and members of the Executive Team, and acknowledged Travis Hopkins for serving as Interim Assistant City Manager, and Chuck Adams for serving as Interim Chief Financial Officer (CFO). Manager Kiff also acknowledged public speaker comments on the Ascon Project and stated that the City will be monitoring progress and providing details to the community.

CONSENT CALENDAR

8. 19-673 Approved and Adopted Minutes

A motion was made by Posey, second Delgleize to approve and adopt the City Council/Public Financing Authority regular meeting minutes dated May 20, 2019, ***as amended by supplemental communication***; and, approve and adopt the City Council/Public Financing Authority regular meeting and the Housing Authority special meeting minutes dated June 3, 2019.

The motion as amended carried by the following vote:

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

9. 19-646 Approved appointments and reappointments to the Huntington Beach Youth Board with terms to expire May 31, 2020 as recommended by Councilmember liaisons Hardy and Carr

A motion was made by Posey, second Delgleize to, as recommended by City Council Member liaisons Hardy and Carr, approve the appointment of the following students to a one-year term on the Huntington Beach Youth Board with terms to expire May 31, 2020:

Jenna Ali - Huntington Beach High School, At-Large Member
Bella Brannon - Ocean View High School, At-Large Member
Andre Mai - Huntington Beach High School, At-Large Member
Kathryn Robinson - Marina High School, At-Large Member
Caitlin Sheetz - Edison High School, At-Large Member

As recommended by City Council Member liaisons Hardy and Carr, approve the reappointment of the following students to a one-year term on the Huntington Beach Youth Board with terms to expire May 31, 2020:

Natalie Blazquez - Ocean View High School, Representative
Samuel Dater - Edison High School, Representative
Tatum Osborne - Marina High School, Representative
Amy Zang - Huntington High School, Representative

The motion carried by the following vote:

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

10. 19-628 Accepted the Sewer Service Fund Performance Audit for Fiscal Year 2018-19

A motion was made by Posey, second Delgleize to accept the Sewer Service Fund Performance Audit for Fiscal Year 2018-19.

The motion carried by the following vote:

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

11. 19-431 Accepted Bond Reductions for Shea Homes' Parkside Estates Development Project

A motion was made by Posey, second Delgleize to authorize the Mayor to acknowledge and accept the Coverage Riders for the Faithful Performance and Labor and Material Bond Nos. 0195156, 0195157, 0195158, 0195159, 0195160, 0195161, 0195162, and 0195163, and instruct the City Clerk to file the riders with the City Treasurer; and, instruct the City Treasurer to notify the surety, Berkeley Insurance Company, of this action.

The motion carried by the following vote:

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

12. 19-551 Approved and authorized execution of Contract Amendment No. 2 with Rosenow, Spevacek Group, Inc. (RSG) adding additional compensation of \$30,000 and extending the term to December 30, 2019 for Affordable Housing Compliance Monitoring of HOME Projects

A motion was made by Posey, second Delgleize to approve and authorize the Mayor and City Clerk to execute "Amendment No. 2 to Professional Services Contract between the City of Huntington Beach and Rosenow Spevacek Group, Inc., for Affordable Housing Compliant Monitoring" to December 30, 2019 in the amount not-to-exceed \$30,000.

The motion carried by the following vote:

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

13. 19-636 Approved and authorized execution of a License Agreement with Southern California Edison (SCE) for Traffic Signal Equipment on Center Avenue at Bella Terra

A motion was made by Posey, second Delgleize to approve the "License Agreement" with Southern California Edison for use of the portion of their property located at the eastern driveway of Bella Terra and Center Avenue for the location, operation and maintenance of traffic signal equipment; and, authorize the Mayor and City Clerk to execute any and all documents to conclude this transaction.

The motion carried by the following vote:

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

14. 19-645 Adopted Resolution No. 2019-29 concerning the status and update of the City's Circulation Element and Mitigation Fee Program for the Measure M2 Program

A motion was made by Posey, second Delgleize to adopt Resolution No. 2019-29, "A Resolution of the City Council of the City of Huntington Beach Concerning the Status and Update of the Circulation Element and Mitigation Fee Program for the Measure M (M2) Program."

The motion carried by the following vote:

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

15. 19-690 Adopted Resolution No. 2019-43 appointing Charles Adams as Interim Chief Financial Officer and approving the Employment Agreement

A motion was made by Posey, second Delgleize to adopt Resolution No. 2019-43, "A Resolution of the City Council of the City of Huntington Beach Appointing Charles Adams as Interim Chief Financial Officer;" and, approve and authorize the City Manager to execute the "Employment Agreement Between the City of Huntington Beach and Charles Adams."

The motion carried by the following vote:

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

16. 19-691 Adopted Resolution No. 2019-44 appointing David Kiff as Interim City Manager and approving the Employment Agreement

A motion was made by Posey, second Delgleize to adopt Resolution No. 2019-44, "A Resolution of the City Council of the City of Huntington Beach Appointing David Kiff as Interim City Manager;" and, approve and authorize the Mayor to execute the "Employment Agreement Between the City of Huntington Beach and David Kiff."

The motion carried by the following vote:

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

PUBLIC HEARING

17. 19-661 Public Hearing held -- Adopted Resolution No. 2019-42 establishing the Gann Appropriation Limit for Fiscal Year 2019/20

Interim City Manager David Kiff introduced this item.

Mayor Peterson opened the Public Hearing.

City Clerk Robin Estanislau announced that no one had signed up to speak, and supplemental communication was received, a PowerPoint communication submitted by Carol Molina-Espinosa, Interim Chief Financial Officer (CFO), entitled *Gann Appropriate Limit 2019/2020*.

There being no public speakers, Mayor Peterson closed the Public Hearing.

A motion was made by Delgleize, second Posey to adopt Resolution No. 2019-42, "A Resolution of the City Council of the City of Huntington Beach Establishing the Gann Appropriation Limit for Fiscal Year 2019/20" of \$964,662,284.

The motion carried by the following vote:

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

COUNCILMEMBER COMMENTS (Not Agendized)

Councilmember Carr reported attending the Opening Ceremony for the Third Annual Operation Surf, the Coastal Commission and City of Huntington Beach Open House Discussion on Sunset Beach Specific Plan Update, Huntington Beach Police Department Promotional Swearing-in Ceremony, Homeless Solutions monthly meeting, Public Workshop on the Ascon Landfill Site Project Milestones and Next Steps, making a Business Visit to Surf Cafea, attending the Huntington Beach Fire Academy Graduation Ceremony, Scholarship Awards Ceremony for recent graduates of Project Self Sufficiency, and announced a Homeless 101 presentation on July 20, 5:30 — 7:30 p.m. at St. Wilfrid Episcopal Church.

Councilmember Delgleize reported attending the Third Annual Operation Surf, Ribbon Cutting and Grand Opening of a 7-Eleven Store on Edinger Avenue, Largest Gathering of People Dressed as a Fruit or Vegetable for Miracles for Kids!, Waymakers Huntington Beach Youth Shelter 13th Anniversary Open House and Reception, Huntington Beach Fire Academy Graduation Ceremony, and announced a Homeless 101 Presentation on July 20, 5:30 — 7:30 p.m. at St. Wilfrid Episcopal Church.

Councilmember Posey reported attending Waymakers Huntington Beach Youth Shelter 13th Anniversary Open House and Reception, Huntington Beach Fire Academy Graduation Ceremony, and announced a Public Safety Summit hosted by Assemblyman Tyler Diep and Supervisor Michelle Steel and the City of Huntington Beach on Saturday, June 29, 10 am to 12 noon, at the Senior Center at Central Park.

Mayor Pro Tem Semeta reported attending the Waymakers Huntington Beach Youth Shelter 13th Anniversary Open House and Reception, Business Roundtable for Downtown Property Owners, Association of California Cities — Orange County (ACC-OC) Local Government Finance Committee meeting, Communications Committee meeting, Huntington Beach High School Graduation Ceremony, providing City Remarks at the Huntington Beach Fire Academy Graduation Ceremony, attending a documentary by Matt Liffreing entitled *Art of the Pier*, and announced a Pension Obligation Seminar, which is open to the public, in Irvine at the Portola Springs Community Center, June 20 from 9 - 11 a.m.

Councilmember Hardy reported attending the Public Workshop on the Ascon Landfill Project Milestones and Next Steps and thanked the public for speaking out on this issue, Waymakers Huntington Beach Youth Shelter 13th Anniversary Open House and Reception, and Councilmember Hardy acknowledged and congratulated the new Youth Board appointees. Councilmember Hardy also provided a brief report on the recent activities of the Huntington Beach City School District 7-11 Committee related to plans for elementary schools within the District.

Mayor Peterson reported attending the Third Annual Operation Surf, Coastal Commission and City of Huntington Beach Open House Discussion on Sunset Beach Specific Plan Update, Public Workshop on the Ascon Landfill Site Project Milestones and Next Steps, speaking at the First Samoan Congregational Christian Church 50th Anniversary Celebration Service, attending the Adult School Graduation Ceremony, and Eagle Court for Nick Dumesnil, Luke Fowler and Kevin Lassig of Troop 492.

ADJOURNMENT — 7:12 PM to the next regularly scheduled meeting of the Huntington Beach City Council/Public Financing Authority on Monday, July 1, 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