

Minutes

City Council/Public Financing Authority City of Huntington Beach

Monday, May 4, 2020
5:00 PM - Council Chambers
6:00 PM - Council Chambers
Civic Center, 2000 Main Street
Huntington Beach, California 92648

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

5:00 PM - COUNCIL CHAMBERS

CALL TO ORDER — 5:02 PM

ROLL CALL

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

ANNOUNCEMENT OF SUPPLEMENTAL COMMUNICATIONS PERTAINING TO CLOSED SESSION ITEMS (Received After Agenda Distribution) — None

PUBLIC COMMENTS PERTAINING TO CLOSED SESSION ITEMS — None

A motion was made by Posey, second Delgleize to recess to Closed Session for Items 2-4. With no objections, the motion passed.

RECESSED TO CLOSED SESSION — 5:04 PM

CLOSED SESSION ANNOUNCEMENT(S)

1. 20-1602 Mayor Semeta Announced: Pursuant to Government Code § 54957.6, the City Council shall recess into Closed Session to meet with its designated labor negotiator: Oliver Chi, City Manager; also in attendance: Travis Hopkins, Assistant City Manager, regarding the following: Huntington Beach Municipal Teamsters (HBMT); Management Employees' Organization (MEO); Police Officers' Association (POA); Police Management Association (PMA); Huntington Beach Firefighters' Association (HBFA); Fire Management Association (FMA); Marine Safety Management Association (MSMA) Surf City Lifeguard Employees' Association (SCLEA) and Non-Represented (Non-Associated) Employees (NA).

CLOSED SESSION

2. **20-1590 Pursuant to Government Code § 54956.9(d)(4), the City Council recessed into Closed Session to confer with the City Attorney regarding whether to authorize the City Attorney to provide Amicus Support in the Petition to the United States Supreme Court for review of the case Higginson v. Xavier Becerra, et al. Higginson v. Becerra, No. 18-55455 (9th Cir. Jul. 31, 2018).**
3. **20-1601 Pursuant to Government Code § 54957.6, the City Council recessed into Closed Session to meet with its designated labor negotiator: Oliver Chi, City Manager; also in attendance: Travis Hopkins, Assistant City Manager, regarding the following: Huntington Beach Municipal Teamsters (HBMT); Management Employees' Organization (MEO); Police Officer's Association (POA); Police Management Association (PMA); Huntington Beach Firefighters' Association (HBFA); Fire Management Association (FMA); Marine Safety Management Association (MSMA) Surf City Lifeguard Employees' Association (SCLEA) and Non-Represented (Non-Associated) Employees (NA).**
4. **20-1605 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, two (2).**

6:00 PM - COUNCIL CHAMBERS

RECONVENED CITY COUNCIL/PUBLIC FINANCING AUTHORITY MEETING — 6:06 PM

ROLL CALL

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

PLEDGE OF ALLEGIANCE — Led by Councilmember Delgleize

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. **20-1550 Marilyn Anonia of Saint Simon and Jude Catholic Church and member of the Greater Huntington Beach Interfaith Council**

CLOSED SESSION REPORT BY CITY ATTORNEY

City Attorney Gates reported Council voted unanimously 6-0 (Peterson-Absent) to decline Amicus support in the Petition to Writ to the U. S. Supreme Court in the agendized case Don Higginson v. Xavier Becerra, et al.

ANNOUNCEMENT OF SUPPLEMENTAL COMMUNICATIONS (Received After Agenda Distribution)

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

Non-Agendized Items

One (1) communication from Kathryn Levassiur

City Manager's Report

Item No. 6 (20-1486) PowerPoint communication submitted by Assistant City Manager Travis Hopkins, entitled *Ascon Landfill Site Update*.

Item No. 7 (20-1597) Thirty-Five (35) communications received regarding City COVID-19 Response Plan from:

Travis Pritchett	Wendy Sheeran	Andrew Richmond	Marty Caproni
Patti Kerr	Elissa Warantz	Charles Goldblum	Cathie Panis
Justin Bruursema	Jeannie Bird	Simon Swart	Lewis Harrison
Susan Lipscomb	Shirlee Krause	Shelly Colangelo	Elizabeth
Darrin Hainer	Kathleen Johnson	Linda Fitch (2)	Schroeder
Tom Niedringhaus	Andrea Tandler	Brian Ross	Richard Lioy
Debra Brown	Dan Ciscel	Shirlee Krause	Paul Marano
John Carter	Dr. Kevin Tubbs	Henry Flores (2)	
Bobbi Ashurst	Susan Harpole	Michael Canas	

Public Hearing

Item No. 13 (20-1594) PowerPoint communication submitted by Assistant City Manager Travis Hopkins, entitled *Permanent Local Housing Allocation*.

Administrative Items

Item No. 15 (20-1603) Resolution No. 2020-30 supporting the Orange County Board of Supervisors' efforts to address Commercial Re-Openings in response to COVID-19, ten (10) communications from:

Gary Tarkington	Cari Swan	Eileen Harris	Jennifer Pauline
Maria T. Spain	Sylvia Calhoun	Ray Scrafield	
Andrea Russell	Erin Rustvold	Shannon Cook	

PUBLIC COMMENTS (all agenda and non-agenda items):

Members of the public wishing to submit comments on agenda or non-agenda items that will be read live during the Public Comments portion of the meeting can submit one communication per person of 300 words or less at: <https://huntingtonbeachca.gov/HBPublicComments/>. Public Comments must be received no later than 4:00 PM the day of the meeting.

One hundred twenty seven (127) public comments received by 4:00 PM were compiled and read aloud to the City Council by City Clerk Robin Estanislau and Deputy City Clerk Tania Moore.

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>

Donald Gibas, a resident of Huntington Beach since 1968, submitted communication in opposition to proposed salary increases. (00:07:00)

Marian Hitt, submitted communication in support of closing the beaches. (00:07:58)

Jasmine and Mark Allgood, M.D., submitted communication in support of closing all beaches. (00:08:30)

Douglas Beauchamp, a 70+ year resident of Huntington Beach, submitted communication in support of opening the City's tennis courts with safety measures in place. (00:09:51)

Anonymous, a 20-year homeowner of Huntington Beach, submitted communication in support of closing all beaches. (00:10:58)

Julie Killeen, a 36-year resident and homeowner of Huntington Beach, submitted communication in support of closing all beaches. (00:12:02)

Doria C. Merical submitted communication in support of closing all beaches. (00:12:44)

Rod Rasmussen submitted communication in support of opening all beaches. (00:13:00)

Belinda Shepherd submitted communication in support of closing all beaches. (00:13:12)

Sheena Innocente, M.S.W., submitted communication in support of closing all beaches. (00:13:33)

Cynthia Webster submitted communication in support of opening all beaches. (00:14:22)

Leigh Martin, resident of Orange County for over 30 years, submitted communication in support of closing all beaches. (00:14:38)

Anonymous resident of Huntington Beach submitted communication in opposition to suing Governor Newsom. (00:15:53)

Anonymous citizen of Huntington Beach submitted communication in support of opening all beaches. (00:17:12)

Erin Spivey, submitted communication in opposition to suing Governor Newsom. (00:17:35)

Theresa Feil-Campama submitted communication in support of closing all beaches. (00:18:14)

Anthony Zarkades submitted communication in support of closing all beaches. (00:19:18)

Jane Yata submitted communication in support of closing all beaches. (00:19:57)

Linda Purtill, a 32-year resident of Huntington Beach, submitted communication in opposition to suing Governor Newsom. (00:20:56)

Candice Lovett submitted communication in support of opening all beaches. (00:21:38)

Joe Mama submitted communication in opposition to suing Governor Newsom. (00:22:03)

Janet Johnson submitted communication in support of opening beaches for City residents, and requested regular updates on facts. (00:22:31)

Lisa Jacoby submitted communication in support of closing all beaches, and opposition to suing Governor Newsom. (00:23:28)

Walter Callerio submitted communication in support of closing all beaches. (00:23:57)

Nancy submitted communication in opposition to suing Governor Newsom. (00:24:06)

Cathie Panis submitted communication in support of suing Governor Newsom. (00:24:23)

Debbi Parrott submitted communication in opposition to suing Governor Newsom. (00:24:46)

Mark Hutchison submitted communication in opposition to suing Governor Newsom. (00:25:31)

Adrienne Low submitted communication in opposition to suing Governor Newsom. (00:25:43)

Shammy Dee submitted communication in opposition to suing Governor Newsom. (00:26:36)

Brenda Curet, a 55-year resident, submitted communication in opposition to suing Governor Newsom. (00:27:43)

Wendy Rincon, a life-long resident of Huntington Beach, submitted communication in opposition to suing Governor Newsom. (00:28:10)

Jeannie Bird submitted communication in opposition to suing Governor Newsom. (00:29:04)

Spencer Hagaman submitted communication to acknowledge a number of the Good Samaritans in the community who, in his opinion, are not getting the publicity they deserve because many people choose to focus only on the bad situations. (00:29:25)

Amory Hanson, a Candidate for City Council in 2020 and a member of the Huntington Beach Historic Resources Board, asked that all City deliberative assemblies continue to meet via video conference if necessary, to avoid violation of the freedom to assemble. (00:30:55)

Dan Hytrek submitted communication in support of closing all beaches, and opposition to suing Governor Newsom. (00:31:37)

Carol Berk, a long-time resident, submitted communication in support of closing all beaches, and asked City Council for a detailed plan focused on safety for the entire community. (00:33:10)

Randall Otten submitted communication in support of opening all beaches, and opposition to orders from Governor Newsom. (00:34:16)

Colleen Brennan submitted communication in support of closing all beaches, and opposition to suing Governor Newsom. (00:35:06)

Carol Keane submitted communication in support of closing all beaches, and opposition to suing Governor Newsom. (00:36:09)

S. Boodman submitted communication in opposition to suing Governor Newsom. (00:36:49)

Christy Hatt submitted communication in support of closing all beaches, and opposition to suing Governor Newsom. (00:37:04)

Philip I. Good submitted communication in support of closing beaches from noon to 7 PM. (00:37:42)

Maria Sugranes submitted communication in support of closing beaches. (00:37:50)

Karen Coyne submitted communication in support of closing beaches, and opposition to suing Governor Newsom. (00:37:56)

Leigh Martin submitted communication in support of closing beaches, and opposition to suing Governor Newsom. (00:38:16)

Linda Law submitted communication in support of closing all beaches, and opposition to suing Governor Newsom. (00:39:43)

Silvia Lovison submitted communication in support of opening beaches for exercise purposes only. (00:40:07)

Eileen Harris submitted communication in support of opening beaches and businesses with safety measures in place. (00:40:59)

Pilar Losada submitted communication in support of closing all beaches, and opposition to suing Governor Newsom. (00:41:25)

Anna Miars submitted communication in support of closing all beaches, and opposition to suing Governor Newsom. (00:42:07)

Lou Bellanca submitted communication in opposition to suing Governor Newsom. (00:43:26)

Cathey Ryder submitted communication asking for details on the City's plans for economic recovery, and opposition to suing Governor Newsom. (00:43:45)

Melissa Miller, a Huntington Beach homeowner, submitted communication in support of closing all beaches, and opposition to suing Governor Newsom. (00:44:37)

Lisa Kavalesky submitted communication in support of closing beaches. (00:46:00)

Vanessa Webster submitted communication in support of closing beaches. (00:46:25)

Stu Bauers submitted communication in opposition to suing Governor Newsom. (00:46:57)

Joseph P. Shepperd submitted communication in support of closing beaches. (00:47:46)

Cari Swan submitted communication in support of Mayor Semeta and for Administrative Item No. 15 (20-1603) regarding Resolution No. 2020-30 to support the Orange County Board of Supervisor's efforts to address Commercial Re-Openings in response to COVID-19. (00:48:01)

Sandy Crabb submitted communication in opposition to closing Main Street. (00:49:11)

Luanne Shoup submitted communication in opposition to closing Main Street. (00:49:34)

Colleen Hooker submitted communication in opposition to closing Main Street. (00:49:50)

Veronica Nadan submitted communication in support of opening all beaches. (00:50:07)

Toni Remillard submitted communication in support of closing all beaches. (00:50:28)

Bobbi Ashurst submitted communication in support of opening beaches with safety measures in place. (00:50:52)

Pam Serdutz submitted communication in support of closing all beaches. (00:52:10)

Caroline McNabb submitted communication in support of closing all beaches, and opposition to suing Governor Newsom. (00:52:42)

Kathleen Martens submitted communication in support of closing all beaches, and enforcing social distancing measures on Main Street. (00:53:20)

Donna Jeffery submitted communication in support of keeping Main Street open. (00:54:18)

Heather Watson submitted communication in support of Administrative Item No. 15 (20-1603) regarding Resolution No. 2020-30 supporting the Orange County Board of Supervisors' efforts to address Commercial Re-Opening in response to COVID-19. (00:54:24)

Denise Kavanaugh submitted communication in support of Administrative Item No. 15 (20-1603) regarding Resolution No. 2020-30 supporting the Orange County Board of Supervisors' efforts to address Commercial Re-Opening in response to COVID-19. (00:54:31)

Sheryl Kellner submitted communication asking the City Council to be leaders and not followers, and step up to do what is best for the city. (00:54:41)

Buffie Channel, a 30-year resident of Huntington Beach, submitted communication in support of closing all beaches, and in opposition to suing Governor Newsom. (00:55:44)

Merle Moshini submitted communication in support of closing beaches, and opposition to suing Governor Newsom. (00:56:53)

Craig Frampton submitted communication in support of opening beaches, and support for suing Governor Newsom. (00:57:32)

Megan Lester submitted communication in support of Administrative Item No. 15 (20-1603) regarding Resolution No. 2020-30 supporting the Orange County Board of Supervisors' efforts to address Commercial Re-Opening in response to COVID-19. (00:57:52)

Deborah Townes, RN, submitted communication in support of opening beaches with safety measures in place, and opposition to suing Governor Newsom. (00:58:40)

Shannon Atkins submitted communication in support of closing the beaches. (00:59:12)

Kathee Miller submitted communication in support of open beaches with safety measures in place. (01:00:03)

Ashely Rajamin submitted communication in opposition to the local protests. (01:00:25)

Lisa Miller, a 40+ year resident of Huntington Beach, submitted communication in support of limited access to beaches for active use and limited hours. (01:01:07)

Jon Gabbey submitted communication in support of Administrative Item No. 15 (20-1603) regarding Resolution No. 2020-30 supporting the Orange County Board of Supervisors' efforts to address Commercial Re-Opening in response to COVID-19. (01:02:18)

Yvonne Mauro submitted communication in support of Administrative Item No. 15 (20-1603) regarding Resolution No. 2020-30 supporting the Orange County Board of Supervisors' efforts to address Commercial Re-Opening in response to COVID-19; and in opposition to Councilmember Item No. 16 (20-1604) to research expanded Outdoor Dining Program for COVID-19 restaurant relief. (01:02:27)

Shan Fowler submitted communication in support of continued social distancing. (01:03:30)

Lily Jacinto submitted communication in support of opening businesses while including social distancing practices. (01:03:44)

Erich Moreno submitted communication in support of Administrative Item No. 15 (20-1603) regarding Resolution No. 2020-30 supporting the Orange County Board of Supervisors' efforts to address Commercial Re-Opening in response to COVID-19. (01:04:09)

Staci Calhoun Richardson submitted communication in support of a plan to responsibly open beaches and businesses with proper safety measures in place. (01:04:19)

Marie Martin, 20-year Huntington Beach resident, submitted communication in support of enforcing social distancing orders. (01:05:07)

Stephanie Green submitted communication in support of closing the beaches, opposition to suing Governor Newsom, and suggested the HBReady website include school district updates. (01:06:09)

Rebecca Wilhelm submitted communication in support of closing the beaches, and asked why AlertOC has not been utilized to communicate critical COVID-19 safety guidelines. (01:07:13)

Kevin Landry submitted communication in support of limited access to beaches for active uses and limited hours. (01:08:08)

Daniel Bremmer submitted communication in support of closing the beaches and shutting down the protests. (01:08:57)

Andrew, a 34-year resident of Huntington Beach, submitted communication in support of responsibly opened beaches with parking banned on Brookhurst between Banning and Pacific Coast Highway. (01:10:07)

Sergio Avila, owner of Avila's El Ranchito, submitted communication in opposition to closing down Main Street. (01:10:31)

Bruce Hood submitted communication in support of re-opening businesses in a reasonable fashion as soon as possible, and support for Governor Newsom to enforce his own directives rather than expecting our local officers to enforce them. (01:10:42)

Josh submitted communication in support of responsibly opening beaches and beach parking so all residents have access, not just those within walking distance. (01:11:22)

Dorothy Newbrough submitted communication in support of Administrative Item No. 15 (20-1603) regarding Resolution No. 2020-30 supporting the Orange County Board of Supervisors' efforts to address Commercial Re-Opening in response to COVID-19. (01:11:55)

Lisa Bertolini submitted communication in support of beach closures, and opposition to suing Governor Newsom. (01:12:13)

John and Victoria McDonald submitted communication in support of responsibly opened beaches. (01:12:48)

Julie Meneghini submitted communication in support of beach closures, and opposition to suing Governor Newsom. (01:13:35)

Duc Nguyen submitted communication in support of beach closures, and opposition to the protests. (01:14:00)

Janet Cole submitted communication in support of beaches and businesses opening, and opposition to suing Governor Newsom. (01:14:44)

Bethany Webb, a 40+ year resident, submitted communication in support of beach closures. (01:15:05)

Mary Ann Cordova submitted communication in opposition to closing Main Street. (01:15:46)

John Earl submitted communication in opposition to how City Council is handling public comments, and stated his opinion the public should be allowed to be heard and seen if they so choose, and suggested use of proper technology. (01:15:55)

Cassandra Bevers submitted communication in support of beach closures. (01:16:27)

Janed Sax, a 50+ year resident of Huntington Beach, submitted communication in support of beach closures, and opposition to suing Governor Newsom; and encouraged focus on ways to re-open beaches and businesses in a safe manner. (01:17:06)

Katheryn Clarke submitted communication in support of beach closures, disappointment at the lack of enforcement of social distancing practices, and opposition to suing Governor Newsom. (01:17:57)

Reesa submitted communication in opposition to the protests, and asked what is being done to stop them. (01:18:54)

Sherry Jackson submitted communication in support of re-opening beaches and businesses. (01:19:05)

Henry submitted communication in support of open businesses and beaches for the health of residents and the economy. (01:19:27)

Raymond W. Raines submitted communication in support of Mayor Semeta and for Administrative Item No. 15 (20-1603) regarding Resolution No. 2020-30 to support the Orange County Board of Supervisor's efforts to address Commercial Re-Openings in response to COVID-19. (01:21:11)

Robert Bolen, Downtown Huntington Beach merchant for over 50 years, submitted communication in opposition to closing any portion of Main Street. (01:21:48)

Dorothy Lee submitted communication in support of open beaches for active use while encouraging social distancing practices. (01:22:50)

Cindi Galey submitted communication in opposition to the protests being allowed in Huntington Beach, and opposition to suing Governor Newsom. (01:23:28)

Janis Patten submitted communication in support of beach closures, an informed and reasonable plan for reopening beaches and businesses in a safe manner, and opposition to suing Governor Newsom. (01:24:06)

Joanna submitted communication in support of beach closures, and an informed and reasonable plan for reopening in a safe manner. (01:25:07)

Chris Powers submitted communication in support of an informed and reasonable plan for reopening in a safe manner, and opposition to suing Governor Newsom. (01:25:49)

Cassandra Frembling Antonell submitted communication in support of beach closures, in opposition to suing Governor Newsom, and asked City Council to focus on a detailed plan to safely open beaches and businesses. (01:26:15)

Joyce Holmes submitted communication in support of open beaches for active use with enforcement of proper social distancing practices, and opposition to suing Governor Newsom. (01:27:37)

Lauren submitted communication in support of open beaches for active use with enforcement of proper social distancing practices. (01:28:32)

David and Marilyn Garibaldi submitted communication in support of open beaches for active use with enforcement of proper social distancing practices, opposition to suing Governor Newsom, and support for the decision of Councilmembers Carr and Delgleize on this issue. (01:29:35)

Lisa Elaine Bertolini submitted communication in support of open beaches for active use with enforcement of proper social distancing practices. (01:31:06)

Kent Nerhus submitted communication in support of closed beaches. (01:31:59)

Gina Clayton-Tarvin, a 30-year resident of Huntington Beach and President of the Ocean View School District Board of Trustees, submitted communication in opposition to suing Governor Newsom, opposition to the lack of enforcement of proper social distancing practices among protestors, and support of open beaches for active use with enforcement of proper social distancing practices. (01:33:29)

Ken Braithwaite submitted communication in support of Huntington Beach Police Officers enforcing the appropriately enacted social distancing practices, local noise ordinances and alcohol regulations to ensure continued quality of life for residents. (01:35:11)

Janet Bean submitted communication in support of Administrative Item No. 15 (20-1603) regarding Resolution No. 2020-30 to support the Orange County Board of Supervisor's efforts to address Commercial Re-Openings in response to COVID-19, and safely re-opening our public spaces. (01:36:05)

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

Councilmember Posey reported attending the Orange County Vector Control Budget and Finance Committee meeting where he was elected as Chair.

Councilmember Delgleize reported attending a meeting of the Orange County Transportation Authority (OCTA) Highways and Planning Committee, and shared that reduced traffic due to COVID-19 has allowed for 24/7 construction on the 405 Freeway project which is now at thirty percent (30%) completion.

CITY MANAGER'S REPORT

6. 20-1486 Ascon Landfill Site Update

Travis Hopkins, Assistant City Manager, provided a PowerPoint communication entitled *Ascon Landfill Site Update*, with slides titled: *Slope Failure Concern (2)*, *Tension Cracks Identified*, *Emergency Repair Work (2)*, *How to Stay Informed*, and *Questions Or Concerns?*

Councilmember Brenden and Assistant City Manager Hopkins discussed that several community concerns have been addressed directly by the California Department of Toxic Substance Control (DTSC), and this remediation project appears to be acceptable to the community. It is estimated that completion will most likely take a few more weeks. Assistant City Manager Hopkins stated that he believes this project is providing an opportunity to refine odor and dirt control procedures and materials which is a major improvement over what was happening last year.

7. 20-1597 Update of the City COVID-19 Response Plan and Actions for Review and Discussion

City Manager Oliver Chi presented a PowerPoint communication entitled *COVID-19 Update*, with slides titled *Situational Update (US Totals, Orange County, Huntington Beach, HB EMS Response Statistics)*, *Local Available Hospital Resources, Orange County Hospitalizations/ICU Utilization Rates Stabilized, California Containment Strategy Modeling, and Questions*.

Police Chief Robert Handy provided an overview of the May 1 active protest of 2,500 - 3,000 people in the downtown area. He explained that the Police Department provided public education up front with the organizers, and stated it is unreasonable to expect the police to manage social distancing for everyone in a group of that size. Chief Handy also explained that there is a fine line for what can and cannot be enforced in order to minimize the chance of greater civil unrest. Chief Handy commended the City team of police officers, Public Works staff, mutual aid staff and the mounted unit for an outstanding job under difficult circumstances. Chief Handy described how adjusting staff deployments revealed issues with open businesses on Main Street, and how they were addressed directly with the business owners.

Chief Handy stated that the City closed the beach under a municipal code which resulted in an arrest and several citations for the uncooperative visitors on the beach. Saturday and Sunday saw hundreds on the beach at pre-dawn, but they were cleared out by about 10:00 AM each day. The expanse of the beach path also creates challenging enforcement issues, and police officers have to constantly evaluate each situation and decide where to draw the line but will continue to enforce Council decisions.

Mayor Pro Tem Hardy expressed her frustration with being criticized for actions related to beach open/closed issues when Huntington City Beach exists between two state beaches which were open. She further clarified that the City never worked against the state on this issue, and discussed with City Manager Chi the ongoing efforts to work together with state officials to develop a plan for moving forward.

Mayor Pro Tem Hardy and City Manager Chi discussed there were protests at multiple California cities as well as across the nation, which the state was also aware of. City Manager Chi confirmed that the protesters were not operating under a permit, and unfortunately other groups that City staff had not met with tagged onto the event. Mayor Pro Tem Hardy thanked everyone who was involved in safely managing the May Day event.

Councilmember Posey discussed the relative low number of people at the protest versus the number of people that could potentially occupy the extensive beach area (approximately 7.3 Million square feet from Warner to Brookhurst), and still keep proper social distancing standards.

Mayor Pro Tem Hardy inquired, and City Attorney Gates replied that the lawsuit against Governor Newsom challenging his authority to close City beaches will not cost the taxpayers any additional money.

Mayor Semeta expressed her appreciation to all staff and ancillary agencies who stepped up to support the City's efforts to maintain control.

Councilmember Carr and Attorney Gates discussed further his comment stating that the lawsuit against the state is not costing local taxpayers, and he explained that the other agencies which are part of the lawsuit are funding the effort. Attorney Gates clarified there has been no staff time required on this effort, outside of his review and appearance time, nor is there any cost to Huntington Beach for the outside legal service and expertise related to this lawsuit.

Councilmember Posey, to support his view that there is always a cost, explained his views on business costs associated with staff time spent on projects or production.

CONSENT CALENDAR

8. 20-1579 Approved and Adopted Minutes

A motion was made by Posey, second Delgleize to approve and adopt the City Council/Public Financing Authority special meeting minutes dated March 31, 2020, as written and on file in the office of the City Clerk; and, approve and adopt the City Council/Public Financing regular, and Housing Authority special meeting minutes dated April 6, 2020, as written and on file in the office of the City Clerk.

The motion carried by the following vote:

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

NOES: None

9. 20-1574 Received and Filed the City Treasurer's March 2020 Quarterly Investment Summary Report

A motion was made by Posey, second Delgleize to receive and file the City Treasurer's Quarterly Investment Report for March 2020, pursuant to Section 17.0 of the Investment Policy of the City of Huntington Beach.

The motion carried by the following vote:

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

NOES: None

10. 20-1537 Approved the West Orange County Water Board (WOCWB) proposed budget for Fiscal Year 2020/21, with the City of Huntington Beach amount of \$1,048,936

A motion was made by Posey, second Delgleize to approve the WOCWB proposed budget for Fiscal Year 2020/21, with the City of Huntington Beach amount of \$1,048,936.

The motion carried by the following vote:

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

NOES: None

11. 20-1576 Adopted Resolution No. 2020-23 authorizing certain City Officials to execute Grant Applications and Documents

A motion was made by Posey, second Delgleize to adopt Resolution No. 2020-23, "A Resolution of the City Council of the City of Huntington Beach Authorizing Certain City Officials to Execute Grant Applications and Documents."

The motion carried by the following vote:

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

12. 20-1593 Adopted Resolution No. 2020-07 to establish a Payment Deferral Program for Tourism Business Improvement District (TBID) assessments collected by the City in Response to COVID-19

A motion was made by Posey, second Delgleize to adopt Resolution 2020-27, "A Resolution of the City Council of the City of Huntington Beach Establishing a City Policy Regarding the Deferral of Huntington Beach Tourism Business Improvement District Assessment in Response to COVID-19," related to the establishment of a TBID payment deferral program, which has been approved by the board of VisitHB.

The motion carried by the following vote:

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

PUBLIC HEARING

13. 20-1594 Adopted Resolution No. 2020-29 to authorize and adopt a Five-Year Plan for Permanent Local Housing Allocation (PLHA) Program Funds and to submit an application for funding in year 1 (Fiscal Year 2020-2021)

Travis Hopkins, Assistant City Manager, presented a PowerPoint communication entitled *Public Hearing: Permanent Local Housing Allocation*, that included the following titled slides: *PLHA Funds (2)*, *Proposed PLHA 5-Year Plan (2)*, *PLHA Application*, and *City Council Options*. (02:12:27)

Councilmember Peterson and Assistant City Manager Hopkins discussed annual costs to run the shelter are still being finalized, but expected to be approximately \$1.5M. City Manager Chi added that it is expected there will be additional funding available through the Community Development Block Grant (CDBG), and explained that staff is preparing to come back in about a month with the service agreement for the operator, CDBG funding allocation plan, and possible CARES funding. City Manager Chi confirmed that no General Fund monies will be required for this project.

Councilmember Delgleize and City Manager Chi discussed the County's contributions of physical improvements at the site, and the City's costs will relate mostly to the service contract, plus minor site changes that may be needed to meet new use requirements.

Councilmember Peterson and City Manager Chi discussed a timeline of approximately ten (10) weeks for the County to complete the physical improvements to the site, and confirmed that the County has agreed to complete the project regardless of whether or not their planned purpose is actually needed.

Councilmember Posey and City Manager Chi discussed the fact that housing element certification was necessary in order to apply for SB2 (PLHA) funds, and without the SB2 funds General Fund monies would have been required to proceed with planning for a homeless shelter.

Mayor Semeta opened the Public Hearing for this Item.

City Clerk Robin Estanislau announced that no public comments were submitted for this item, and detail on the Supplemental Communication received was announced earlier in the meeting.

Mayor Semeta closed the Public Hearing.

A motion was made by Hardy, second Delgleize to adopt Resolution No. 2020-29, "A Resolution of the City Council of the City of Huntington Beach to authorize and adopt a Five-Year Plan for Permanent Local Housing Allocation Program Funds and to Submit an Application for Funding in Year 1 (Fiscal Year 2020-2021)."

The motion carried by the following vote:

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

NOES: None

ADMINISTRATIVE ITEMS

14. 20-1592 Approved recommendations for establishing the Huntington Beach Economic Recovery Task Force

City Manager Chi introduced this item by explaining the Task Force would include two (2) members of the City Council (the Mayor and Immediate Past Mayor), plus nine (9) individuals selected to serve, representing nine critical industries that have been identified within Huntington Beach.

Mayor Semeta thanked everyone for their support of this item, which is intended to provide structure for efforts to support COVID-19 related business recovery throughout Huntington Beach.

Councilmember Posey announced that since the restaurant industry is specifically included in this item he withdrew Councilmember Item No. 16 (20-1604) regarding an Outdoor Dining Program for COVID-19 restaurant relief.

Councilmember Posey and Mayor Semeta discussed what success will look like for this Task Force, and what makes it different from the existing Economic Development Committee (EDC). Councilmember Posey suggested that the Task Force return to Council after their first meeting to share their business plan which he expects would include measurable metrics.

Councilmember Delgleize and Mayor Semeta discussed that Task Force members will be selected by the two Council Liaisons, must live in or operate a business in Huntington Beach, and cannot be currently serving on any other City commission or committee. The objective is to move forward as quickly as possible.

Councilmember Carr suggested that since this action is in response to a health crisis there should be health industry and childcare representatives on this Task Force, and recommends meeting more often than once a month as time is of the essence.

Councilmember Peterson explained that many of the Task Force candidates operate large and small business and he believes they are aware of the need for health and child care considerations. Councilmember Peterson also stated this Task Force will consist of successful business people who are able to adapt technology and processes to the current situation and the City will benefit from their expertise.

Councilmember Brenden stated support for the objective, expressed concerns about the agility and nimbleness of a task force which he suspects may take too much time just to develop a plan. He therefore recommended that identified goals and objectives be in place prior to determining members. He is also recommended that there be diversity as to the size and geographic location of business representatives. He expects a scope and criteria for success to be presented in two weeks, and is interested in getting businesses operating as quickly and as safely as possible.

Mayor Semeta expressed the importance of a plan to assist Huntington Beach businesses and confirmed with City Manager Chi that staff will be incorporated into an increased number of meetings at first to get a plan off the ground and strategic objectives identified early in the process.

Councilmember Peterson suggested that a County health expert be consulted regarding health related concerns, in response to Councilmember Carr's comments.

A motion was made by Semeta, second Peterson to form a nine (9) member Huntington Beach Economic Recovery Task Force comprised of local business leaders to provide guidance and recommendations to the City Council on matters related to potential COVID-19 economic recovery efforts; and, appoint two members of the City Council to act as liaisons to the Task Force, including the Mayor and immediate past Mayor.

The motion carried by the following vote:

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

NOES: None

15. 20-1603 Adopted Resolution No. 2020-30 supporting the Orange County Board of Supervisors' efforts to address Commercial Re-Openings in response to COVID-19

City Manager Chi introduced this item to seek Council support for the County's efforts in addressing commercial re-openings.

Mayor Semeta stated her understanding that the County's effort is not expected to be too specific to allow each community to decide the efforts that are best for their situation.

A motion was made by Semeta, second Peterson to adopt Resolution No. 2020-30, "A Resolution of the City Council of the City of Huntington Beach Supporting the Orange County Board of Supervisors' Efforts to Address Commercial Re-Openings in Response to COVID-19."

The motion carried by the following vote:

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

COUNCILMEMBER ITEMS

16. 20-1604 Item Submitted by Councilmember Posey Withdrawn – ~~Direct staff to research expanded Outdoor Dining Program for COVID-19 restaurant relief~~

COUNCILMEMBER COMMENTS (Not Agendized)

Councilmember Carr reminded everyone that May is Mental Health Month, that HBReady.com has a whole section on mental health, and encouraged people to become aware of available resources.

Councilmember Delgleize announced that Orange County Health Agency also has extensive resources to support mental health. She also expressed her deep gratitude for the efforts of many City staff focused on keeping the community safe, and encouraged residents to reach out if they have needs not addressed through HBReady.com.

Councilmember Posey reported participating in the 450-dinner give-a-way at Buon Gusto Italian Restaurant which was sponsored by the Huntington Beach Police Officers' Association and Laird Coatings, and described this as one of several events local organizations are using to help the community in meaningful ways.

Councilmember Brenden thanked Police Chief Handy and his staff for their expert handling of recent situations and keeping everyone safe. He also acknowledged the efforts of the Fire Department staff, first responders, nurses, doctors and hospital staff for all helping to keep everyone safe. He acknowledged the tremendous generosity of Francesco at ZeroZero39 Pizzeria for the hundreds of pizzas they have donated to the community, as well as Hek and Johnny's donations, and the efforts of Calvary Chapel of the Harbor for their food drives on Friday, Saturday and Sunday through the end of May where people can donate non-perishable food items, paper goods, cleaning or sanitizing supplies and gift cards.

Councilmember Brenden also acknowledged Dr. Ralph Bauer, a former Huntington Beach Mayor and Council Member, for recently being selected to receive the 2020 UCLA Chemistry and Biochemistry Alumni Legacy Award to acknowledge his amazing accomplishments in the field of chemistry. Expect to hear more about Dr. Bauer's legacy in the future.

Mayor Semeta stated that Marine Safety staff are also greatly appreciated for the ways they have stepped up to the unique situations that have recently developed.

Mayor Pro Tem Hardy announced that this past week Edison High School lost one of its retired staff members, founding vocal music teacher Richard Otey, and briefly described the tremendous impact he had throughout his twenty-seven years of service. A memorial service will be planned and announced when it is possible for people to travel and gather at the Pier to celebrate his life.

ADJOURNMENT — 9:08 PM in memory of Richard Otey to the next regularly scheduled meeting of the Huntington Beach City Council/Public Financing Authority on Monday, May 18, 2020, 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