



AGENDA

City Council/Public Financing Authority Regular Meeting

Tuesday, September 8, 2020 at 6:00 PM

MAYOR AND CITY COUNCIL

LYN SEMETA, Mayor

JILL HARDY, Mayor Pro Tem

PATRICK BRENDEN, Councilmember

KIM CARR, Councilmember

BARBARA DELGLEIZE, Councilmember

ERIK PETERSON, Councilmember

MIKE POSEY, Councilmember

Recorded live from the

City Council Chambers

2000 Main Street

Huntington Beach, CA 92648

STAFF

OLIVER CHI, City Manager

MICHAEL E. GATES, City Attorney

ROBIN ESTANISLAU, City Clerk

ALISA BACKSTROM, City Treasurer

SPECIAL NOTICE REGARDING COVID-19

On March 4, 2020, Governor Newsom proclaimed a State of Emergency in California as a result of the threat of COVID-19. On March 17, 2020, Governor Newsom issued Executive Order N-29-20 which allows a local legislative body to hold public meetings via teleconferencing, and to make public meetings accessible telephonically or otherwise electronically to all members of the public seeking to observe and to address the local legislative body. Pursuant to Executive Order N-29-20, please be advised that some members of the Huntington Beach City Council and/or City staff may participate in this meeting telephonically or electronically.

PUBLIC PARTICIPATION/AUDIO/VIDEO ACCESS TO BROADCASTED MEETINGS: Pursuant to Executive N-29-20 and given the current health concerns, members of the public are encouraged to access the meeting live on-line at <https://huntingtonbeach.legistar.com>, or can elect to view the meeting via cable television channel HBTv-3.

The Council Chambers will be not open for in-person attendance to provide public comments. In order to ensure adequate social distancing, the City will not make a physical location available for the public to observe the meeting or offer public comment in person.

To ensure the public's right to fully participate in providing meaningful public comments at the September 8, 2020, City Council meeting:

The public may submit a comment telephonically. At 6:00 PM, individuals wishing to provide a comment on agenda items may call (669) 900-6833 and enter Webinar ID 970 3003 2548. Callers that enter the meeting by phone will be placed in a holding queue as an attendee, and prompted to speak when the Clerk announces the last three digits of their phone number and they receive direction to press #6 to unmute their phone line. **The holding queue will remain open for approximately 15 minutes**, and calls will be answered in the order received. Callers are encouraged, but not required to identify themselves by name. Each caller may have up to 3 minutes to speak, but the Mayor, at her discretion, may reduce the time allowance if warranted by the volume of calls. The public comment process as previously described will also be followed for items scheduled for Public Hearing, and individuals wishing to provide a comment on items scheduled for Closed Session should enter the call queue at 5:00 PM. After a caller concludes their comment, their call will be disconnected from the holding queue.

Members of the public may submit **SUPPLEMENTAL COMMUNICATION** (information received by the City Clerk's Office following distribution of the Council agenda packet): Members of the public wishing to submit written (supplemental) communication on agenda items for distribution to the City Council and placed into the administrative record can email SupplementalComm@Surfcity-hb.org. Supplemental Communications received by 2:00 PM the day of the meeting will be distributed to City Council prior to consideration of agenda-related items, and will be announced, but not read, and placed into the administrative record during the Supplemental Communications portion of the Meeting. In addition, any communications sent to city.council@surfcity-hb.org on Council agenda items will be treated as Supplemental Communications and announced, but not read, during the meeting.

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.

5:00 PM - COUNCIL CHAMBERS

CALL TO ORDER

ROLL CALL

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

ANNOUNCEMENT OF SUPPLEMENTAL COMMUNICATIONS PERTAINING TO CLOSED SESSION ITEMS (Received After Agenda Distribution)

PUBLIC COMMENTS PERTAINING TO CLOSED SESSION ITEMS (3 Minute Time Limit) - At approximately 5:00 PM, individuals wishing to provide a comment on Closed Session items may call (669) 900-6833 and enter Webinar ID 970 3003 2548. Callers that enter the meeting by phone will be placed in a holding queue and prompted to speak when the Clerk announces the last three digits of their phone number and they receive direction to press #6 to unmute their phone line. Calls will be answered in the order received and callers are encouraged, but not required to identify themselves by name. Each caller may have up to 3 minutes to speak, but the Mayor, at her discretion, may reduce the time allowance if warranted by the volume of calls.

RECESS TO CLOSED SESSION

CLOSED SESSION ANNOUNCEMENT(S)

- 1. 20-1852 Mayor Semeta to Announce: Pursuant to Government Code § 54957.6, the City Council takes this opportunity to publicly introduce and identify designated labor negotiator, Oliver Chi, City Manager; also in attendance: Travis Hopkins, Assistant City Manager, who will be participating in today's Closed Session discussions regarding labor negotiations with: 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. 20-1841 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: **Moore/Field v. City of Huntington Beach, et al., OCSC Case No. 30-2019-01071686.**

3. **20-1842** Pursuant to Government Code § 54956.9(d)(2), the City Council shall recess into Closed Session to confer with the City Attorney regarding potential litigation. Number of cases, one (1).

4. **20-1846** 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 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).**

6:00 PM – COUNCIL CHAMBERS

RECONVENE CITY COUNCIL/PUBLIC FINANCING AUTHORITY MEETING

ROLL CALL

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

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.

5. **20-1687** **Kelly Frankiewicz of Leisure World Community UMC in Seal Beach and member of the Greater Huntington Beach Interfaith Council**

CLOSED SESSION REPORT BY CITY ATTORNEY

AWARDS AND PRESENTATIONS

6. **20-1850** Mayor Semeta to issue a proclamation recognizing September as International Deaf Awareness Month
7. **20-1851** Mayor Semeta to recognize the Brightwater Community for their donation to purchase equipment for the Huntington Beach Fire Department

ANNOUNCEMENT OF SUPPLEMENTAL COMMUNICATIONS (Received After Agenda Distribution)

PUBLIC COMMENTS (3 Minute Time Limit) - At approximately 6:00 PM, individuals wishing to provide a comment on agendized or non-agendized items may call (669) 900-6833 and enter Webinar ID 970 3003 2548. Callers that enter the meeting by phone will be placed in a holding queue and prompted to speak when the Clerk announces the last three digits of their phone number and they receive direction to press #6 to unmute their phone line. The holding queue will remain open for approximately 15 minutes, and calls will be answered in the order received. Callers are encouraged, but not required to identify themselves by name. Each caller may have up to 3 minutes to speak, but the Mayor, at her discretion, may reduce the time allowance if warranted by the volume of calls. Once a caller concludes their comment, their call will be disconnected from the holding queue.

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

CITY MANAGER'S REPORT

8. [20-1859](#) Ascon Landfill Site Update
9. [20-1860](#) Update of the City COVID-19 Response Plan and Actions for Review and Discussion

CONSENT CALENDAR

10. [20-1819](#) Approve and Adopt Minutes

Recommended Action:

Approve and adopt the City Council/Public Financing Authority regular meeting minutes dated August 3, 2020, as written and on file in the office of the City Clerk.

11. [20-1765](#) Receive and file City Clerk's quarterly listing of professional services contracts filed in the City Clerk's office between January 1, 2020 and June 30, 2020

Recommended Action:

A) 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 January 1, 2020 and March 31, 2020;" and,

B) 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, 2020 and June 30, 2020."

- 12. 20-1830 Adopt Resolution No. 2020-55 authorizing the City Treasurer Alisa Backstrom and her successors in office, Deputy City Treasurer (Joyce M. Zacks) and his/her successors in office, Chief Financial Officer (Dahle Bulosan) and his/her successors in office, and Assistant Chief Financial Officer (Sunny Rief) and his/her successors, in office to make deposits and withdrawals on behalf of the City**

Recommended Action:

Adopt Resolution No. 2020-55, "A Resolution of the City Council of the City of Huntington Beach, Authorizing Investment of Monies in the Local Agency Investment Fund;" City Treasurer Alisa Backstrom and her successors in office, Deputy City Treasurer (Joyce M. Zacks) and his/her successors in office, Chief Financial Officer (Dahle Bulosan) and his/her successors in office, and Assistant Chief Financial Officer (Sunny Rief) and his/her successors in office.

- 13. 20-1832 Approve and authorize execution of Grant Agreement No. PT21028 with the California Office of Traffic Safety (OTS) for the Selective Traffic Enforcement Program (STEP) in the amount of \$845,300 for the period 10/1/2020 to 9/30/2021, approve appropriations, and authorize the Chief of Police to establish a separate business unit for the grant funds**

Recommended Action:

A) Approve and accept the OTS STEP grant agreement #PT21028 between the OTS and the City of Huntington Beach for \$845,300; and,

B) Authorize the Chief of Police to execute the grant agreement with OTS; and,

C) Approve appropriations and estimated revenue source in the amount of \$845,300; and,

D) Establish a separate business unit for this funding and authorize the Chief of Police to

expend up to a total of \$845,300, plus accrued interest, on the Selective Traffic Enforcement Program (STEP) grant.

14. **20-1839** **Approve and authorize execution of Amendment No. 1 to the Services Agreement with Turbo Data Systems, Inc. for parking citation payment processing services extending the term to September 1, 2021**

Recommended Action:

Approve and authorize the Mayor and City Clerk to execute the "Amendment No. 1 to Service Agreement Between the City of Huntington Beach and Turbo Data Systems, Inc. for Parking Citation Payment Processing Services."

15. **20-1840** **Approve the Purchase of Parking Meters and Associated Service Agreement between the City of Huntington Beach and MacKay Meters Inc.**

Recommended Action:

A) Approve the purchase of MacKay parking meters and associated Gateway/Hosting services in the amount of \$446,827; and,

B) Authorize the Mayor and City Clerk to execute the Service Agreement between the City of Huntington Beach and MacKay Meters, Inc., for Gateway/Hosting services.

16. **20-1755** **Approve and authorize execution of a Cooperative Agreement with the Orange County Transportation Authority (OCTA) and the Cities of Westminster, Fountain Valley, and Santa Ana for a traffic signal synchronization project along Edinger Avenue**

Recommended Action:

Approve and authorize the Mayor and City Clerk to execute, "Cooperative Agreement No. C-0-2037 between Orange County Transportation Authority and Cities of Fountain Valley, Huntington Beach, Santa Ana and Westminster for Edinger Avenue Regional Traffic Signal Synchronization Program Project."

17. **20-1756** **Approve and authorize execution of a Cooperative Agreement with the Orange County Transportation Authority (OCTA) and the Cities of Fountain Valley and Santa Ana for a traffic signal synchronization project along Warner Avenue**

Recommended Action:

Approve and authorize the Mayor and City Clerk to execute, "Cooperative Agreement No. C-0-2039 between Orange County Transportation Authority and Cities of Fountain Valley,

Huntington Beach and Santa Ana for Warner Avenue Regional Traffic Signal Synchronization Program Project.”

18. **20-1757 Approve and authorize execution of a Cooperative Agreement with the Orange County Transportation Authority (OCTA) and the Cities of Fountain Valley and Santa Ana for a traffic signal synchronization project along Talbert Avenue/MacArthur Boulevard**

Recommended Action:

Approve and authorize the Mayor and City Clerk to execute, “Cooperative Agreement No. C-0-2038 between Orange County Transportation Authority and Cities of Fountain Valley, Huntington Beach and Santa Ana for MacArthur Boulevard/Talbert Avenue Regional Traffic Signal Synchronization Program Project.”

19. **20-1809 Approve and authorize execution of a three year Professional Services Contract in the amount of \$900,000 with Enterprise Automation to provide On Call Engineering Services for Water and Wastewater SCADA Systems**

Recommended Action:

Approve and authorize the Mayor and City Clerk to execute the “Professional Services Contract Between the City of Huntington Beach and Enterprise Automation for On-Call Engineering Services for Water and Wastewater SCADA Systems.”

20. **20-1829 Approve and authorize execution of a Memorandum of Understanding (MOU) with the Orange County Transportation Authority (OCTA) for the Pilot Regional Signal Performance Measure Project**

Recommended Action:

Approve and authorize the Director of Public Works and City Clerk to execute “Memorandum of Understanding No. C-0-2441 Between Orange County Transportation Authority and the City of Huntington Beach for The Pilot Regional Signal Performance Measure Project.”

21. **20-1836 Approve and authorize execution of Vote Center Entry Permit (License) Agreements with the County of Orange for use of certain City facilities as five-day Vote Centers for the November 3, 2020 General Municipal Election**

Recommended Action:

Approve and authorize the City Manager to execute the Orange County Registrar of Voters “Vote Center Entry Permit (License) Agreements” approved as to form by the City Attorney

for use of the following sites as five-day Vote Centers:

A) Huntington Beach Civic Center, Meeting Room B-7, 2000 Main Street, Huntington Beach from Friday, October 30, 2020 through Tuesday, November 3, 2020; and,

B) Huntington Beach Central Library, Rooms C/D, 7111 Talbert Avenue, Huntington Beach from Friday, October 30, 2020 through Tuesday, November 3, 2020; and,

C) Huntington Beach City Gym and Pool, 1600 Palm Avenue, Huntington Beach from Friday, October 30, 2020 through Tuesday, November 3, 2020; and,

D) Main Street Branch Library, Blue Room, 525 Main Street, Huntington Beach from Friday, October 30, 2020 through Tuesday, November 3, 2020; and,

E) Edison Community Center, Studio, 21377 Magnolia Street, Huntington Beach from Friday, October 30, 2020 through Tuesday, November 3, 2020; and,

F) Michael E. Rodgers Senior Outreach Center, Auditorium, 1706 Orange Avenue, Huntington Beach from Friday, October 30, 2020 through Tuesday, November 3, 2020; and,

G) Murdy Community Center, Studio, 1900 Norma Drive, Huntington Beach from Friday, October 30, 2020 through Tuesday, November 3, 2020.

- 22. 20-1845 Approve and authorize execution of a Five-Year License Agreement with Southern California Edison (SCE) for use of 2.48 acres of land southeast of Atlanta Avenue and Brookhurst Street to be used as a Community Garden**

Recommended Action:

Approve the License Agreement with Southern California Edison for the use of the 2.48 acre parcel to be used for the Huntington Beach Community Garden (HBCG), and authorize the Mayor and City Clerk to execute all documents necessary to execute this transaction.

- 23. 20-1853 City Council Position on Legislation Pending Before Congress and the State Legislature as Recommended by the City Council Intergovernmental Relations Committee (IRC)**

Recommended Action:

A) Approve a City position of Oppose on Assembly Bill 685 (Reyes) - Require occupational safety notification if an employee is exposed to COVID-19; and,

B) Approve a City position of Oppose on Assembly Bill 2967 (O'Donnell) - Prohibits contracting agencies from amending their contracts with CalPERS to exclude groups of employees; and,

C) Approve a City position of Oppose on Assembly Bill 3269 (Chiu) - State and local agencies: homelessness plan.

24. 20-1857 City Council consideration and adoption of a position on Assembly Bill 2287 (Eggman and Ting)

Recommended Action:

Adopt an Oppose position on AB 2287 (Eggman and Ting), unless the bill is amended to reinstate the "marine degradable" provision and standard to assess the marine degradability of plastic products.

**25. [20-1820](#) Adopt Ordinance No. 4218 amending Huntington Beach Municipal Code Chapters 10.50 and 10.52 relating to City Pay Parking Lots and Off-Street City Parking Lots
Approved for introduction August 3, 2020 - Vote: 6-0-1 (Peterson absent)**

Recommended Action:

Adopt Ordinance No. 4218, "An Ordinance of the City of Huntington Beach Amending Huntington Beach Municipal Code Chapters 10.50 and 10.52 Relating to City Pay Parking Lots and Off-Street Lots."

PUBLIC HEARING

Individuals wishing to speak on matters scheduled for Public Hearing may call (669) 900-6833 and enter Webinar ID 970 3003 2548 at the time the Public Hearing is opened. Callers that enter the meeting by phone will be placed in a holding queue and prompted to speak when the Clerk announces the last three digits of their phone number and they receive direction to press #6 to unmute their phone line. Calls will be answered in the order received and callers are encouraged, but not required to identify themselves by name. Each caller may have up to 3 minutes to speak, but the Mayor, at her discretion, may reduce the time allowance if warranted by the volume of calls. After a caller concludes their comment, their call will be disconnected from the holding queue.

26. 20-1784 Approve for introduction Ordinance No. 4211 approving Zoning Map Amendment No. 20-001 to rezone property located at 311 17th Street (Nguyen Properties)

Recommended Action:

Approve Zoning Map Amendment No. 20-001 with findings (Attachment 1) and introduce

Ordinance No. 4211, "An Ordinance of the City of Huntington Beach Amending District Map 10 (Sectional Map 10-6-11) of the Huntington Beach Zoning and Subdivision Ordinance to Rezone the Real Properties Located at 311 17th Street (APN # 023-156-13 and APN # 023-156-14) from Commercial General (CG) to Residential Medium High Density - Subdistrict (RMH-A) (Zoning Map Amendment No. 20-001)" (Attachment 2).

- 27. 20-1834 Public Hearing to consider adoption of Resolution No. 2020-50 approving an Annual Assessment within the Huntington Beach Downtown Business Improvement District (DTBID) for Fiscal Year 2020-2021, and authorize appropriation of funds**

Recommended Action:

A) Conduct the Public Hearing; and,

B) If protests of at least 50% are not received, adopt Resolution No. 2020-50, "A Resolution of the City Council of the City of Huntington Beach Approving an Annual Assessment Within the Huntington Beach Downtown Business Improvement District for Fiscal Year 2020-2021."

ADMINISTRATIVE ITEMS

- 28. 20-1854 Considering the Duration of the Closure of the Second and Third Block of Main Street for Restaurant / Retail Use During the COVID-19 Pandemic**

Recommended Action:

A) The City Council is being asked to choose one of the following options for the 2nd block of Main Street:

1. Authorize the City Manager to extend the temporary closure of the 2nd block of Main Street through at least December 31, 2020;

-or-

2. Direct that the existing determination for the 2nd block of Main Street (i.e., that the street be reopened to vehicular traffic once indoor restaurant dining is allowed) be maintained.

B) The City Council is being asked to choose one of the following options for the 3rd block of Main Street:

- 1) Maintain the 3rd block closure of Main Street to vehicle traffic in coordination with the determination made on the 2nd block of Main Street;

-or-

- 2) Reopen the 3rd block of Main Street to vehicular traffic, while also allowing restaurants and commercial operations to continue utilizing parking spaces and / or walkways for business expansion purposes.

COUNCILMEMBER ITEMS

- 29. 20-1855 Submitted by Councilmember Brenden - Development of Regulations Prohibiting the Repair and Sale of Bicycles / Bicycle Parts on Public Property**

Recommended Action:

I recommend that the City Council direct the City Manager to prepare the regulations necessary to enact a prohibition on the repair and sale of bicycles / bicycles parts on public property in Huntington Beach.

COUNCILMEMBER COMMENTS (Not Agendized)

ADJOURNMENT

The next regularly scheduled meeting of the Huntington Beach City Council/Public Financing Authority is Monday, September 21, 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>