

Minutes

City Council/Public Financing Authority City of Huntington Beach

Tuesday, September 8, 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 — 5:01 PM

ROLL CALL

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

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

PUBLIC COMMENTS PERTAINING TO CLOSED SESSION ITEMS (3 Minute Time Limit) — None

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

RECESSED TO CLOSED SESSION — 5:02 PM

CLOSED SESSION ANNOUNCEMENT(S)

1. **20-1852 Mayor Semeta Announced:** 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 recessed 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 recessed 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 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).**

6:00 PM - COUNCIL CHAMBERS

RECONVENED CITY COUNCIL/PUBLIC FINANCING AUTHORITY MEETING — 6:21 PM

ROLL CALL

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

PLEDGE OF ALLEGIANCE — Led by Councilmember Carr

INVOCATION

In permitting a nonsectarian invocation, the City does not intend to proselytize or advance any faith or belief. Neither the City nor the City Council endorses any particular religious belief or form of invocation.

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 — None

AWARDS AND PRESENTATIONS

6. **20-1850 Mayor Semeta issued a proclamation recognizing September as International Deaf Awareness Month**

Mr. Vincent Saporito, Special Education Teacher, College View Elementary School, Hard of Hearing Class, and his family, as well as Monroe Sinclair, a student in the Hard of Hearing Class, were invited to the podium to accept the proclamation to recognize Deaf Awareness Month. Mr. Saporito was recognized by the Orange County Department of Education as a Teacher of the Year in 2018. Huntington Beach Police Officer Reyna was the interpreter. American Girl donated two dolls named

Joss, a surfer girl who is hard of hearing, plus books and accessories, which were presented to Mr. Saporito and Ms. Sinclair. Mr. Saporito expressed appreciation for the recognition and gift items.

7. 20-1851 Mayor Semeta recognized the Brightwater Community for their donation to purchase equipment for the Huntington Beach Fire Department

John Partington and Kaylene Schultz, representing the Brightwater Community, presented a donation of \$4,000 collected from Brightwater residents as appreciation for the successful efforts of the Huntington Beach Fire Department in controlling the July 26th Bolsa Chica Wetlands fire which came very close to Brightwater homes. The funds will purchase much needed enhanced safety equipment for Huntington Beach firefighters.

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:

Non-Agendized Communications received from Donna Spark, Ruth Ormsby and Stephanie Thomas regarding Trinidad Beach.

City Manager's Report

#8 (20-1859) PowerPoint Communication titled *Ascon Landfill Site Update* submitted by Assistant City Manager, Travis Hopkins.

#9 (20-1860) PowerPoint Communication titled *City of Huntington Beach - COVID-19 Response Update* submitted by City Manager, Oliver Chi.

Consent Calendar

#21 (20-1836) Vote Center Entry Permit (License) from the Registrar of Voters, submitted by City Clerk, Robin Estanislau (address correction for Rodgers Seniors' Center).

#21 (20-1836) Inter-Department Communication and Vote Center Entry Permit (License) Agreement requesting to add a drive-thru ballot drop off option at the Huntington Beach Central Library submitted by City Clerk, Robin Estanislau.

#23 (20-1853) Email communication received from Pat Quintana regarding legislation pending before Congress not including SB1159.

Administrative Items

#28 (20-1854) Aerial Maps of Third Block (Open/Closed) submitted by Travis Hopkins, Assistant City Manager.

#28 (20-1854) Nineteen (19) email communications supporting the extension of the temporary closure of the 2nd block of Main St. received from:

Leslie Adams	David and Sandy	Deirdre and Gary	Jim Hall
Rich Black	Greenhut	Williams	Jennifer Marsden
Charlie and Margie	Fred Lauzier	Diane Bentley	Larry and Patty
Bunten	Mike McDonough	Deirdre Borrego	Orcholski
Cheryl Erickson	Samantha Russell	Darrel Cohoon	Amanda Shepherd
	Stephen Shepherd	Cheryl Erlich	Vince Sipkovich

Councilmember Items

#29 (20-1855) Email communications received from Jennifer Parsons, Julie Dunbar, and Donna Dillon supporting prohibiting the repair and sale of bicycles/bicycle parts on public property.

PUBLIC COMMENTS (3 Minute Time Limit) - 8 Call-in 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>.

Caller #733, Jean Nagy, President of the Huntington Beach Tree Society, was invited to speak and asked that the HB Tree Society video be played which showed a multitude of projects and volunteers throughout the City, including how the HB Tree Society volunteers contributed over \$570,000 in manual labor hours in 2019 to beautify the City. (00:28:46)

Caller #133, Amory Hanson, a Candidate for City Council in 2020 and Member of the Historic Resources Board, was invited to speak and stated his support for also allowing in-person speakers at City Council meetings, and opposition to Administrative Item #28 (20-1854) regarding continued closure of the Second and Third Blocks of Main Street during the COVID-19 pandemic. (00:32:46)

Caller #036, Stacy Lynne Taylor, a Candidate for the Municipal Water District of Orange County Board of Directors, Division 4, was invited to speak and commended Council for recognizing Deaf Awareness Month, thanked the Fire Department for their services, and outlined her qualifications for the non-partisan Division 4 position. (00:35:05)

Caller #979, was invited to speak and stated his support for Administrative Item #28 (20-1854) regarding continued closure of the Second and Third Blocks of Main Street during the COVID-19 pandemic. (00:39:05)

Caller #887, Donna Stark, a resident on Trinidad Island, was invited to speak and expressed appreciation for the Marine Safety and Officer presence in the Harbor and suggested some changes, such as continuing HBPD Officer patrols into the evening after the life guards leave at 7 pm, and asked for assistance in addressing the parking issues. (00:40:06)

Caller #036, Mike McDonough, was invited to speak and stated his support for Administrative Item #28 (20-1854) regarding continued closure of the Second and Third Blocks of Main Street during the COVID-19 pandemic. (00:41:57)

Caller #663 was invited to speak, and stated support for Administrative Item #28 (20-1854) regarding continued closure of the Second and Third Blocks of Main Street during the COVID-19 pandemic. (00:45:02)

Caller #931, Kathryn Levassiur, a resident of Huntington Beach and Founder of the Huntington Beach Short-Term Rental Alliance, was invited to speak and posed questions to Councilmembers and the public related to taxing and regulating the City's short-term rentals. (00:46:18)

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

Mayor Semeta provided an update on the September 3rd Southern California Association of Government (SCAG) meeting to discuss the Regional Transportation Plan and Regional Housing Needs Assessment

(RHNA), and the Orange County delegation's continued request to have RHNA numbers based on actual, realistic statistics.

Councilmember Brenden announced his appointment of Bill Crowe to the Planning Commission to fill the unscheduled vacancy created by Michael Grant's resignation because he no longer resides in Huntington Beach.

Councilmember Carr reported attending a Mobile Home Advisory Committee meeting, and reminded the community to complete their Census questionnaire.

Councilmember Posey announced his Investment Advisory Board (IAB) appointee, Rita Pitcher, and described her qualifications. He acknowledged Surf City Classics Car Club President Brian Almos and Danno for the recent Annual Cruise for First Responders and Vietnam Veterans, and thanked others who were instrumental in a successful event.

CITY MANAGER'S REPORT

8. 20-1859 Ascon Landfill Site Update

Assistant City Manager Travis Hopkins presented a PowerPoint communication entitled: *Ascon Landfill Site Update* and explained that all remediation work remains halted while permits are being processed, and provided the current project contact information.

9. 20-1860 Update of the City's COVID-19 Response Plan and Actions for Review and Discussion

City Manager Oliver Chi, with the assistance of Fire Chief Scott Haberle, presented a PowerPoint communication entitled: *COVID-19 Response Update* with slides titled: *Situational Update U.S. Totals(3)*, *Situational Update California*, *Situational Update Orange County(2)*, *Local Available Hospital Resources*, *Situational Update Huntington Beach(2)*, *Situation at a Glance*, *Huntington Beach City Services Update*, *Situational Update*, *Opening up the California Economy*, *Situational Update*, *Opening up the California Economy(2)*, *Economic Recovery Update — COVID-19 Small Business Relief Program*, *Huntington Harbor Operational Update(2)*, *Downtown Safety Update* and *Questions*.

CONSENT CALENDAR

Councilmember Carr pulled Item #24 (20-1857) for further discussion.

10. 20-1819 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 August 3, 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

11. 20-1765 Received and filed City Clerk's quarterly listing of professional services contracts filed in the City Clerk's office between January 1, 2020 and June 30, 2020

A motion was made by Posey, second Delgleize to receive and file the "List of Professional Services Contracts Approved by Department Heads and Submitted to the Office of the City Clerk during the period of January 1, 2020 and March 31, 2020;" and, 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."

The motion carried by the following vote:

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

12. 20-1830 Adopted 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

A motion was made by Posey, second Delgleize to 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.

The motion carried by the following vote:

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

13. 20-1832 Approved and authorized 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, approved appropriations, and authorized the Chief of Police to establish a separate business unit for the grant funds

A motion was made by Posey, second Delgleize to approve and accept the OTS STEP grant agreement #PT21028 between the OTS and the City of Huntington Beach for \$845,300; and, authorize the Chief of Police to execute the grant agreement with OTS; and, approve appropriations and estimated revenue source in the amount of \$845,300; and, 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.

The motion carried by the following vote:

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

14. 20-1839 Approved and authorized 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

A motion was made by Posey, second Delgleize to 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."

The motion carried by the following vote:

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

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

A motion was made by Posey, second Delgleize to approve the purchase of MacKay parking meters and associated Gateway/Hosting services in the amount of \$446,827; and, 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.

The motion carried by the following vote:

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

16. 20-1755 Approved and authorized 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

A motion was made by Posey, second Delgleize to 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."

The motion carried by the following vote:

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

17. 20-1756 Approved and authorized 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

A motion was made by Posey, second Delgleize to 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."

The motion carried by the following vote:

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

18. 20-1757 Approved and authorized 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

A motion was made by Posey, second Delgleize to 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."

The motion carried by the following vote:

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

19. 20-1809 Approved and authorized 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

A motion was made by Posey, second Delgleize to 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."

The motion carried by the following vote:

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

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

A motion was made by Posey, second Posey to 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."

The motion carried by the following vote:

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

21. 20-1836 Approved and authorized 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

A motion was made by Posey, second Delgleize to 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: Huntington Beach Civic Center, Meeting Room B-7, 2000 Main Street, Huntington Beach from Friday, October 30, 2020 through Tuesday, November 3, 2020; and, Huntington Beach Central Library, Rooms C/D, 7111 Talbert Avenue, Huntington Beach from Friday, October 30, 2020 through Tuesday, November 3, 2020; and, Huntington Beach City Gym and Pool, 1600 Palm Avenue, Huntington Beach from Friday, October 30, 2020 through Tuesday, November 3, 2020; and, Main Street Branch Library, Blue Room, 525 Main Street, Huntington Beach from Friday, October 30, 2020 through Tuesday, November 3, 2020; and, Edison Community Center, Studio, 21377 Magnolia Street, Huntington Beach from Friday, October 30, 2020 through Tuesday, November 3, 2020; and, Michael E. Rodgers Senior Outreach Center, Auditorium, 1706 Orange Avenue, Huntington Beach from Friday, October 30, 2020 through Tuesday, November 3, 2020; and, Murdy Community Center, Studio, 1900 Norma Drive, Huntington Beach from Friday, October 30, 2020 through Tuesday, November 3, 2020, ***as amended by supplemental communication (added drive-thru option at Huntington Central Library).***

The motion carried by the following vote:

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

22. 20-1845 Approved and authorized 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

A motion was made by Posey, second Delgleize to 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.

The motion carried by the following vote:

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

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)

A motion was made by Posey, second Delgleize to approve a City position of Oppose on Assembly Bill 685 (Reyes) — Requires occupational safety notification if an employee is exposed to COVID-19; and, 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, approve a City position of Oppose on Assembly Bill 3269 (Chiu) — State and local agencies: homelessness plan.

The motion carried by the following vote:

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

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

Councilmember Carr pulled this item to discuss her knowledge of the bill, but stated that she needed more information and asked why it did not go through the Intergovernmental Relations Committee (IRC) for proper vetting.

A motion was made by Carr, second Posey to ~~Adopt an Oppose~~ **send to IRC for a** 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. Discussion ensued.

Mayor Semeta and Community Development Director Luna-Reynosa acknowledged that legislative issues typically filter through the IRC, but explained that this particular item had a timing issue, and Director Reynosa read a communication received on August 28, 2020 after the IRC had met that explained the importance of providing support for the bill.

Mayor Semeta explained her understanding that the recommendation discussed during Agenda Review was to present the item as "support if amended," not "oppose unless amended".

A substitute motion was made by Hardy, second Carr, to adopt an ~~Oppose~~ **Support** position on AB 2287 (Eggman and Ting), unless if the bill is amended to reinstate the "marine degradable" provision and standard to assess the marine degradability of plastic products.

The substitute motion carried by the following vote:

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

25. 20-1820 Adopted 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)

A motion was made by Posey, second Delgleize to 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."

The motion carried by the following vote:

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

PUBLIC HEARING

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

Ursula Luna-Reynosa, Director of Community Development, introduced Tess Nguyen, Associate Planner, who presented a PowerPoint communication entitled: *Nguyen Properties, Zoning Map Amendment No. 20-001* with slides titled: *Subject Site, ZMA Request, Background, Analysis, and Recommendation*.

Mayor Pro Tem Hardy confirmed with Planner Nguyen that any project on these parcels would be single-family residences.

Mayor Semeta opened the Public Hearing for this item.

City Clerk Estanislau announced there were no call-in speakers.

Pursuant to the Brown "Open Meetings" Act, the City Clerk Robin Estanislau announced supplemental communications received for this item by her office following distribution of the Council Agenda packet: A PowerPoint Communication titled *Nguyen Properties* submitted by Tess Nguyen, Associate Planner.

Mayor Semeta closed the Public Hearing.

A motion was made by Delgleize, second Peterson to approve Zoning Map Amendment No. 20-001 with findings (Attachment 1), and after reading of title by the City Clerk, approve for introduction 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).

The motion carried by the following vote:

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

27. 20-1834 Public Hearing held; adopted Resolution No. 2020-50 approving an Annual Assessment within the Huntington Beach Downtown Business Improvement District (DTBID) for Fiscal Year 2020-2021, and authorized appropriation of funds

Deputy Director of Community Development Steve Holtz presented a PowerPoint communication entitled *2020-2021 Downtown Business Improvement District Renewal* with slides titled: *Downtown BID, Annual Assessment, 2019-2020 Accomplishments, 2020-2021 Goals, Proposed Budget(2), and Public Hearing*.

Councilmember Posey and DTBID Executive Director Sarah Kruer discussed ways to expand the digital database which is currently in a clean-up and coordination process. Director Kruer also explained the current effort to expand social media communications. Councilmember Posey stated his concern regarding communication with business owners, and respectfully requested that before next year the

database be accurately updated to reflect email address and direct contact information for each business principal.

Councilmember Delgleize stated support for Councilmember Posey's request that the DTBID database consist of current and accurate details for all business principals as soon as possible.

Mayor Semeta expressed her support and excitement for the changes expected from Director Krueer's leadership.

Mayor Semeta opened the Public Hearing for this item.

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:

A PowerPoint communication titled *2020-2021 Downtown Business Improvement District Renewal* submitted by Deputy Director of Community Development, Steve Holtz.

City Clerk Robin Estanislau announced that if protests total less than 50% of the total assessment amount, the City Council can approve the proposed Business Improvement District. If more than 50% of the total assessment is protested, the City Council cannot form the Business Improvement District or consider it further for one year.

City Clerk Estanislau stated there were no call-in speakers.

Mayor Semeta confirmed with City Clerk Estanislau that no protests had been withdrawn. City Clerk Estanislau reported that the percentage of assessments protested for the Downtown BID is .30%, or \$351 of the \$116,271 projected assessment amount, and that protests were received from one (1) of the two hundred and seventy-four (274) businesses in the Business Improvement District boundaries.

Mayor Semeta closed the Public Hearing.

A motion was made by Posey, second Hardy to conduct the Public Hearing; and, 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."

The motion carried by the following vote:

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

ADMINISTRATIVE ITEMS

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

City Manager Oliver Chi presented a PowerPoint communication entitled: *Downtown Street Closures* with slides titled: *Background, Second Block of Main Street Update (3), Third Block of Main Street Update (3), Third Block Options — Current Street Configuration, Diagram of Current Setup With Street*

Closure, Third Block Options — Reopening the Street While Maintaining Outdoor Options, Potential Diagram of Setup if Street Reopened, Second Block of Main Street Update, City Council Options, and Questions.

Councilmember Posey explained his opinion that the third block was closed to traffic just a month ago, and his observation that transference of energy has not yet migrated to the third block, possibly because the water barriers create a physical and visual barrier to moving from the second block to the third block. Councilmember Posey suggested possibly camouflaging the water barriers and utilizing live music at selected times at both north and south ends of the closed blocks as enhancements, and stated support for keeping third block closed to traffic. He believes the Council needs to continue being proactive in supporting opportunities for business success and not rely upon government mandates which sometimes change from day to day.

Councilmember Delgleize stated support for keeping the third block closed to vehicular traffic until the end of the year to allow more time to gain popularity and give business owners more opportunities for success.

Mayor Pro Tem Hardy stated her support for the statements made by Councilmembers Posey and Delgleize, including the suggestion for live entertainment. She also reported that the great majority of communication from the impacted businesses, as well as residents visiting the area, support what is currently being offered on Main Street.

Councilmember Carr stated support for the previous councilmember comments, acknowledged retailers on the third block, and suggested that it remain closed through Oct. 31 and then be re-evaluated based on the disposition of closure, and the wants and needs of the third block businesses. In the meantime, she suggested that everyone focus on ways to attract more people to the third block of Main Street.

Councilmember Peterson stated he is not enthusiastic about keeping the third block closed to vehicles just because of the different types of businesses in that block, and suggested that the third block business owners determine if the closure should be continued.

Councilmember Brenden stated his support for continued outdoor dining opportunities with street closure (especially for the second block), and suggested that not only the BID Board, but also residents, be surveyed for their opinions, and supports extending the program to at least the end of the year. He also described a survey included in a recent newsletter that provided closure options on Main Street, and described the results.

Mayor Semeta stated support for making changes to the water barriers so the third block of Main Street is more inviting to pedestrians, and her understanding that a majority of affected businesses are supporting the plan for continued street closure on the second block. She also expressed appreciation to business owners that support whatever benefits a majority of businesses in the downtown.

Councilmember Posey stated his support for keeping the second and third blocks of Main Street closed to vehicular traffic until the end of the year, and asked that City Manager Chi provide an emailed report every 2 – 3 weeks to update Council on changes made and whether or not the businesses are continuing to thrive. City Manager Chi stated that over 80 emergency permits have been issued; another dozen are in process, and even with the recent State change to allow 25% indoor capacity most businesses will continue to offer outside dining for the next couple of months.

A motion was made by Posey, second Delgleize to authorize the City Manager to extend the temporary closure of the 2nd block of Main Street through at least December 31, 2020; and, maintain the 3rd block closure of Main Street to vehicle traffic in coordination with the determination made on the 2nd block of Main Street, **as amended to request that beginning in October, Council shall receive 3rd Block activity/ progress updates to assess continuance of 3rd block closure to year's end.**

Councilmember Carr stated support for those businesses who expect consistency, which means that both blocks are open, or they are closed, because in her opinion the changing guidelines from open, to closed again, are detrimental.

A substitute motion was made by Carr, second Peterson to authorize the City Manager to extend the temporary closure of the 2nd block of Main Street through December 31, 2020; and the temporary closure of the 3rd block of Main Street through **October 31, 2020, with Council to re-evaluate at their October 19, 2020 meeting.**

Councilmember Brenden clarified that the BID Board has not taken any official position related to the Third Block, but informally has expressed support.

Councilmembers Posey and Delgleize reiterated their support for options A-1 and B-1 as amended to request that beginning in October, Council shall assess continuance of 3rd block closure to year's end.

Action on the substitute motion failed by the following vote:

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

The original motion by Posey, seconded Delgleize to authorize the City Manager to extend the temporary closure of the 2nd block of Main Street through at least December 31, 2020 carried by the following vote:

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

The original motion by Posey, seconded Delgleize to maintain the 3rd block closure of Main Street to vehicle traffic in coordination with the determination made on the 2nd block of Main Street, **as amended to request that beginning in October, Council shall receive 3rd Block activity/ progress updates to assess continuance of 3rd block closure to year's end,** carried by the following vote:

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

COUNCILMEMBER ITEMS

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

Councilmember Brenden explained that a resident brought this solution to his attention, that bike theft is rampant in Huntington Beach, that the Police Department is working hard to intervene, and he sees this action as one way to make a dent in the underground network of bicycle chop shops.

Councilmember Delgleize expressed her support and confirmed the intended action would be directed to someone selling bicycle parts at the park, but would have no effect on someone selling bicycle parts from a private residence yard sale.

Councilmember Brenden and City Attorney Michael Gates clarified that this item will most likely result in an ordinance that will be brought back to Council for further discussion.

Councilmember Posey and Assistant Police Chief Kelly Rodriguez discussed hypothetical situations and police officer policies for stopping someone suspected of having a stolen bike, and Assistant Chief Rodriguez confirmed approving this action could result in another good tool for police use.

A motion was made by Brenden, second Hardy to 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.

The motion carried by the following vote:

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

COUNCILMEMBER COMMENTS (Not Agendized)

Councilmember Brenden thanked Steve Schmidt for bringing to his attention a means to address the issue of stolen bikes; thanked Michael Grant for his service on the Planning Commission since 2017 and expressed appreciation to Bill Crowe for agreeing to serve the remaining term; commended the Human Relations Task Force for their Virtual Community Summit in August and their refreshing approach in addressing topics of current concern; thanked everyone who sent their get well wishes and prayers of healing last week during his time in the hospital; and wished his wife, Antoinette, Happy Birthday next week.

Councilmember Carr expressed appreciation for the Human Relations Task Force Virtual Community Summit and specifically the participation of Assistant Police Chief Kelly Rodriguez. She thanked Fire Chief Haberle and Captain Justin Fleming for making the Junior Lifeguard Program possible this summer, and appreciation to City Manager Chi and staff for the Navigation Center groundbreaking event.

Mayor Pro Tem Hardy stated appreciation for the Human Relations Task Force Virtual Community Summit and commended Assistant Police Chief Kelly Rodriguez for her important participation; reported participating in the Navigation Center groundbreaking ceremony as well as the Junior Lifeguard Program graduation ceremony; and presenting a commendation to Adam "Bushman" Orozco for his help with Graffiti Removal at Rockin Fig's Surf Headquarters.

Councilmember Posey thanked Huntington Beach artist Melissa Murphy for her "Spread Positive Vibes" face masks, producing 45,000 of them, and distributing for free. He reported participating in the Navigation Center groundbreaking ceremony and looks forward to updates at future Council meetings. He also encouraged residents to watch the upcoming Chamber of Commerce Candidate Forum.

Councilmember Delgleize thanked the Human Relations Task Force and Task Force Chair Natalie Moser for their Virtual Community Summit; thanked City Manager Chi and Assistant City Manager Hopkins for the successful Navigation Center groundbreaking ceremony; and reported connecting Ms. Ryan, a resident of Huntington Beach, with Orange County Transportation Authority (OCTA) personnel to address McFadden Bridge issues during the current 405 Freeway expansion effort.

Mayor Semeta expressed her pride in the Fire and Lifeguard Departments for the successful Junior Lifeguard Program this summer in spite of the COVID-19 restrictions; reported that the Tee It Up for the Troops fundraiser resulted in \$210,000 for supporting various wounded veteran organizations; thanked everyone involved in the successful Navigation Center groundbreaking ceremony; presenting a commendation to Marina High School student Amy Tran as the recipient of the Kiwanis sponsored Bob Gibbons Youth Inspiration Award to acknowledge her community projects; and reminded everyone that the Boys and Girls Club on-line auction is coming up on October 3, 2020, and encouraged auction item donations as well as participating in the event.

At 9:10 PM the Council recessed to Closed Session to continue discussion on Item No. 4 (20-1846) - Labor Negotiations.

ADJOURNMENT at 9:55 PM to the next regularly scheduled meeting of the Huntington Beach City Council/Public Financing Authority on 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>



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