

## Minutes

**City Council/Public Financing Authority;  
Housing Authority; Parking Authority; and,  
Successor Agency to the Former Redevelopment Agency**

**City of Huntington Beach**

Monday, December 16, 2019  
4:00 PM - Council Chambers  
6:00 PM - Council Chambers  
Civic Center, 2000 Main Street  
Huntington Beach, California 92648

**A video recording of the 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/](http://www.surfcity-hb.org/government/agendas/)**

### **4:00 PM — COUNCIL CHAMBERS**

#### **CALLED TO ORDER — 4:00 PM**

#### **ROLL CALL**

Present: Delgleize, Hardy (arrived at 4:01 PM), Semeta, Peterson, Carr, and Brenden  
Absent: Posey

Pursuant to Resolution No. 2001-54, Councilmember Posey requested and was granted permission to be absent.

**ANNOUNCEMENT OF SUPPLEMENTAL COMMUNICATIONS** (Received After Agenda Distribution)  
— None

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

**RECESSED TO CLOSED SESSION** — Motion by acclamation made at 4:01 PM.

#### **CLOSED SESSION ANNOUNCEMENT(S)**

- 1. 19-1229 Mayor Semeta announced: Pursuant to Government Code § 54957.6, the City Council shall recess into Closed Session to meet with its designated labor negotiators: Oliver Chi, City Manager and Peter Brown; also in attendance: Travis Hopkins, Acting Assistant City Manager and Robert Handy, Chief of Police regarding the following: Municipal Employees' Association (MEA); Management Employees' Organization (MEO); Police Officers' Association (POA), Police Management Association (PMA); Marine Safety Management Association (MSMA) Surf City Lifeguard Employees' Association (SCLEA), and Non-Associated.**

**CLOSED SESSION**

2. **19-1180 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, three (3).**
3. **19-1219 Pursuant to Government Code § 54957.6, the City Council recessed into Closed Session to meet with its designated labor negotiator: Oliver Chi, City Manager and Peter Brown; also in attendance: Travis Hopkins, Acting Assistant City Manager and Robert Handy, Chief of Police, regarding the following: Municipal Employees' Association (MEA); Management Employees' Organization (MEO); Police Officers' Association (POA); Police Management Association (PMA); Marine Safety Management Association (MSMA) Surf City Lifeguard Employees' Association (SCLEA) and Non-Associated.**
4. **19-1220 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: Chavez-Perea (Blanca) v. City of Huntington Beach, et al.; OCSC Case No. 30-2019-01082042.**
5. **19-1221 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: Kilhullen (Barbara) v. City of Huntington Beach; OCSC Case No.: 30-2019-01091611.**
6. **19-1228 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: Turman (Kathy M.) v. City of Huntington Beach; OCSC Case No.: 30-2018-01008686.**

**6:00 PM - COUNCIL CHAMBERS**

**RECONVENED CITY COUNCIL/PUBLIC FINANCING AUTHORITY MEETING, AND CALLED TO ORDER SPECIAL MEETINGS OF THE HOUSING AUTHORITY, PARKING AUTHORITY AND SUCCESSOR AGENCY TO THE FORMER REDEVELOPMENT AGENCY OF HUNTINGTON BEACH — 6:00 PM**

**ROLL CALL**

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

Pursuant to Resolution No. 2001-54, Councilmember Posey requested and was granted permission to be absent.

**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.

### 7. 19-1154 Marcy Tieger of University Synagogue, Irvine and member of the Greater Huntington Beach Interfaith Council

**CLOSED SESSION REPORT BY CITY ATTORNEY** — Nothing to report from Closed Session. Chief Deputy City Attorney Mike Vigliotta announced that due to illness City Attorney Gates would not be in attendance at tonight's meeting.

## AWARDS AND PRESENTATIONS

### 8. 19-1217 Mayor Semeta called on Victoria Alberty to present the "Adoptable Pet of the Month"

Victoria Alberty of Waggin' Trails Rescue Foundation introduced Gisela Campagne, the Founder of Waggin' Trails, and Hope, a 3-month old Chihuahua mix who was born with defective back legs. Ms. Alberty explained that wheels for Hope have been ordered, and that more information on Hope can be found at [www.ozzieandfriendsrescue.org](http://www.ozzieandfriendsrescue.org).

Ms. Alberty also announced the annual Waggin' Trails Rescue Foundation Holiday Party at the Paséa from 6 - 9 PM, dogs welcome, on Tuesday, December 17, 2019.

### 9. 19-1218 Mayor Semeta called on the Huntington Beach Firefighters' Association who presented a check to Operation Surf from its recent Annual Great Balls of Fire Charity Golf Tournament.

Zach Rye, Huntington Beach Firefighters' Association, presented a donation of \$35,000 to Danny Nichols of Operation Surf as this year's recipient of the proceeds from the 20th Annual Great Balls of Fire Charity Golf Tournament. Mr. Nichols thanked City leaders, all of the many firefighters and police officers as well as local businesses and community members who have been instrumental in the success of Operation Surf.

## ANNOUNCEMENT OF SUPPLEMENTAL COMMUNICATIONS (Received After Agenda Distribution)

### Councilmember Reports

#10. 19-1183 K. C. Fockler support for Mayor Semeta's proposed appointments.

### Consent Calendar

#11. 19-1179 Communication received from Robin Estanislau, City Clerk, recommending a revision to the November 18, 2019 minutes.

#12. 19-1054 Communication received from Robin Estanislau, City Clerk, presenting a correction (clean copy) of the Maddy Act Local Appointments List 2020.

#12. 19-1054 Email communication submitted by Pat Quintana.

**Administrative Items**

#34. 19-1214 PowerPoint communication submitted by Chris Slama, Community Services Director, entitled “Bluff Top Park Improvements.”

**Public Hearing**

#36. 19-1227 Letter submitted by Maria Xanthakis, Seven Gables Real Estate, providing support for Magnolia Tank Farm Development.

#36. 19-1227 Letter submitted by Steve Dodge, Huntington Executive Park, providing support for Magnolia Tank Farm Development.

#36. 19-1227 Letter submitted by K. C. Fockler

**PUBLIC COMMENTS (3 Minute Time Limit) — 16 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>.*

Trina Bilich was called to speak and stated her concerns about off-site air monitoring for the Ascon project, especially at Eader and Edison schools, and asked that real-time monitors be used for air quality reporting. (00:16:12)

Tony Bisson, resident of Huntington Beach who lives across the street from LeBard Park, was called to speak and shared several concerns about Consent Calendar Item No. 17 (19-1193) regarding the LeBard Redevelopment Project. (00:19:26)

Claudia Perez, Senior Field Representative for Assemblywoman Cottie Petrie-Norris, was called to speak and shared the Assemblywoman's support for Administrative Item No. 34 (19-1214) regarding the Bluff Top Park Improvement Project. Assemblywoman Petrie-Norris is responsible for securing access to \$1.4M in State funding for this project. (00:22:45)

Nancy Buchoz was called to speak and stated her opposition to the Magnolia Tank Farm project and asked for a halt to all development projects in the south east area until Ascon remediation is completed and air quality readings are consistently safe. (00:23:47)

Mariya Sheldon was called to speak and shared her continued concerns regarding the high levels of air pollution at Edison High School, and asked that further effort be put forth to determine the exact source of this pollution. (00:26:59)

Robyn Sladek was called to speak and stated her opposition to the Magnolia Tank Farm development, and asked City Council to step up and protect the children, the neighborhood, and future generations. (00:30:09)

Ceason Baker was called to speak and shared her concerns about the continued pollution of the southeast area of Huntington Beach. (00:31:24)

Shammy Dingus, a resident of Huntington Beach and former business owner, was called to speak and shared her concerns regarding the Shop Off Agreement (00:33:43)

Amory Hanson, a Huntington Beach City Council Candidate in 2020 and member of the Huntington Beach Historic Resources Board (HRB), was called to speak and stated support for Consent Calendar Item No. 12 and posting a clean copy of the Maddy Act Local Appointments List 2020, and opposition to Consent Calendar Item No. 22 regarding cancellation of the City Council/Public Financing Authority regular meeting of January 6, 2020. (00:36:58)

Tara Barton was called to speak and stated she attended the Happy Hour hosted by Shop Off this evening, and shared many reasons for her opposition to the Magnolia Tank Farm project. (00:37:28)

Cari Swan was called to speak and shared her reasons for opposing the Magnolia Tank Farm project, and asked the City Council to keep health and safety issues in mind as they consider the Shop Off plans. (00:40:39)

Brandt Stebbins was called to speak and stated his support for Consent Calendar Item No. 18 (19-1225) regarding a Temporary Permit for Wagner Charters to conduct harbor tours, and expressed his opinion that the permit should be permanent, not temporary. (00:43:28)

Robert Wagner, a lifetime resident of Huntington Beach, was called to speak and stated his support for Consent Calendar Item No. 18 (19-1225) regarding a Temporary Permit for Wagner Charters to conduct harbor tours, and documented the training, certifications and licenses that Wagner Charters has as well as their history of business in Huntington Harbour and surrounding areas. (00:46:53)

Bob Pace, a lifetime surfer, was called to speak and stated his support for keeping the Huntington Beach International Surfing Museum managed locally. (00:49:46)

Ryan Reza Farsai, owner of a local AM/PM business, was called to speak and shared his opinions on current national political issues. (00:52:55)

Amber, a 19-year Huntington Beach homeowner, was called to speak and expressed her appreciation to Former Mayor Peterson and support for Mayor Semeta, and asked that City Council and residents continue working together to protect the children and families of southeast Huntington Beach. (00:56:05)

#### **COUNCIL COMMITTEE – APPOINTMENTS – LIAISON REPORTS, AB 1234 REPORTING, AND OPENNESS IN NEGOTIATIONS DISCLOSURES**

Councilmember Delgleize reported attending two Orange County Transit Authority (OCTA) meetings, the Illumination Foundation & Orange County United Way Homelessness Consortium, a meeting with many residents from the southeast part of Huntington Beach, and a Huntington Beach Chamber of Commerce State of the County event.

Councilmember Brenden reported meeting with the Human Relations Task Force (HRTF), and interviewing candidates for HRTF vacancies.

Councilmember Carr reported attending the Huntington Beach Chamber of Commerce State of the County event, and having conversations with the Huntington Beach Police Officers' Association (POA) and Huntington Beach Firefighters' Association.

Mayor Semeta announced her appointment of Casey McKeon, President of Acquisitions for Hesson Holdings in Huntington Beach, to the Investment Advisory Board (IAB).

**10. 19-1183 Approved Mayor Semeta's 2020 Council Liaison List**

A motion was made by Brenden, second Peterson to as recommended by the City Council, Public Financing Authority, Housing Authority, Parking Authority, and Successor Agency: approve the 2020 Council Liaison List that includes appointments to citizen boards, commissions, committees, and task forces as presented by Mayor Semeta. (The City Clerk certifies that FPPC Form 806 "Agency Report of Public Official Appointments" which is used to report additional compensation that officials receive when appointing themselves to positions on committees, boards or commissions of a public agency, special district and joint powers agency or authority was posted to the City's website according to law prior to this vote.)

The motion carried by the following vote:

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

**CITY MANAGER'S REPORT**

City Manager Chi referred to Acting Assistant City Manager Travis Hopkins who provided an update on the Ascon Landfill Site, and the AES Huntington Beach Energy Project.

Councilmember Carr asked Acting Assistant City Manager Hopkins to address the neighborhood concerns related to the fire hydrant installation on Magnolia near Hamilton where diesel trucks are reported idling for over 30 minutes creating fume pollution. Acting Assistant City Manager Hopkins said Public Works inspectors would be sent out the next day to visit the project site.

**CONSENT CALENDAR**

Mayor Pro Tem Hardy pulled Item Nos. 13 & 17.

Councilmember Carr pulled Item Nos. 12 & 32.

Councilmember Brenden pulled Item Nos. 14 & 18.

**11. 19-1179 Approved and Adopted Minutes**

A motion was made by Brenden, second Peterson to approve and adopt the City Council/Public Financing Authority regular meeting minutes dated November 18, 2019, **as amended by Supplemental Communication**, and December 2, 2019, as written and on file in the office of the City Clerk.

The motion carried by the following vote:

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

**12. 19-1054 Received and filed the Maddy Act Local Appointments List - 2020 (terms on City boards, commissions, and committees which expire in 2020) informing the public of openings and vacancies based on 2020 expiration of current members' terms**

Councilmember Carr pulled this item as she is concerned about the commissions that are being eliminated, and Mayor Semeta explained that the Intergovernmental Relations Committee (IRC) has been meeting for over a year to determine how the City can be more efficient, however the IRC has not yet reached conclusions. City Clerk Robin Estanislau explained that a clean list of appointments (without comments) was presented through Supplemental Communication and that clean list is what is being voted upon at this time.

A motion was made by Carr, second Delgleize to receive and file the Maddy Act Local Appointments List - 2020 showing vacancies which will occur on City boards, commissions, and committees in the year 2020, and direct the City Clerk to post the list at official posting locations (Civic Center, Huntington Central Library, and Main Street Library). Copies of the Maddy Act Local Appointments List - 2020 will also be posted at all branch libraries and on the City's website (***clean copy submitted via Supplemental Communications***).

The motion carried by the following vote:

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

**13. 19-1206 Received and filed the monthly status update on the 6th cycle Regional Housing Needs Assessment (RHNA) process**

Mayor Pro Tem Hardy pulled this item to commend the City Attorney's Office for doing what they can to ensure that a fair Regional Housing Needs Assessment (RHNA) number is determined for Huntington Beach. Mayor Pro Tem Hardy shared examples of Huntington Beach housing projects that unfortunately are not fully credited to RHNA requirements, and stated she would like to see Housing and Community Development (HCD) approve some creative solutions such as accessory dwelling units, or granny flats, as meeting RHNA requirements.

Mayor Semeta provided a brief overview of the unfair and arbitrary process at the last Southern California Association of Government (SCAG) Regional meeting, and stated that the City Council will continue to look at options for a reasonable and logical allocation number. She also encouraged everyone to read the letter from the City Attorney's Office (which was part of this Agenda Item) for a better understanding of the situation.

Councilmember Brenden stated he had attended a recent Southern California Association of Government (SCAG) Economic Summit where various economic forecasts were presented for each County. Councilmember Brenden stated that the State mandate, which is more affordable housing, cannot realistically expect that coastal cities with higher property values (affordability is the lowest) be required to provide an increased proportion of affordable housing units. He believes SCAG needs to understand that affordable housing is best provided by areas with open land which can be developed, and people will move to, which will then draw businesses because of the close and available workforce.

A motion was made by Hardy, second Delgleize to receive and file the monthly Regional Housing Needs Assessment (RHNA) process status update.

The motion carried by the following vote:

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

**14. 19-1200 Approved Fiscal Year 2018/19 Year End Preliminary Unaudited General Fund Balance Designations**

Councilmember Brenden pulled this item to ask City Manager Chi to share, for the public's benefit, how funds are being reallocated which Council will continue to direct. City Manager Chi stated the funds of about \$10.4M, available at the end of the last budget cycle, are being placed into one line-item, or the City's savings account. None of the required set asides or General Fund contributions, including General Fund Reserve accounts, are being adjusted.

A motion was made by Brenden, second Delgleize to approve the assignments of preliminary FY 2018/19 year-end General Fund Balance increase of \$10.4 million and reallocation of fund balance categories in the amounts and for the purposes indicated in Attachment 1.

The motion carried by the following vote:

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

**15. 19-1174 Accepted the lowest responsive and responsible bid and authorized execution of a construction contract with Nobest, Inc. in the amount of \$803,850 for the Residential Curb Ramp Project, CC-1589**

A motion was made by Brenden, second Peterson to accept the lowest responsive and responsible bid submitted by Nobest, Inc. in the amount of \$803,850; and, appropriate an additional \$82,000 from the Measure "M" undesignated fund balance to Account 21390004.82300 and, authorize the Mayor and City Clerk to execute a construction contract in a form approved by the City Attorney.

The motion carried by the following vote:

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

**16. 19-1210 Approved the purchase of a replacement fire engine with South Coast Fire Equipment, Inc. and an ambulance with Braun Northwest, Inc.; and, authorized the City Manager to execute all documents necessary to lease finance the purchase of the fire engine and ambulance**

A motion was made by Brenden, second Peterson to approve the purchase of the replacement fire engine with South Coast Fire Equipment, Inc. and an ambulance with Braun Northwest, Inc.; and, authorized the City Manager to execute all documents necessary to lease finance the purchase of the fire engine and ambulance, at an interest rate not to exceed 2.5 percent.

The motion carried by the following vote:

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

**17. 19-1193 Accepted Certain (Water Quality) Park Improvements and Accepted a Guarantee and Warranty Bond for the LeBard Redevelopment Project (Tract 17801) at 20461 Craimer Lane**

Mayor Pro Tem Hardy pulled this item regarding the improvements for the LeBard Redevelopment Project to support the comments of Public Speaker Mr. Bisson that the results in some areas don't seem to match the plans, and in her opinion it is unfortunate that the neighborhood community wasn't provided opportunities to be more involved in the change decisions as they were made.

A motion was made by Hardy, second Brenden to accept certain park improvements (detention basin and water quality swale) for the LeBard Redevelopment Project (Tract 17801) and instruct the City Clerk to record the Acceptance of Public Park Improvements (Tract 17801) form (Attachment 2) with the Orange County Recorder; and, accept Guarantee and Warranty Bond No.36K012696 (Attachment 3); the security furnished for guarantee and warranty of certain park improvements (detention basin and water quality swale), and instruct the City Clerk to file the bond with the City Treasurer; and, instruct the City Clerk to notify the developer, HB Homes Management, LLC, of this action, and the City Treasurer to notify the Surety, the Ohio Casualty Insurance Company, of this action.

The motion carried by the following vote:

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

**18. 19-1225 Approved the issuance of a Temporary Permit for Wagner Charters to conduct harbor tours as recommended by the Harbor Commission**

Councilmember Brenden pulled this item to explain that he sees the last sentence of the Recommended Action as problematic because it appears to set up two different standards for Dock access, and moved the Recommended Action as amended by striking the last sentence. The motion failed to receive a second.

Councilmember Peterson shared his opinion that this issue should have been addressed administratively as the Harbor Commission is close to having a recommendation for Council to consider. Councilmember Peterson also stated support for having a policy, and believes the Harbor Commission really understands all of the issues including navigation and safety requirements, made a substitute motion to approve the Recommended Action as presented.

Councilmember Brenden further stated he would prefer to see the process proceed on a case-by-case basis, rather than provide a situation for possible legal challenge. He stated he will not support the substitute motion only because it doesn't strike the last sentence.

Mayor Semeta asked Chief Deputy City Attorney Mike Vigliotta to address the concerns, and he stated that he did not expect the last sentence of the motion to be problematic.

The substitute motion made by Peterson, received a second by Semeta to approve the issuance of a temporary Dock access permit to Wagner Charters for the operation of holiday harbor tours through January 31, 2020, so long as they are able to meet the City's insurance requirements and ensure their use of the Dock will not negatively impact any currently scheduled activities (including events at the Huntington Harbor Yacht Club and the Harbor Cruise of Lights event). Additionally, should another private commercial entity request a Dock access permit prior to a final decision by the City Council on this matter, the City Council supports the staff recommendation that no other private commercial Dock access permits should be issued until final regulations regarding commercial permits for the Dock are adopted by the City Council.

The substitute motion carried by the following vote:

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

**19. 19-1146 Adopted Resolution No. 2019-74 approving submittal of a grant application associated with an improvement project on Bolsa Chica Street to the Orange County Transportation Authority (OCTA) for funding under the Comprehensive Transportation Funding Program (CTFP)**

A motion was made by Brenden, second Peterson to adopt Resolution No. 2019-74, "A Resolution to the City Council of the City of Huntington Beach Approving the Submittal of an Improvement Project to the Orange County Transportation Authority for funding under the Comprehensive Transportation Funding Program."

The motion carried by the following vote:

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

**20. 19-1155 Adopted Resolution Nos. 2019-80, 2019-81, 2019-82, 2019-83, 2019-84, 2019-85 and 2019-86 requesting authorization by the City of Huntington Beach and approval from California Department of Transportation (Caltrans) for temporary closure of streets for certain special events in 2020**

A motion was made by Brenden, second Peterson to adopt Resolution No. 2019-80, "A Resolution of the City Council of the City of Huntington Beach Authorizing the Closing of Main Street and 5th Street to Vehicular Traffic for Certain Special Events;" and, adopt Resolution No. 2019-81, "A Resolution of the City Council of the City of Huntington Beach Approving the Temporary Closure of 12th Street in Sunset Beach for the Annual Sunset Beach Art Festival and Halloween Party;" and, adopt Resolution No. 2019-82, "A Resolution of the City Council of the City of Huntington Beach Requesting Caltrans Approve the Closing of Pacific Coast Highway and Certain Ingress and Egress for the Surf City USA Marathon Run;" and, adopt Resolution No. 2019-83, "A Resolution of the City Council of the City of Huntington Beach Approving the Temporary Closure of Portions of Goldenwest Street, Garfield

Avenue, Huntington Street, Twin Dolphin Drive, Edwards Street, Ellis Avenue, Talbert Avenue, Seapoint Street, Inlet Drive, Overlook Drive, Summit Drive, Varsity Drive, Main Street, Walnut Avenue, and Central Park Drive for the Surf City USA 20 Marathon Run;" and, adopt Resolution No. 2019-84, "A Resolution of the City Council of the City of Huntington Beach Requesting Caltrans Approve the Closing of Pacific Coast Highway and Certain Ingress and Egress Within the City of Huntington Beach for the Annual Surf City 10 Sundown Run;" and, adopt Resolution No. 2019-85, "A Resolution of the City Council of the City of Huntington Beach Requesting Caltrans Approve the Closing of Pacific Coast Highway for the Huntington Beach Fourth of July Parade and Fireworks;" and, adopt Resolution No. 2019-86, "A Resolution of the City Council of the City of Huntington Beach Authorizing Street Closures for the Fourth of July."

The motion carried by the following vote:

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

**21. 19-1166 Adopted Resolution No. 2019-90 removing Jereva Circle from Residential Permit Parking District "J"**

A motion was made by Brenden, second Peterson to adopt Resolution No. 2019-90, "A Resolution of the City Council of the City of Huntington Beach Removing Jereva Circle from Residential Permit Parking District "J."

The motion carried by the following vote:

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

**22. 19-1184 Adopted Resolution No. 2019-91 authorizing cancellation of the City Council/Public Financing Authority regular meeting of January 6, 2020; and, directed the City Clerk to provide notice of such cancellation**

A motion was made by Brenden, second Peterson to adopt Resolution No. 2019-91, "A Resolution of the City Council of the City of Huntington Beach Declaring the Cancellation of the City Council and Public Financing Authority Regular Meeting of January 6, 2020; and Directing the City Clerk to Provide Notice of Such Cancellation."

The motion carried by the following vote:

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

**23. 19-1188 Adopted Resolution No. 2019-94 extending the appointment of David Segura as Interim Fire Chief and approving Amendment No. 1 to the Employment Agreement between the City of Huntington Beach and David Segura**

A motion was made by Brenden, second Peterson to adopt Resolution No. 2019-94, "A Resolution of the City Council of the City of Huntington Beach Extending the Appointment of David Segura as Interim Fire Chief;" and, approve and authorize the City Manager to execute the "Amendment No. 1 to Employment Agreement Between the City of Huntington Beach and David Segura."

The motion carried by the following vote:

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

**24. 19-1222 Adopted Resolution Nos. 2019-95, 2019-96, 2019-97, 2019-98 amending the Alternate Dispute Resolution Agreement language in the Memorandums of Understanding (MOU) with the Huntington Beach Police Officers' Association (HBPOA), the Huntington Beach Police Management Association (HBPMA), the Huntington Beach Firefighters' Association (HBFA), and the Huntington Beach Fire Management Association (FMA)**

A motion was made by Brenden, second Peterson to adopt Resolution No. 2019-96, "A Resolution of the City Council of the City of Huntington Beach Amending the Memorandum of Understanding Between the City and the Huntington Beach Police Officers' Association (POA), by Adopting the Side Letter of Agreement;" and, adopt Resolution No. 2019-98, "A Resolution of the City Council of the City of Huntington Beach Amending the Memorandum of Understanding Between the City and the Huntington Beach Police Management Association (HBPMA), by Adopting the Side Letter of Agreement;" and, adopt Resolution No. 2019-97, "A Resolution of the City Council of the City of Huntington Beach Amending the Memorandum of Understanding Between the City and the Huntington Beach Firefighters' Association (HBFA), by Adopting the Side Letter of Agreement;" and, adopt Resolution No. 2019-95 "A Resolution of the City Council of the City of Huntington Beach Amending the Memorandum of Understanding Between the City and the Huntington Beach Fire Management Association (FMA), by Adopting the Side Letter of Agreement".

The motion carried by the following vote:

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

**25. 19-1125 Approved and authorized execution of a contract amendment to Professional Services Contracts with AESCO, Inc., Leighton Consulting, Inc., and Twining, Inc., for On-Call Material Testing and Engineering Services**

A motion was made by Brenden, second Peterson to approve and authorize the Mayor and the City Clerk to execute "Amendment No. 1 to Agreement Between the City of Huntington Beach and AESCO, Inc. for On-Call Material Testing and Engineering Services" increasing the contract amount by \$350,000, from the original amount of \$250,000 to an amended amount of \$600,000; and, approve and authorize the Mayor and the City Clerk to execute "Amendment No. 1 to Agreement Between the City of Huntington Beach and Leighton Consulting, Inc." increasing the contract amount by \$350,000, from the original amount of \$250,000 to an amended amount of \$600,000; and, approve and authorize the Mayor and the City Clerk to execute "Amendment No. 1 to Agreement Between the City

of Huntington Beach and Twining, Inc." increasing the contract amount by \$350,000, from the original amount of \$250,000 to an amended amount of \$600,000.

The motion carried by the following vote:

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

**26. 19-1189 Approved and authorized execution of Amendment No. 1 to Professional Services Contracts for As-Needed Environmental Engineering Services with Geosyntec Consultants, Inc., Tetra Tech, Inc., Group Delta Consultants, Inc., Environmental Engineering & Contracting, Inc. (EEC Environmental Inc.), Huitt-Zollars, Inc. and Pacific Advanced Civil Engineering, Inc. (PACE), extending each contract's expiration date to February 6, 2021**

A motion was made by Brenden, second Peterson to approve and authorize the Mayor and City Clerk to execute "Amendment No. 1 to Professional Services Contract between the City of Huntington Beach and Geosyntec Consultants, Inc. for As-Needed Environmental Engineering Services;" and, approve and authorize the Mayor and City Clerk to execute "Amendment No. 1 to Professional Services Contract between the City of Huntington Beach and Tetra Tech, Inc. for As-Needed Environmental Engineering Services;" and, approve and authorize the Mayor and City Clerk to execute "Amendment No. 1 to Professional Services Contract between the City of Huntington Beach and Group Delta Consultants, Inc. for As-Needed Environmental Engineering Services"; and, approve and authorize the Mayor and City Clerk to execute "Amendment No. 1 to Professional Services Contract between the City of Huntington Beach and EEC Environmental for As-Needed Environmental Engineering Services;" and, approve and authorize the Mayor and City Clerk to execute "Amendment No. 1 to Professional Services Contract between the City of Huntington Beach and Huitt-Zollars, Inc. for As-Needed Environmental Engineering Services;" and, approve and authorize the Mayor and City Clerk to execute "Amendment No. 1 to Professional Services Contract between the City of Huntington Beach and Pacific Advanced Civil Engineering, Inc. for As-Needed Environmental Engineering Services."

The motion carried by the following vote:

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

**27. 19-1178 Approved and authorized execution of a five (5) year License Agreement with Southern California Edison Company for public parkland located at Edison Park, Contract No. 9.2473**

A motion was made by Brenden, second Peterson to approve the "License Agreement" with Southern California Edison Company for the use of the 4.71 acres of property commonly known as Edison Park, Contract No. 9.2473, and authorize the Mayor and City Clerk to execute any and all documents necessary to conclude this transaction.

The motion carried by the following vote:

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

**28. 19-1199 Approved and authorized execution of a Mills Act Agreement between the City of Huntington Beach and Daniel Adam Murphy and Alyssa Ann Murphy for the purpose of providing property tax relief for owners of qualified properties who wish to use the savings to preserve/restore their historic property located at 713 Hill Street**

A motion was made by Brenden, second Peterson to approve and authorize the Mayor and City Clerk to execute the "Historic Preservation Agreement Containing Covenants, Conditions, and Restrictions Affecting Real Property by and between the City of Huntington Beach and Daniel Adam Murphy and Alyssa Ann Murphy for the Real Property Located at 713 Hill Street within the City of Huntington Beach (Mills Act Contract)."

The motion carried by the following vote:

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

**29. 19-1202 Approved and authorized execution of Vote Center Facility Use Agreements with the County of Orange for use of the Huntington Beach Civic Center, Huntington Beach Central Library, Main Street Branch Library, Edison Community Center and Rodgers Senior Outreach Center as four or eleven-day Vote Centers for the March 3, 2020, Presidential Primary Election**

A motion was made by Brenden, second Peterson to approve and authorize the City Manager to execute the Orange County Registrar of Voters "Vote Center Facility Use Agreements" approved as to form by the City Attorney on the following sites: Huntington Beach Civic Center, Meeting Room B-7, 2000 Main Street, Huntington Beach from Saturday, February 29, 2020, through Tuesday, March 3, 2020, (4-day Vote Center); and, Huntington Beach Central Library, Rooms C/D, 7111 Talbert Avenue, Huntington Beach from Saturday, February 22, 2020, through Tuesday, March 3, 2020, (11-day Vote Center); and, Main Street Branch Library, Blue Room, 525 Main Street, Huntington Beach from Saturday, February 29, 2020, through Tuesday, March 3, 2020, (4-day Vote Center); and, Edison Community Center, Studio, 21377 Magnolia Street, Huntington Beach from Saturday, February 29, 2010, through Tuesday, March 3, 2020, (4-day Vote Center); and, Rodgers Senior Outreach Center, Auditorium, 1706 Orange Avenue, Huntington Beach from Saturday, February 22, 2020, through Tuesday, March 3, 2020, (11-day Vote Center).

The motion carried by the following vote:

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

**30. 19-1204 Approved and authorized execution of three Professional Services Contracts with Bureau Veritas North America, Inc., CSG Consultants, Inc. and 4Leaf, Inc. for Fire Prevention Inspection and Plan Review Services**

A motion was made by Brenden, second Peterson to approve and authorize the Mayor and City Clerk to execute "Professional Services Contract Between the City of Huntington Beach and Bureau Veritas North America, Inc. for Fire Prevention and Plan Review Services;" and, approve and authorize the Mayor and City Clerk to execute "Professional Services Contract Between the City of Huntington Beach and CSG Consultants, Inc. for Fire Prevention and Plan Review Services;" and, approve and authorize the Mayor and City Clerk to execute "Professional Services Contract Between the City of Huntington Beach and 4Leaf, Inc. for Fire Prevention and Plan Review Services."

The motion carried by the following vote:

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

**31. 19-1196 Approved and authorized execution of a Fourth Amended Joint Powers Agreement for Metro Cities Fire Authority**

A motion was made by Brenden, second Peterson to approve and authorize the Mayor and the City Clerk to execute the "Metro Cities Fire Authority Fourth Amended Joint Powers Agreement."

The motion carried by the following vote:

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

**32. 19-1226 Approved the appointment of Travis Hopkins to the position of Assistant City Manager and authorized the City Manager to execute the associated Employment Agreement**

Councilmember Carr pulled this item to congratulate Mr. Hopkins, and thank him for his dedication to the City.

Councilmember Brenden expressed his support for this item, and shared his observation that Mr. Hopkins has always focused on his job and doing it to the best of his ability as Director of Public Works, and he expects more of the same as he serves as Assistant City Manager.

Councilmember Delgleize congratulated Mr. Hopkins for this appointment, and stated she knows that the residents of Huntington Beach will continue to benefit as he serves in this position.

Mayor Pro Tem Hardy thanked Mr. Hopkins for his service and for always ensuring that any issue he is made aware of is taken care of.

Mayor Semeta commended Mr. Hopkins for his calm and reassuring attitude in dealing with any situation, and moved the item.

Councilmember Peterson joked about Mr. Hopkins' head getting big after all of the accolades, and explained how he wanted to move the item but Mayor Semeta beat him to it.

City Manager Chi stated appreciation to Mr. Hopkins for helping him transition into the organization, and described Mr. Hopkins as a team player who performs with humility, integrity and passion.

A motion was made by Semeta, second Delgleize to approve the "Employment Agreement between the City of Huntington Beach and Travis Hopkins," and authorize the City Manager to execute any and all relevant and associated documents.

The motion carried by the following vote:

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

**33. 19-1185 Adopted Ordinance No. 4192, which establishes Municipal Code Section 10.40.265 prohibiting misuse of disabled person placards or license plates  
Approved for introduction November 18, 2019, Vote: 7-0**

A motion was made by Brenden, second Peterson to adopt Ordinance No. 4192, "An Ordinance of the City of Huntington Beach adding Section 10.40.265 to Chapter 10.60 of the Huntington Beach Municipal Code Relating to Disabled Parking Placards and License Plates."

The motion carried by the following vote:

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

**ADMINISTRATIVE ITEMS**

**34. 19-1214 Authorized staff to submit the design elements for the Bluff Top Park Improvement Project to the State, including the Design Review Board approved wood lodge pole guardrail system**

City Manager Chi introduced Community Services Director Chris Slama who presented a PowerPoint communication entitled *Bluff Top Park Improvements* with slides titled: *Purpose, Overview (2), Current Needs, Project Scope, Path Improvements (2), Current Conditions (3), Traffic Improvements, Extend Sidewalk Adjacent to PCH, New Side Walk, Bluff Top Park Improvements (2), Railing Replacement, Existing Railing - Installed in 2006, Current Conditions (2), Materials/Design Options Considered (5), Materials Pros/Cons (3), Proposed Railing Design (2), Harriett Wieder (O. C. Parks), Bartlett Park, Design Simulations, Existing Galvanized Steel Railing, Lodge Pole Railing Simulation, Existing Galvanized Steel Railing, Sample Lodge Pole Railing, Bluff Top Park Improvements(2), and Questions.*

Councilmember Delgleize asked if wood lodge pole is currently used at Weider Park, and Director Slama confirmed the wood is pressure treated for rot and insects. Councilmember Delgleize thanked

Assemblywoman Cottie Petrie-Norris for securing funding for this project, recommended painted lines on the pathway to divide foot traffic, and suggested use of decomposed granite (DG) for pedestrians, and asphalt for bikes.

Councilmember Brenden expressed appreciation for the wood railing price point, the durability factor, flexibility for repairs, and overall esthetics.

Councilmember Delgleize and Director Slama discussed that it is yet to be determined whether funding from the State can, or will be, used for landscaping.

Councilmember Carr and Acting Public Works Director Tom Herbel discussed that this area is where people will be standing and leaning on the guardrail, and Director Herbel confirmed it was determined the wood railing is the preferred product for longevity in those situations. Councilmember Carr recommended that there always be adequate reserves for timely and proper repairs so this area is never again allowed to deteriorate to current conditions.

Mayor Pro Tem Hardy described a better comparison for similar treatment would be Bartlett Park where kids haul their bikes over the fence, and so far it has held up well.

Councilmember Peterson expressed his opinion that Bluff Top Park will have a lot more traffic than Bartlett Park, and stated he is not fond of wood poles, and is not confident it will hold up well.

Mayor Semeta stated she doesn't like this look at the beach, but prefers the post and cable product and sees it as less obstructive to the view. Director Slama explained there was considerable discussion on safety and maintenance issues, and knowing there will be people leaning on and trying to climb over, it was determined this was the best option. He added that it is possible to specify a smaller diameter wood lodge pole which might open up the view somewhat.

Councilmember Delgleize and Director Slama continued the discussion on the size of the lodge poles to keep an open view, but for practicality and safety issues anything smaller than 5" would probably not be appropriate.

Councilmember Brenden stated his support for the lodge pole as it is the cheapest product and will help the funding go as far as possible.

Councilmember Peterson and Director Slama discussed some pros and cons for a bolt-on system of installation vs the end-to-end which would create a more linear result.

City Manager Chi explained that this item provides Council the opportunity to weigh in on use of a lodge pole design for the guardrail before submitting the project to the State for costing and final approval. Once approved by the State, then a final design with costs will be brought back for consideration by the Council.

A motion was made by Brenden, second Delgleize to accept the approved recommendation of the Design Review Board to utilize a wood, lodge pole guardrail design as part of the Bluff Top Improvement Project.

The motion carried by the following vote:

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

## **PUBLIC HEARING**

### **35. 19-1170 Public Hearing CONTINUED OPEN to January 21, 2020 — Request to consider Zoning Text Amendment No. 19-002 (Huntington Beach Zoning and Subdivision Ordinance Update)**

Mayor Semeta opened the Public Hearing.

City Clerk Estanislau reported no one had signed up to speak.

A motion was made by Hardy, second Brenden to open the public hearing and direct staff to continue Zoning Text Amendment No. 10-002 to January 21, 2020.

The motion carried by the following vote:

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

### **36. 19-1227 NO ACTION TAKEN — At the Applicant's request, Environmental Impact Report No. 17-001, General Plan Amendment No. 17-001, Zoning Map Amendment No. 17-001, Zoning Text Amendment No. 17-005, Local Coastal Program Amendment No. 17-001, and Development Agreement No. 19-001 (Magnolia Tank Farm) was continued to a date uncertain**

## **COUNCILMEMBER ITEMS**

### **37. 19-1230 ITEM SUBMITTED BY COUNCILMEMBER POSEY WITHDRAWN — ~~Direct staff to develop updates to the City's Annual Beach Parking Pass Program to allow for reduced-fee Disabled Passes~~**

## **COUNCILMEMBER COMMENTS (Not Agendized)**

Councilmember Peterson reminded everyone of the Huntington Harbour Philharmonic Cruise of Lights, which provides funding for local student music programs, and reported that as Night Captain he can report from first-hand experience that there are many outstanding light displays.

Councilmember Delgleize reported attending the Homelessness Consortium and thanked Illumination Foundation and Orange County United Way for sharing progress that is being made. Councilmember Delgleize also invited everyone to the 100th Birthday Gala Fundraiser for American Legion Post 133 at Mile Square Banquet Center, Fountain Valley, from 5 - 9 PM on Wednesday, December 18, 2019.

Councilmember Brenden reported attending the Assistance League of Huntington Beach Operation School Bell at Target, and the Kiwanis event for children at Walmart. He described how it was very rewarding to observe the young faces with smiles of delight, and thanked the two organizations and

the stores for their generosity. Councilmember Brenden also reported attending the Disneyland Candle Lighting event which included a choir, orchestra, trumpet players and a narrator to tell the Christmas Story in a very moving way.

Mayor Pro Tem Hardy reported attending the Assistance League of Huntington Beach Operation School Bell at Target and thanked the Assistance League for bringing smiles to so many children. She also thanked Waymakers for the Christmas Parade and Light a Light of Love event. She attended the International Celebration of Christmas Live Nativity Play at Old World Village where different cultures from around Orange County demonstrate how they celebrate the Christmas Story.

Councilmember Carr reported attending the Academy for the Performing Arts (APA) *Songs of the Season* outstanding performance, and she expressed gratitude for the many arts programs available in Huntington Beach.

Mayor Semeta narrated a brief video of the Christmas Parade, Light a Light of Love, and Huntington Harbour Philharmonic Boat Parade events, and thanked Councilmember Peterson for being a Boat Parade Night Captain. Mayor Semeta also announced the Community Grand Marshall for the 4th of July Parade is Diane Dwyer, a well-known and loved Huntington Beach volunteer.

Mayor Semeta reported participating in the Huntington Beach Operation School Bell at Target, attending the Boys and Girls Club Board Dinner, and the Illumination Foundation & Orange County United Way Homelessness Consortium. Upcoming events announced by Mayor Semeta include the Waggin' Trails Rescue Foundation Fundraiser on December 17th at the Paséa, and Surf City Splash on January 1st.

#### **ADJOURNMENT — 8:25 PM**

City Council/Public Financing Authority adjourned to a Special Meeting Study Session on Monday, January 13, 2020, at 5:00 PM in Council Chambers, Civic Center, 2000 Main Street, Huntington Beach, California

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

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City Clerk and ex-officio Clerk of the City  
Council of the City of Huntington Beach  
and Secretary of the Public Financing, Housing  
and Parking Authorities, and Successor Agency  
to the former Redevelopment Agency of the City  
of Huntington Beach, California

**ATTEST:**

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City Clerk-Secretary

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Mayor-Chair